SENATE—*Thursday, March 11, 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:

Almighty God, like the signers of the Declaration of Independence, we pledge to You and to our Nation our lives, our fortunes, and our sacred honor. We confess that it is a lot easier for us to say that than for the 56 men who placed their signatures on that historic liberating document. We reflect thoughtfully that few were long to survive. Five were captured, tortured, and later died. Twelve had their homes ransacked, looted, occupied by enemy soldiers, or burned. Two lost sons in the Army. One had two sons captured. Nine died of hardships. Thomas McKean of Delaware was so harassed that he had to move his family five times and yet served in Congress without pay, his family living in poverty and hiding. Thomas Nelson, Jr. of Virginia committed his own estate to pay back loans of the Government for $2 million and was never paid back. And we remember John Hancock's courage was as large in commitment of his funds as his signature was on the Declaration.

Father, remind us that freedom is not free. May we do our work today with profound gratitude, but it is You we give the praise. Thank You for women and men in every period of our history who really had to give up their lives, offer up their fortunes, and keep their sacred honor with costly patriotism. God, bless America with women and men like that today and start with each of us now. In Your holy name. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

THE CHAPLAIN'S PRAYER

Mr. BROWNBACK. What a beautiful prayer and beautiful way to start the day.

SCHEDULE

Mr. BROWNBACK. Mr. President, today the Senate will begin consideration of Senate Concurrent Resolution 5, a concurrent resolution relating to congressional opposition to the unilateral declaration of a Palestinian state. Under the order, there will be 45 minutes for debate on the resolution with time controlled by Senators BROWNBACK and WELLSTONE.

At the conclusion of the debate time, the Senate will resume consideration of S. 280, the education flexibility bill, with the time until 2 p.m. equally divided between the chairman and the ranking member.

At 2 p.m., under a previous order, the Senate will proceed to a stacked series of rollcall votes. The first vote will be on adoption of Senate Concurrent Resolution 5, to be followed by votes on amendments pending to the Ed-Flex bill. The final vote in the sequence will be on the passage of the bill.

Following the stacked series of votes, it may be the leader's intention to begin consideration of Calendar No. 16, S. 257, a bill regarding the deployment of a missile defense system.

I thank my colleagues for their attention.

CONGRESSIONAL OPPOSITION TO THE UNILATERAL DECLARATION OF A PALESTINIAN STATE

The PRESIDING OFFICER (Mr. FITZGERALD). The clerk will report the pending business.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 5) expressing congressional opposition to the unilateral declaration of a Palestinian state and urging the President to assert clearly United States opposition to such a unilateral declaration of statehood.

The Senate proceeded to consider the concurrent resolution.

Mr. BROWNBACK. Mr. President, I yield myself such time as I may consume. Under the previous order, I believe there are 45 minutes equally divided between myself and Mr. WELLSTONE on this debate.

At the very start of the Oslo peace process between Israel and the Palestinians, PLO Chairman Yasser Arafat wrote a letter to then Israeli Prime Minister Yitzhak Rabin in which he stated this: ''The PLO commits itself to the Middle East peace process, and to a peaceful resolution of the conflict between the two sides, and declares that all outstanding issues relating to permanent status will be resolved through negotiations.'' That letter was dated September 9, 1993, and it led to the ceremony on the White House lawn 4 days later that publicly launched the peace process.

Indeed, it was on the basis of the words that Chairman Arafat wrote that Israel agreed to enter into the negotiations. It was on that basis that Israel agreed to cede land and political authority to the Palestinians. It is the most important and fundamental Palestinian commitment, and it undergirds the entire peace process.

And yet it is this very principle that Chairman Arafat now threatens to abandon. Over the past several months he has repeatedly threatened to unilaterally declare a Palestinian state over the entire West Bank and the Gaza Strip, with the eastern part of Jerusalem as its capital.

Mr. President, this issue touches the core of the Israel-Palestinian conflict as the question of the permanent status of the Palestinian entity. What will be its final borders? Will there be limits on its sovereignty? Will it be allowed to have a military, to possess jets and tanks and missiles, to enter into foreign alliances with the likes of Iraq or Iran or Libya? All these questions need to be bilaterally negotiated between Israel and the Palestinians so that Israel's security can be assured.

You can just imagine what happens the day after a unilateral declaration. Palestinian security forces begin patrolling an area that they now consider part of an independent state but that is part of the area that Israel has had security control over. Israel would undoubtedly have to take steps to provide for the safety of its citizens. Tension will mount quickly, leading inevitably—and rapidly—to a quick descent into violence and bloodshed.

And consider for a moment what the Palestinians have already achieved in the peace process. Five years ago at this time, not one Palestinian living in the Gaza Strip or on the West Bank lived under Palestinian civilian authority. Today, 98 percent have their own executive branch, democratically-elected legislature, and courts. They have their own educational system, their own broadcasting authority, their own airport, their own travel documents, their own flag and anthem. They have full control over virtually the entire Gaza Strip and ten percent of the West Bank, including all major population centers, and civilian authority over another seventeen percent. And that is even before the start of final status negotiations. There has been much progress.

So why does Arafat make such a threat? Why jeopardize the entire peace process? On May 4, the five-year period that began with the signing of the first agreement between Israel and the Palestinians ends. It had been hoped that by that point all final status negotiations would have been completed. But it should be noted that

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

none of the agreements signed between Israel and the Palestinians—Oslo I, Oslo II, the agreement on redeployment in the city of Hebron, and the Wye River Accord were negotiated by the hoped for date. Still, the negotiators stuck to it until agreements were hammered out. That is exactly what should occur now. The peace process is much too important to be held hostage to an arbitrary date.

Some say that Arafat will back down and not carry out this threat, or that he will postpone the date. I certainly hope that is right. But listen to these words of his closest associate which were spoken as recently as February 22, less than 3 weeks ago. He said,

> We . . . assure the whole world that the establishment of the independent state of Palestine, with holy Jerusalem as its capital, is a sacred and legitimate right of the Palestinian people. It is a goal that our people will not accept to abdicate or to give up no matter what the difficulties.

Palestinian Authority Minister Nabil Shaath said on February 9, ''Our position concerning our right to declare a state on the fourth of May has not changed. Any opposition to this right is rejected.''

Eleven days later, on February 20, he continued on the same line, stating, ''We are moving forward in our preparations for the day, May 4, the date of the declaration of the Palestinian state.'' A few weeks earlier, in January of this year, he indicated that the declaration of independence would, in his words, ''delineate the borders of the Palestinian state as being the borders of June 4, 1967, including all of the West Bank, Gaza Strip, and the part of Jerusalem that was on the Jordanian side of the armistice.''

So it is clear that the Palestinians are still considering their options. Chairman Arafat should know, therefore, that the Congress of the United States strongly urges him not to pursue this reckless course, but to live up to his own words and his own fundamental commitment to negotiate this most complicated and important issue bilaterally with Israel. That is the only true path to a final and lasting peace, which is what we all see.

He should know that the Congress of the United States stands strongly in opposition to a unilateral declaration. This resolution expresses that opposition to a unilateral declaration, and it urges the President to make clear to Chairman Arafat that we will not recognize a unilaterally declared state.

We should be very clear on this point. This is a matter of principle. We should not be relieved if Mr. Arafat arises on May 4 and says, ''We will postpone this decision until December 31.'' A unilateral declaration, whenever it would occur, would be wrong. The status of the territories controlled by the Palestinian Authority can only be determined through negotiations with Israel. Period.

We should not pay Mr. Arafat for not doing something which he should not have threatened to do in the first place. We should have only one message: To make a unilateral declaration of statehood is wrong, we will not recognize it, and we urge you not to go forward with it, but instead to return to the process that has gotten us this far to date—the peace process. That is the only course which holds a promise of meeting the legitimate aspirations of the Palestinian people while providing the people of Israel what they have yearned for in the past 50 years: peace with security.

Mr. President, we have a number of speakers on our side, and I know Senator WELLSTONE does as well.

Before I yield the floor, I ask unanimous consent to add Senators KYL, ROBB, ABRAHAM and MOYNIHAN as cosponsors of S. Con. Res. 5. Their names appear to have been inadvertently omitted in the printed RECORD.

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

Mr. BROWNBACK. Mr. President, I reserve the remainder of our time.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I shall be relatively brief, and then I will ask Senator WYDEN, who is a cosponsor of this resolution, to really manage the rest of the time for Democrats. He is really the person who has taken the lead in the Senate on this, and he certainly should have the most time to talk about the resolution and the importance of it.

Mr. President, I will make a couple of points. One of them is very much in agreement with my colleague from Kansas, having to do with the importance of the peace process.

First, let me say that I think this resolution, which calls on the Palestinians not to unilaterally declare an independent state, is an important resolution. It is one which I certainly support. I support this resolution because I think that whatever ultimately is decided about whether or not there is or is not an independent Palestinian state, that is to be decided by Israel and the Palestinians. That is a part of the negotiation, part of where this peace process has to go in terms of dealing with these kinds of difficult questions. It would be a tragic mistake for there to be a unilateral declaration of a Palestinian state now. It would be a tragic mistake. I think this resolution really says that in a fairly strong and firm way.

Second of all, let me just say that I did have a chance, in December, to go to Israel with President Clinton. I have been a critic of the President on any number of different issues, especially when it comes to human rights questions. I think the administration's record is very weak. I think the President is trying to do the right thing in the Mideast. I went, in part, because I thought this was a commitment that the President was living up to, which he had made, regarding the Wye River agreement.

It was a very moving trip. I thought it was especially significant. I am convinced that the historians will write about what happened in Gaza when the Palestinian National Council went on record voting to revoke that part of their charter that called for the destruction of Israel. That can only be a step forward. It was very moving to be there when that vote took place. I just think that it raised the benchmark in terms of where we are going in the peace process. I thought it was a terribly important step that was taken.

Now we really wait to see what will happen in Israel. There are key elections. It is my hope that both Israel and the Palestinians will live up to a commitment that I think is so important to people all over the world. If there is not some political settlement, if there is not some resolution of this conflict, I fear that Israeli children and Palestinian children will be killing each other for generations to come.

My final point is that I would like to make this a part of the Senate record, and that is why I wanted to speak briefly about this. I do not believe that our support for this resolution should be construed as the U.S. Senate taking a one-sided point of view. I think we should be evenhanded. I think the role of our Government is to encourage both parties to be committed to this peace process.

I think the role of the U.S. Government is to have credibility with both parties and to simply say that this really is the only step that can be taken, and the only step that can be taken is a political settlement.

So let me just make it clear, as ranking minority member of this committee, that this resolution is a terribly important resolution. I thank my colleagues for their leadership on this question, but I also want to make it clear that I believe it is important for the U.S. Senate to maintain an evenhanded approach and to do everything we can to encourage this peace process to go forward, to do everything we can to encourage both parties to be a part of this peace process. And I believe that is what this resolution does.

I will reserve the remainder of the time on our side. I will ask my colleague, Senator WYDEN from Oregon, to please manage this bill forthwith.

I ask unanimous consent that John Bradshaw, a fellow in my office, be allowed to be on the floor of the Senate for the rest of the day.

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

Mr. ASHCROFT addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. ASHCROFT. Mr. President, I rise today in strong support of S. Con. Res. 5 expressing congressional opposition to the unilateral declaration of a Palestinian state. Yasser Arafat and other senior Palestinian leaders repeatedly have threatened to declare a Palestinian state on May 4, the original deadline for completion of the Oslo peace process. Along with other difficult issues such as the status of Jerusalem, refugees, and water rights, the issue of a Palestinian state should be determined in ''final status'' negotiations between Israel and the Palestinians.

Recognizing the security threat posed to Israel from a self-contained Palestinian entity, President Reagan wisely enunciated the U.S. policy of opposing the creation of a Palestinian state. Behind President Reagan's policy on Palestinian statehood was his correct understanding that Israel, to ensure its own security, must be able to determine how and in what form a Palestinian state comes to exist. The Reagan policy has endured since 1982 and has served the interests of the United States, Israel, and all other earnest supporters of peace in the Middle East.

But the winds of change have been blowing in the past year. The First Lady was quoted in *The New York Times* in May 1998 as stating that ''it will be in the long-term interest of the Middle East for Palestine to be a state'' (May 7, 1988, *New York Times*). President Clinton's trip to Gaza last December added a great deal of momentum to Palestinian statehood.

In other parts of the world, implicit policy shifts and diplomatic overtures may pass without much notice. But we have to remember that Israel is in one of the most dangerous and unstable regions of the world. In the Middle East, our actions as Israel's strongest ally have greater implications. That is all the more reason why our diplomacy in the peace process and the Near East generally must exercise foresight, discretion, and firmness.

Since the beginning of the Oslo process in 1993, Israel has lost more than 280 of its citizens to terrorist violence (a portion of the Israeli population comparable to 15,000 Americans) in over 1,000 terrorist attacks. That death toll is worse than in the 15 years prior to Oslo. Rather than eradicate terrorist infrastructure in Palestinian territory, the Palestinian Authority apparently has maintained its revolving door policy in detaining terrorists. Over 20 prominent terrorists have been released since President Clinton's visit to Gaza in December 1998. The Israeli Government reports that at least 12 wanted fugitives, including several who have killed American and Israeli citizens, are known to be serving in the Palestinian police.

At times, Mr. Arafat has threatened to cross out the peace accords and unleash a new uprising against Israel. He has described the peace accords as a temporary truce. The Palestinian Authority's official media arm, the Palestinian Broadcasting Corporation, consistently broadcasts incitement against Israel, including a children's program where martyrdom as ''suicide warriors'' is glorified. Mr. Arafat has not been helpful in resolving Israeli MIA cases, including the case of Zachary Baumel, missing since 1982.

This is not the behavior of a responsible partner in the sear for peace. The United States should be demanding full accountability for these violations of the Oslo Accord.

Too often, we have been seen as pressuring our friends and rewarding those who undermine the peace process, both in our dealings with the Palestinian Authority and our diplomacy throughout the Middle East.

Palestinian Violations of the Wye Accord: In spite of Palestinian violations of the Wye Accord, the latest agreement in the peace process, State Department spokesman James Rubin said Palestinian leaders had ''worked hard'' to fulfill their commitments. Rubin then emphasized ''It is the Israelis who have not fulfilled any of their Phase Two obligations by failing to pull back the further redeployment as required by Phase Two'' (January 6, 1999).

Iran poses a military and terrorist threat to Israel: Iran's ballistic missile and weapons of mass destruction programs are a direct threat to Israel. The Senate passed the Iran Missile Proliferation Sanctions Act (H.R. 2709) to sanction missile proliferation to Iran by a 90–4 vote last year, but the President vetoed the legislation. Iran supports terrorist groups which have killed Americans and Israelis, yet the Administration waived sanctions last year under the Iran-Libya Sanctions Act designed to restrict billions of dollars in foreign investment in Iran's oil and gas fields—dollars which will fund Iran's support of the enemies of peace in the Middle East.

Lack of U.S. Leadership in Iraq: Saddam Hussein is the chief terrorist of a terrorist government committed to the destruction of Israel. The Iraqi president has provided nothing but provocation for over a year and international support for the sanctions regime is eroding. An inconsistent Administration policy on Iraq over the last five years has undermined our efforts to bring about a change of government in Baghdad.

Syria continues to harbor Hezbollah terrorists: Syria provides safe haven to Hezbollah terrorists which wage an almost constant low-grade war with Israel. Hezbollah killed four Israelis in southern Lebanon on February 28, including a Brigadier General, the highest ranking Israeli officer to be killed in Lebanon in 17 years. I have sponsored legislation to sanction the Syrian Government for its support of terrorism, but the Asdministration has opposed the bill for the past 2 years.

As Israel faces each of these threats, it must determine finally what steps in the peace process preserve and enhance its security. American policy has been most successful in the region when it has respected this fact. A unilateral declaration of a Palestinan state undoubtedly would upset futures peace talks and introduce a destablizing element into Middle Eastern politics. The Administration has said it opposes unilateral acts by either side in the peace process, but neutral statements are not good enough when it comes to supporting a friend like Israel in a dangerous region. Our leadership must be more consistent and forthright in opposition to the unilateral declaration of a Palestinian state.

Mr. WYDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, how much time is left on our side?

The PRESIDING OFFICER. Seventeen minutes 33 seconds.

Mr. WYDEN. Thank you, Mr. President.

Mr. President, I am going to speak for a few minutes, and then I am going to yield some of our time to the Senator from New Jersey, the cosponsor of this resolution who has very strong feelings on this matter as well. We appreciate him coming over, as well, this morning.

Mr. President, a unilateral declaration of Palestinian statehood is irresponsible political brinksmanship, a provocative act that literally dares the State of Israel to respond, and it directly contravenes the spirit of the historic Oslo accords.

Six years ago, at those accords, the Israeli and Palestinian people took significant steps toward achieving peace and stability in the Middle East. Together there was a commitment to work and cooperate to produce a lasting peace through open and honest negotiations.

Despite that very promising beginning, the peace process is now on dangerously thin ice. The greatest risk to stability in the Middle East today is a repeated threat by Palestinian leaders to unilaterally declare statehood once the historic Oslo accords expire on May 4. Not only would such a declaration run counter to the spirit of the accords, but it would truly send a chilling message to all those who want meaningful peace in the Middle East.

That meaningful peace is why Senator BROWNBACK and I in our bipartisan resolution today have garnered the support of 95 Members of the U.S. Senate to stand in strong opposition to a unilateral declaration of a Palestinian state. We believe that step would constitute an ill-conceived plan that would

truly short-circuit the peace process. It would be bad news to all those who value stability in the Middle East.

The question of achieving Palestinian statehood while maintaining Israel's security lies at the heart of the conflict between Israel and the Palestinian people. It is not going to be resolved overnight with a press release. It is going to take careful face-to-face negotiations and real commitment from both sides.

Both Israeli and Palestinian leaders made a commitment in the Oslo accords to go forward with the negotiated process. Chairman Arafat said so himself in a letter to Prime Minister Rabin in 1993. In his own words, he said, ''All outstanding issues relating to permanent status will be resolved through negotiations.'' He needs to be held to this promise. Israel has held up its end of the bargain. Mr. Arafat must do the same.

A rash move such as unilateral declaration would derail these negotiations and risk a dangerous escalation of this conflict. This sheer defiance of both the Oslo accords and the peace process would be the diplomatic equivalent of drawing a line in the sand, which invites a response and a potential escalation of this conflict.

On the playground, fights begin when the schoolyard bully balances a stick on his shoulder and dares someone to knock it off. A unilateral declaration of statehood employs the same kind of school-yard bullying—it dares the State of Israel to respond. And when Israel does respond by taking reasonable and necessary steps to ensure its security, these actions would be used as an excuse to further escalate this conflict.

How long would it be before we have Israeli defense forces and Palestinian militiamen standing eyeball to eyeball across the disputed border waiting for the other to blink, if there is a unilateral declaration of statehood?

How long before tensions rise so high that the smallest spark ignites more violence?

How long before we are faced again with the disturbing images where both Palestinian and Israeli mothers are shown mourning their children slain in some senseless act of violence?

The people of the Middle East have been down that road before. They have tried the old ways in resolving conflict through violence and bloodshed. Now they want the opportunity to use peaceful negotiation to resolve their differences. Let us not sabotage the prospect of peaceful resolution with a unilateral declaration. The Oslo peace process is a valuable opportunity to begin healing centuries-old wounds. A unilateral declaration of statehood would only reopen those old wounds and eventually lead to yet more bloodshed.

No one wants to see diplomats being replaced by armed soldiers. No one wants to see open dialog give way to angry threats. The peace process will be far better served by an open hand extended in friendship than by a fist clenched in anger.

Mr. President, the resolution that we will be voting on today is vitally important to keep the peace process moving forward. With overwhelming bipartisan support in the Senate, we have the opportunity to send a clear, unequivocal message that we stand united in our opposition to a unilateral declaration of statehood. This resolution will hopefully make Palestinian leaders think twice about scrapping the peace process.

I am pleased that the President of the United States indicated his opposition to a unilateral declaration of statehood. The reason so many Members of the Senate join us today in this bipartisan resolution is we wish to drive this message home even further.

The President is going to be meeting with Chairman Arafat in several weeks to discuss this important issue. By the Senate making this unequivocal assertion this morning, we can strengthen his hand as he goes forward using the Oslo peace process to make sure that there are no end runs around the critically needed negotiations.

I am optimistic that a peaceful resolution can be found in the Middle East. Last month, Israeli and Palestinian authorities committed themselves to try to change the images they have of each other and to break through the mistrust that has divided them for so long.

They decided to exchange columns in each other's newspapers and to hold joint briefings for Israeli and Palestinian journalists. These are positive steps toward peace, and I'm hopeful to see more of this kind of cooperation in the Middle East.

But even an incurable optimist like me knows that it would be difficult to take further positive steps after a bad-faith attempt to unilaterally declare independence.

Palestinian statehood is a complex issue that must be dealt with carefully. It cannot be resolved through force or fiat. The prospect of peace in the Middle East is just too important to risk in a game of political chicken. If the Palestinian leadership is truly serious about peace, they will abandon the prospect of unilateral statehood.

Mr. TORRICELLI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. TORRICELLI. I am very proud to join with Senator BROWNBACK, Senator WYDEN, and my other colleagues in offering this resolution. I strongly support S. Con. Res. 5 and urge all of my colleagues in the Senate to adopt it.

S. Con. Res. 5 states not only our opposition to a unilateral declaration of a Palestinian state; it also urges the President of the United States to make very clear the opposition of this Government to such a unilateral action.

It is fair to state that the peace process in the Middle East has reached a critical point. Since the signing of the Wye River agreement, there has in truth been little progress. Some predicted that with the passage of the January 29 implementation date, the agreement might fail. All parties have a common interest that the Wye Plantation agreement not fail because the consequences would be enormous. The arguments for success remain overwhelming.

First, only implementation of the agreement will allow the parties to move to talks on final status, and only talks on final status hold the promise of ending this decades-old dispute.

Second, only implementation of the agreement will allow the parties to build on the basic elements of trust and confidence that are required for any complete and final agreement.

And finally, only a successful agreement will contribute to stability in the region, and bring an end to the use of the Palestinian dispute to fuel other conflicts.

Fifty years of negotiating for greater peace in the Middle East has taught us one lesson, peace requires both words and deeds. Any deed that runs contrary to written agreements has enormous consequences.

We have also learned through these 50 years that progress may be unsteady, but it is certain. It has been a very long road from Golan disengagement of the Syrians, to a Sinai agreement, to Egyptian peace, to the Wye Plantation, following Oslo. There were moments when it appeared it might come to an end, but it has been continuous. The process does work, and it yields results. Abandoning the peace process now by a unilateral declaration of Palestinian statehood runs contrary to everything we have learned. It is contrary not only to the interests of the peace process of Israel and the United States, but ironically, in the long term contrary to the interests of the Palestinians themselves.

I believe the consequences would be enormous: The destabilization of the peace process would perhaps be irrevocable; second, the declaration is almost certain to lead to renewed bloodshed and frustration—people would believe the peace process would never be resumed. And, third, tragically, it may damage the interests of the U.S. Government in the supplemental aid package that is part of the Wye River agreement, and the hope of economic progress on the West Bank and Gaza so the Palestinian people themselves believe there is a dividend in the peace process and their quality of life. It would be extremely difficult to return to the Congress and argue for that supplemental aid package, including funds

for the Palestinians, if the peace process has been abandoned and a Palestinian state unilaterally declared.

Mr. President, both parties committed themselves to a continuous bilateral process of negotiation. In September 1993, Yasser Arafat said to then-Prime Minister Rabin, ''All outstanding issues relating to permanent status will be resolved through negotiations.'' That was not a simple statement of fact. It was a promise. It is on that promise that Israel entered into the Wye agreement. It is on that promise that the United States has lent its good offices. It is on that basis that Israel recognized the Palestinian Liberation Organization and began these negotiations.

A unilateral act by the Palestinians on statehood would undermine this process perhaps irrevocably. I urge my colleagues' support of this resolution.

Just as importantly, I urge Chairman Arafat to consider these consequences. Whatever frustration he may feel, whatever disappointment they all feel that the deadline of January 29 has passed, I urge Chairman Arafat to remember that while progress has been unsteady, it has continued. This process will go forward. Do not abandon it. The Israeli elections may have caused a delay, but a new Israeli Government will remain committed to the peace process no matter who is elected. Reject the advice of abandoning peace. Reject the temptation of a unilateral declaration of statehood. Await the outcome of the Israeli elections and then let us return to the only peace process that guarantees the Israeli and the Palestinian people final determination through permanent status talks.

That is the process that is now before us. I thank my colleagues for offering this resolution. I thank Senator WYDEN for yielding me time.

I reserve the remainder of my time.

Mr. DEWINE addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. Mr. President, could I inquire how much time is remaining on this side?

The PRESIDING OFFICER. The Senator from Ohio has 7 minutes 6 seconds.

Mr. DEWINE. Mr. President, I rise today in strong support of this concurrent resolution, S. Con. Res. 5. This resolution expresses the strong disapproval of the U.S. Senate to any proposed or contemplated Palestinian state that is created, not through negotiation, but rather through unilateral declaration on the part of the Palestinian Authority.

I strongly support and have cosponsored this resolution because I believe in the Middle East process. Brave Israeli leaders have taken great risks for peace. So have Arab leaders. And so, importantly, have the people of the Middle East. I believe this process still offers the most promising approach for an enduring peace in the region.

Palestinian Chairman Arafat made a fundamental commitment at Oslo that, in his words, ''all outstanding issues relating to permanent status will be resolved through negotiations.'' I am here on the Senate floor today to call for a reassertion of that very policy. To move away from the Oslo process and take refuge in unilateralism would put the whole region at risk of destabilization. That is simply the wrong direction. I do not believe that a lasting peace can be built on the basis of unilateral declarations. Negotiations remain the single best way to secure the two pillars of a secure peace—addressing Israel's security concerns and creating a sustainable framework for preserving the human rights and political self-determination of the Palestinians.

The American people want security for Israel in the context of human rights for Palestinians. A unilateral declaration of independence by the Palestinian Authority would only delay the fulfillment of these goals. So I am proud to join my colleagues today in supporting this very important resolution.

Mr. LEVIN. Mr. President, I rise today to voice my support for Senate Concurrent Resolution 5 and announce my opposition to the unilateral declaration of a Palestinian state.

Palestinian statehood is an issue that has been left to be resolved between Israel and the Palestinians during permanent status negotiations. Nevertheless, Chairman Yasser Arafat has stated on a number of occasions his intention to declare a Palestinian state on May 4, 1999. This action would seriously undermine the continuation of the Oslo peace process. Prime Minister Binyamin Netanyahu has stated publicly that he would respond to such a unilateral declaration by annexing parts of the West Bank. Such a chain of events would surely mark a major setback and probably the end of the peace process.

In his September 9, 1993 letter to the late Prime Minister Yitzhak Rabin, Chairman Arafat writes that ''all outstanding issues will be resolved through negotiations.'' The unilateral declaration of a Palestinian state would clearly violate this commitment as well as the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip which was signed in Washington, D.C. on September 28, 1995. The agreement states that it is the understanding of the parties involved that permanent status negotiations ''shall cover remaining issues, including: Jerusalem, refugees, settlements, security arrangements, borders, relations and cooperation with other neighbors, and other issues of common interest'' and further that ''neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations.''

Mr. President, this resolution puts the U.S. Senate on record as opposing the unilateral declaration of Palestinian statehood. It is a statement, in my mind, in support of the peace process and the continuation of negotiations between the Palestinians and the Israelis. Negotiation and mutual agreement are the only way a true and lasting peace can be reached in the Middle East. While a Palestinian state may indeed become a reality at some point in the future, it is my hope that any such entity would be born from the direct negotiations of the Israeli and Palestinian people and not a unilateral declaration.

Mr. MACK. Mr. President, a unilateral statehood declaration by chairman Arafat would constitute a gross violation of the Oslo accords, in effect ending the peace process. And any state that he might declare, outside of the peace process, would be illegitimate, irresponsible, and wrong.

I am pleased to see this initiative has been cosponsored by 90 Senators as of this morning. But we must realize that this show of support grows from a very deep and heartfelt concern. We want peace to succeed, but Chairman Arafat's threat to unilaterally declare a state clearly threatens peace.

Mr. President, last week in a statement on the Senate floor, I asked how can peace be reached while the Palestinian leadership teaches children to hate. Today I ask, how can peace be reached when the Palestinian leadership threatens to unilaterally impose a final status.

I rise today to oppose this threat to the peace process. I hope the President will join us in making this statement to Chairman Arafat.

Mr. LEAHY. Mr. President, S. Con. Res. 5 expresses congressional opposition to a unilateral declaration of a Palestinian state and urges President Clinton to unequivocally assert United States opposition to such a declaration. I agree with the sponsors of this resolution that it would be extremely unwise for the Palestinian Authority to take such a provocative and destabilizing step.

In open forums and behind closed doors the administration has expressed repeatedly its opposition to any unilateral action by either Palestinians or Israelis which would predetermine issues reserved for final status negotiations. There is no doubt that the United States firmly opposes a unilateral declaration of a Palestinian state.

Such a declaration would be a violation of the principles contained in the Oslo Accords, and it could imperil the hard won but fragile agreement reached at Wye River. At the signing of the Wye River Memorandum, the late King Hussein said, ''we are not marking time, we are moving in the right direction.'' A unilateral declaration of a

Palestinian state would throw the entire process into reverse. It would be a serious mistake.

So I support S. Con. Res. 5 as far as it goes. Unfortunately, it does not reflect the inescapable fact that there are two sides to the Middle East Conflict. Just as the Palestinian Authority has fallen short in its implementation of its Oslo commitments, so have some Israeli Government actions exacerbated the condition which have caused some Palestinians to demand that the issue of statehood be resolved outside the scope of the Oslo process. Many have lost the hope that was kindled by the handshake between Prime Minister Rabin and Chairman Arafat on the White House lawn in 1995. Had the resolution been better written or balanced I could have co-sponsored it.

Despite these setbacks, the administration has played a key role in keeping the peace process alive. Congress has been asked to provide over a billion dollars in new funding to support implementation of the Wye River Memorandum. This is funding that we are very hard-pressed to find, but lasting peace in the Middle East is in the strong interest of the United States. Just as we are doing our utmost to bring the parties together, they need to demonstrate that they are fulfilling their commitments. They must both refrain from taking provocative, unilateral actions that would jeopardize the prospects for peace and they must both be willing to take the necessary risks to ensure a safe and prosperous future for their people.

Mr. FITZGERALD. Mr. President, I rise today as an original cosponsor of S. Con. Res. 5, a resolution expressing opposition to a unilateral declaration of a Palestinian state. I am proud to join my colleagues in supporting this resolution

We cannot allow the work of the past several years to be swept away by unilateral acts such as that threatened by Yasser Arafat. President Arafat has threatened to declare a Palestinian state by May 4, 1999 if there is no further progress in the Peace Process.

Mr. President, this act, in defiance of the Oslo Peace agreements signed by the late Prime Minister Yitzhak Rabin and Mr. Arafat, can only destabilize the region. It would no doubt precipitate further acts and the entire Peace Process, as precarious as it is, could be shattered.

The only true path to peace is through negotiation with Israel. There is no other way to achieve a satisfactory conclusion to this 100-year conflict. With the passage of this resolution Congress sends the message that if Yasser Arafat declares a Palestinian state on May 4, the United States should not recognize the validity of the declaration and Congress will strongly oppose it.

Mr. President, if there is to be peace between Israel and the Palestinians, it will be accomplished through peaceful negotiations between the two parties, not through unilateral acts.

Mr. BOND. Mr. President, I rise to offer my strong support to the resolution. For a long time now, the Palestinians and the Israelis have been negotiating a peace, based on compromise and a vision of peaceful coexistence.

These negotiations have been difficult, for both sides. But, they have progressed steadily toward an extraordinary agreement. One which could be a model for all the world to marvel.

A unilateral declaration by Chairman Arafat would destroy the advances he has made for his people in their quest for peaceful political and geographic autonomy. It is provocative, and it goes against every tenet of every accord to which he has affixed his signature. It would destroy any goodwill he has developed in this body because of his good faith negotiation with the Israeli Government.

I am proud that this body has the courage to stand up and voice its opposition to any unilateral moves by Mr. Arafat. I hope that he can see through the political fog he has created by floating this situation, which was made obviously in an effort to pander to radical elements.

As an original cosponsor of this resolution, I call upon all my colleagues to send a clear message that we could not accept such a declaration.

Mr. BYRD. Mr. President, I have no doubt that S. Con. Res. 5 is a well-intentioned effort by the members of this body to express their opposition to any unilateral declaration of statehood by the Palestinians. I support that position—such a reckless action on the part of the Palestinians would be disastrous to the Middle East peace process—but I cannot support this resolution. It is, in my opinion, ill-timed and unnecessary.

The Administration has made clear its opposition to any unilateral action that would preempt the negotiations between Israel and the Palestinian Authority. But the Palestinians are not the only players in this drama. The Israelis are also partners in the peace process, and have an equal stake in refraining from provocative and destabilizing actions. This resolution, however, does not address the responsibilities of the Israelis.

If Yasser Arafat has not yet gotten the message that the United States is opposed to a unilateral declaration of statehood, this non-binding resolution is not sufficient to drive the point home. But it contains the kind of rhetoric that could be used by those who wish to further disrupt the peace process. Given the tensions inherent in the efforts to negotiate a peaceful settlement between the Israelis and the Palestinians, the Congress should not take up what amounts to little more than a self-serving resolution that may do more harm than good.

If the United States Congress wishes to make a meaningful contribution to the Middle East peace process, we should, first, keep pressure on both sides to negotiate in good faith and to avoid provocative words or actions, and second, we should act promptly when the Administration sends to Congress its request for supplemental appropriations to implement the Wye River peace agreement. In this way, we can demonstrate our commitment to peace in the Middle East without adding fuel to an already incendiary situation.

Mr. KYL. Mr. President, I rise to express my support for Senator BROWNBACK'S legislation, Senate Concurrent Resolution 5, regarding the unilateral declaration of a Palestinian state. As an original cosponsor of this legislation, I believe it is important for the Senate to indicate its opposition to any unilateral declaration of statehood by the Palestinian Authority before Chairman Yasser Arafat's visit to the United States to meet with President Clinton.

The legislation underscores three important points:

First, the final political status of the territory controlled by the Palestinian Authority can only be determined through negotiations and agreement between Israel and the Palestinian Authority.

Second, any attempt to establish Palestinian statehood outside the negotiating process will invoke the strongest congressional opposition.

Third, the President should unequivocally assert United States opposition to the unilateral declaration of a Palestinian state making clear that a declaration would be a grievous violation of the Oslo accords and that a declared state would not be recognized by the United States.

As we all know from reading the newspapers, this legislation is directed toward those Palestinians, including Chairman Yasser Arafat, who have made statements about the possibility of issuing a unilateral declaration on or about May 4 of this year. Last month a top Palestinian official said, ''We are moving forward in our preparation for the day, May 4th, the date of the declaration of the Palestinian state that would encompass a portion of Jerusalem. The cabinet announced that ''At the end of the interim period [the Palestinian Authority] shall declare the establishment of a Palestinian state on all Palestinian land occupied since 1967, with Jerusalem as the eternal capital of the Palestinian state.''

On several occasions over the past year, the Clinton administration has refused to express U.S. opposition to the unilateral declaration of an independent Palestinian state, and has left it an open question as to whether the United States will recognize a unilaterally declared Palestinian state. As an

example, his intention to establish a Palestinian state with its capital in Jerusalem. Unfortunately, the President may have only encouraged this course when he said: ''[T]he Palestinian people and their elected representatives now have a chance to determine their own destiny on their own land.''

This legislation is intended to set the record straight. Despite the President's ambiguous statements, there should be no confusion among the Palestinian leadership about where the United States Congress stands on the issue of a unilateral declaration of statehood.

Mr. President, this matter brings to the fore another issue in which the administration's mixed signals and inconsistent policy in the Middle East has enabled false hopes and fantasy to flourish. I am referring to the policy of the United States regarding the status of Jerusalem.

With support from 90 percent of the members in both Houses, in 1995, Congress passed the Jerusalem Embassy Relocation Act, the principle feature of which was the requirement to establish an American embassy in Jerusalem no later than May 31, 1999. Another key element of the legislation, which the administration has repeatedly refused to acknowledge, is the statement of U.S. policy regarding Jerusalem. The legislation states: ''It is the policy of the United States that Jerusalem is the capital of Israel.'' Despite that the legislation is now law, the Clinton State Department has repeatedly refused to acknowledge this policy.

So, with the acquiescence of the Clinton administration, the Palestinian Authority has chosen to ignore American law and continues to hold out hope that the United States will recognize Jerusalem as the capital of a Palestinian state, perhaps even the capital of a state established unilaterally.

This will not happen.

The United States Congress has a clear policy regarding Jerusalem. Today, we are stating our position regarding the unilateral establishment of a Palestinian state. While the administration's policies are confusing, ambiguous statements of general support for everything on the table, the Congress is clear and direct. No unilateral declaration. No Palestinian sovereignty over Jerusalem.

I commend Senator BROWNBACK and my colleague from Arizona, MATT SALMON, who is the principal sponsor of this legislation in the House of Representatives.

Mr. KENNEDY. Mr. President, I strongly support this resolution, and I urge the Senate to approve it. I oppose the unilateral declaration of an independent Palestinian state. Such a provocative action would violate the letter and the spirit of the peace process in the Middle East, and could well be an irreparable blow to that process.

The issue of an independent state is clearly one of the most critical issues in the peace process, and just as clearly, it is an issue that must be negotiated by the parties themselves.

I hope very much that Chairman Arafat will be successful in resisting the pressure he is under to take this irresponsible action. The peace process is too important, and the parties have come too far, to allow this to happen.

It is very important for all of us in the United States who care about peace in the Middle East to make our views clear on this fundamental issue. I commend the Senate leadership of both parties for enabling the Senate to go on record today in strong opposition to any such unilateral declaration.

Mr. BIDEN. Mr. President, when the Prime Minister of Israel, the late Yitzhak Rabin, and the Chairman of the Palestine Liberation Organization, Yasser Arafat, signed the Declaration of Principles on September 13, 1993, they each made a commitment to put nearly a century of conflict behind them and agreed to settle their differences through negotiation.

Since then, the process they set into motion has had its ups and downs. Many innocent lives have been lost at the hands of those opposed to peace and reconciliation. But progress has been sustained because both sides have ultimately demonstrated a willingness to resolve their disputes at the bargaining table.

Were Chairman Arafat now to take the unilateral step of declaring a Palestinian state, I fear that it would threaten the progress that has been made over the past 6 years.

The Declaration of Principles stipulates that the toughest issues—Jerusalem, refugees, settlements, borders—are to be resolved by permanent status negotiations. It is dangerous to argue that the end of the interim period on May 4 gives either side the right to decide an issue that both sides agreed to negotiate.

Any action or proclamation by either side that prejudges the outcome of negotiations can only hurt the cause of peace. it invites the other side to respond in-kind, and it serves only to delay a lasting peace settlement.

Mr. President, last August, I had the opportunity to meet with the Chairman Arafat and Prime Minister Netanyahu. At the request of President Clinton, I discussed with them some of the key issues in dispute.

Contrary to what many were saying at the time, I found both leaders to be committed to the peace process. Not many believed that these two individuals would overcome the profound differences over territory and security that were holding up an agreement on the second redeployment. With the Wye River Memorandum, both leaders proved that negotiations can resolve disputes, if both sides share the same goal.

It is in that spirit that I trust that the Palestinian leadership will not proceed with a unilateral declaration of statehood.

I am confident that they will realize that their aspirations can best be realized through a commitment to the principles of negotiation.

I yield the floor.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. DEWINE. I yield time to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, it is my expectation—and really prediction—that this resolution will pass the U.S. Senate by overwhelming numbers and that it should be heeded by any of those who wish to have a unilateral declaration of a Palestinian state. My colleagues have already articulated the point that Chairman Arafat has made a commitment to determine issues such as the Palestinian state by negotiations, and we would expect that commitment to be preserved. There are very delicate matters involving Israel and the Palestinian Authority with respect to withdrawals, and there are major risks in ceding as much real estate, as much ground, as much territory as Israel has ceded to the Palestinians.

There is an element of great emotionalism, over and above the issue of security. I recall the famous handshake on the White House lawn on September 13, 1993, with the expectation of working out a permanent peace in the Middle East.

In December of 1993 I had occasion to travel with a congressional delegation and visited Egypt. President Mubarak arranged a meeting with Chairman Arafat at that time, where he renewed his pledges to live by the Oslo accord.

A few weeks later I was in Israel, in Jericho, and found for sale at the roadside stands, flags of the Palestinian state. The ink was barely dry on the Oslo accords and the handshakes were barely unclasped on the White House lawn before people were talking about a Palestinian state and there was, in fact, the Palestinian flag.

I recall visiting in Amman, Jordan, in the mid-1980s, awaiting a meeting with King Hussein and looking at a map of the Mideast. Where I expected to see the designation of ''Israel,'' there was the designation of ''Palestine.'' I mentioned that to King Hussein, the leader of Jordan, and had the comment that ''it was an old map.'' Well, maps can be redrawn. But for years the State of Israel was not recognized in the Arab world. Instead of having ''Israel,'' which had control of the land and was the sovereign controlling that land, ''Palestine'' was still noted on the maps.

There is also the issue of a very substantial appropriation which is being sought from the Congress of the United

States. I am not saying that appropriation would be conditioned on the Palestinian Authority abiding by the terms of the Oslo accord with respect to settling the declaration of a Palestinian state by negotiations, but certainly it would be in mind, it would be a factor to be considered, with many, many others.

So, in sum total, there is much to recommend restraint by the Palestinian Authority and to leave this issue, as to whether there will be a declaration or not, to final status negotiations in accordance with the terms of the Oslo accord.

I thank the Chair and thank my colleague from Ohio for yielding the time. I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, Senator LAUTENBERG, the Senator from New Jersey, is interested in speaking on this as well. He is not here at this time.

I ask unanimous consent that the remainder of our time be allowed to go to Senator LAUTENBERG. I believe it is just under 5 minutes. It is my understanding there will be a vote on this measure at 2 o'clock or sometime in that time vicinity, so he would have to get here, obviously, fairly soon. But I ask unanimous consent the remainder of our time be allocated to Senator LAUTENBERG.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. 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. LAUTENBERG. Mr. President, I understand there is a unanimous consent agreement that says I should be permitted to use the remainder of the time on this side.

The PRESIDING OFFICER. The Senator is correct.

Mr. LAUTENBERG. Mr. President, I rise in support of this resolution, of which I am an original cosponsor, opposing Palestinian statehood as a unilateral declaration. We need to send an unequivocal signal of the Senate's opposition to any unilateral declaration of Palestinian statehood.

I know the players here very well. I knew Israeli Prime Minister Rabin. I considered him a close friend. I had a lot of contact with him over a period of more than 20 years. I got to know Chairman Arafat when he came to Washington, and I have seen him in Jericho. I have seen him here several times; I have seen him in New York. When they got together, shook hands, and signed the Declaration of Principles that was negotiated in Oslo, it was a tremendous historical moment.

The Oslo accords set in motion a process to end violence and bring peace to this troubled region. Despite obstacles and delays, Israel and the Palestinians have come a long way down the road to a better future. Last year, with the peace process stalled, President Clinton brought together Prime Minister Netanyahu and Chairman Arafat for intensive discussion on a plan that would achieve further progress in implementing the Oslo accord. With the help of a good friend to the United States, to Israel, and to the Palestinians—King Hussein of Jordan—President Clinton convinced the parties to sign the Wye River agreement.

Both Israel and the Palestinians implemented their commitments in the first phase of the Wye memorandum. Unfortunately, the process remains stalled there, though important cooperation between Israeli and Palestinian representatives continues.

President Clinton has rightly urged the parties to respect and implement the Wye memorandum, despite the pending election in Israel. Prospects for further implementation are good, in my view, even if this is not happening right now.

The point is that, on the whole, the Oslo framework is still intact. Final status negotiations to resolve the most challenging issues should begin within a matter of months. In that context, the resolution we are considering today makes a vital point. The Palestinians must not jeopardize the peace process by unilaterally declaring statehood, as Chairman Arafat and other Palestinian leaders have suggested. By adopting this resolution, we send an unequivocal message that, certainly as far as the Congress is concerned, the United States would not recognize a unilateral statehood declaration and would instead condemn it as a violation of the Oslo accords.

Mr. President, this resolution represents our strong commitment to a negotiated peace in the Middle East. I, on a personal basis, look forward to the fact that one day they will put aside violence there and they will get along. It is a necessity; this is not a matter of choice. I welcome the overwhelming support that is indicated for this message on the part of my colleagues, that no unilateral declaration of statehood will receive the support or the encouragement of the United States.

With that, I yield the floor.

Mr. ROBB addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Mr. President, I think this is a terribly important issue in that we understand that the bottom line is that threats undermine the peace process. It is that simple. Autonomy has to be determined through the process of negotiations. We are not talking about statehood. I applaud all of the Members who have joined in cosponsoring this resolution. I hope it will be passed unanimously by the U.S. Senate.

EDUCATION FLEXIBILITY PARTNERSHIP ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 280, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 280) to provide for education flexibility partnerships.

The Senate resumed consideration of the bill.

Pending:

Jeffords amendment No. 31, in the nature of a substitute.

Jeffords (for Lott) modified amendment No. 60 (to amendment No. 31), to express the sense of the Senate regarding flexibility to use certain Federal education funds to carry out part B of the Individuals with Disabilities Education Act, and to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act.

Feinstein/Dorgan/Bingaman amendment No. 61 (to amendment No. 31), to assist local educational agencies to help all students achieve State achievement standards, and to end the practice of social promotion.

Wellstone amendment No. 62 (to amendment No. 31), to provide for local and state plans, use of funds, and accountability, under the Carl D. Perkins Vocational and Technical Education Act of 1998, except to permit the formation of secondary and post-secondary consortia.

Bingaman amendment No. 63 (to amendment No. 31), to provide for a national school dropout prevention program.

Bingaman (for Murray/Kennedy) amendment No. 64 (to amendment No. 31), authorizing funds for fiscal years 2000 through 2005 to provide for class-size reduction in the early grades and to provide for the hiring of additional qualified teachers.

Bingaman (for Boxer) amendment No. 65 (to amendment No. 31), to improve academic and social outcomes for students and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities during after school hours.

Jeffords (for Lott) amendment No. 66 (to amendment No. 31), to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act.

Jeffords (for Lott) amendment No. 67 (to amendment No. 31), to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act.

Jeffords (for Lott) amendment No. 68 (to amendment No. 31), to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act, and

to amend the Individuals with Disabilities Education Act with respect to alternative educational settings.

Mr. TORRICELLI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. TORRICELLI. Mr. President, under the previous order, I yield myself 10 minutes on the bill.

The PRESIDING OFFICER. The Senator is recognized.

Mr. TORRICELLI. Mr. President, there is understandably much discussion in our country about the ways and means to continue the rather extraordinary economic prosperity that has been visited upon our generation. Theories abound about how to maintain this economic growth that is providing employment, a growing Federal surplus, and a rising quality of life in America.

It is one thing upon which I suspect we can all agree, as we think about continuing the current economic expansion, that this prosperity is built upon a foundation of quality education. Indeed, I would argue that it is the investment of our parents' generation in quality schools, rising standards of excellence, attraction of good teachers, 30 and 40 years ago, that we are now reaping in dividends of prosperity. There is no question that in those years our parents understood that the security of our Nation and our prosperity would be no stronger than the investment we made in education.

I believe that as our parents recognized the opportunity and made the investment and that investment yielded these dividends, the problems of American education now stand like a dagger at the heart of our economy. Too many of our children are now attending schools that would be a source of embarrassment for any Member of this institution. I have visited schools across New Jersey where children meet in hallways, in gymnasiums, because there are no longer classes available. The very schools that our parents provided for us that helped build this prosperity are crumbling around our feet.

The GAO has reported that one-third of all schools in America, serving 14 million students, are in serious need of repair. Teachers, no matter how hard they try, no matter their level of effort, can only do so much with old textbooks and with the dearth of modern technology. All the inventions and services on the Internet in the world won't make any difference in American education when only 27 percent of public schools are even connected to the Internet. Far too few communities can any longer afford the extra curricular activities, the extra hours of instruction that we enjoyed as students ourselves.

Across America, school districts are canceling sports activities. The club activities, the tutoring activities, the activities where students excelled a generation ago are being lost, leaving between 5 and 15 million students left alone at home after school. The reality of the two-wage-earner family means that millions of these students not only do not have supervision in school or activities but are left alone. Even if they did not need the instruction, even if they did not need the socialization or activities, these students are going home, where we are laying the groundwork for drug abuse, teenage pregnancy, truancy, with a direct correlation between students who do not have activities after school and failing grades and dropouts.

Local schools are so overwhelmed with these social problems, the overcrowding, the crumbling schools, sometimes they have no choice but social promotion, take a student who is failing and send them through the system and on to the streets. The reality of this education debate is, there are a lot of good answers, and they are represented by many Senators on this floor—efforts to help local communities deal with the cost of reconstructing our schools, dealing with the problems of social promotion, the problems of rising standards, the problems of getting better teachers, retaining good teachers.

What is unique about this education debate is—everybody is right—there is no one good idea. There are no two good ideas. This is a problem of such complexity that is so central to quality of life and economic opportunity in America that succeeding requires everybody's best efforts. What is most important is that it is a debate that requires a competition of the best ideas between Democrats and Republicans and liberals and conservatives.

There is no monopoly on creative thinking in dealing with the problems of education in America. Indeed, the underlying legislation, the Education Flexibility Partnership Act, is a good idea, it is a sound idea, but it is one idea that in and of itself does nothing about overcrowding or rising standards or new technology. It is one idea. I will vote for it, and this Senate should enact it. But at the end of the day it leaves us with this question: What do we do about these varieties of other problems?

Indeed, can this Senate say at the conclusion of the 106th Congress that we have dealt with educational flexibility, but that is all we have done, and seriously argue that we have dealt with the issue of education in America?

Last year, in this Senate, I joined with Senator COVERDELL in the belief that we should establish savings accounts to help fund private and public education. I believed it was a good idea. But even then, I argued, in answer to my own legislation, that if that is all that we have done, we haven't begun to address the problems of education in America. I return to that argument today.

Consider the dimensions of the problem, if you are to disagree and argue that educational flexibility alone will deal with this national dilemma. Forty percent of fourth grade students are failing to obtain basic levels of reading; 40 percent of eighth graders fail to obtain a basic level of mathematics. High school seniors across the Nation are ranked 19th out of 21 industrialized nations in math and science. Of course, I support legislation for educational flexibility, but I am also here to support the Murray amendment to hire more teachers and reduce class size, because we know, according to the Department of Education in their 1998 May report, that one element most directly relating to improved student performance is a reduction of class size in the early grades. The Murray amendment is the one answer we know will improve student performance in early grades. The Murray amendment would finish the process we began last year of adding 100,000 new teachers in America to reduce class size.

Indeed, I would have liked to have today added to the efforts of Senator MURRAY with an amendment of my own, and that would have been to give signing bonuses to people who will become teachers. Where our best college graduates will go to schools most in need, I would have offered them a signing bonus to get them into the classroom immediately.

It confronts the reality of the fact that a starting teacher in America today could hope to earn, in a public school, $25,000. For a software engineer, our leading high-tech companies are offering $50,000 to the same person, with a signing bonus. Teachers are prepared to make sacrifices because they are dedicated, but how much of a sacrifice? We know they are our most important asset in dealing with the issue of educational quality.

So, my colleagues, I urge that we all come together to support educational flexibility. But I would have liked to have offered my amendment, which will not be allowed today. I urge my colleagues to consider Senator MURRAY's amendment, and also Senator FEINSTEIN's to end social promotion in our schools—the passing of the problem along to the streets because we will not deal with it in the classroom—and Senator BINGAMAN's amendment to help stem the tide of dropouts. Unfortunately, one of the most important problems of all—deteriorating schools—we won't be able to vote on.

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

Mr. TORRICELLI. Mr. President, I thank you for yielding me the time. I support the underlying legislation but also the amendments being offered.

Mr. VOINOVICH addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I stand before you today in strong support of Senator FRIST's Educational Flexibility Partnership Act. But then again, most of the Senate, and all 50 Governors, Secretary Riley, and even the President want this wonderful piece of legislation to pass today.

It is a big day personally for me. Some people are not aware of the fact that this effort for flexibility started in Ohio in 1981, when I commissioned a private-sector audit of the department of education to make it more friendly to our school districts. At the same time, it was command and control. The private-sector management audit came back and said it was riddled with paperwork, and the shocking thing was that half the paperwork the department had to do and the schools had to do was as a result of Federal regulations, and we were only getting 6 percent of our money from the Federal Government.

I recall going to Washington at that time and sitting down with Secretary Lamar Alexander and asking him if he could do something about it. Unfortunately, he could not. Later on when President Clinton became President and Dick Riley, a former Governor, became Secretary of Education, in the Goals 2000 legislation he provided for States to take advantage of some flexibility.

I want to underscore that a State cannot take advantage of this program unless they agree themselves to waive their regulations, and in some instances—for example, in Ohio—even waive statutes. This provided an opportunity for school districts to get waivers that, prior to Ed-Flex, had to go directly to Washington in order to get a waiver. It allows them to go to their superintendents of public instruction in their respective States.

I am proud that we have had an opportunity to take advantage of this. In Ohio we have 186 schools using a title I waiver, with over half of these schools increasing their proficiency test scores in math and science. Those school districts have taken advantage of waivers in the Eisenhower grants. As you know, in the Eisenhower grants, 85 percent of the money is supposed to be used for math and science. But in the elementary schools, how can a kid learn math or science if they cannot read? So as a result of the waiver program, we were able to get waivers to allow the money to be spent on reading, and today in those schools we have seen a dramatic increase in the math and science scores as a result of the fact that those schools were able to take advantage of the waiver.

There are some people who would argue that we need more accountability. I argue that we have accountability in most States. In Ohio, for example, we have our report cards, not only by districts but by individual buildings. With Ed-Flex, a building or a classroom that takes advantage of a waiver has to agree that within a year they will report back on how they are taking advantage of that waiver and whether it is making a difference in the classroom.

I would say that if I could get every title I school in the United States of America to become an Ed-Flex waiver school, we would have a lot more accountability with that title I money that is going into those districts—for those that are concerned about title I.

I think this idea is so overwhelming that last year, as chairman of the National Governors' Association, I made Ed-Flex one of my top priorities. I recall going to the White House and talking to President Clinton about it and his indicating that he thought it was a good idea. Last year, we almost got it done with the help of Tom Carper, the Democratic Governor of the State of Delaware. Again, we are bringing it back to Congress for their consideration.

To my Democratic colleagues I say this: There are a lot of ideas that have been proposed here on the floor. My attitude is that they all involve money. This is not a money bill. Ed-Flex does not require one additional dime from the Federal Government. What it does do is that it allows school districts to save the paperwork and the redtape so their administrators can spend time on education, and the teachers can, and they can take more of the money that is coming in from the Federal Government and put it in the classroom to improve the education of our children.

And if you want to talk about priorities: Rather than 100,000 new teachers, I would rather put the money in funding the Individuals With Disabilities Education Assistance Act or, in the alternative, my favorite: If I had the choice, instead of 100,000 teachers, I would put the money into 0 to 3, or conception to 3, a time in a child's life that is being, quite frankly, neglected in this country, not only by the Federal Government but by the local governments. We can prove that if you put money in during that period of time, when it is most important to the development of a child's ability to learn, you can get the best return on your investment.

So let's debate how we want to spend this Federal money and where we ought to be spending it, but let's not make that part of the debate on Ed-Flex. We will get to that. We will have that debate. We will look at what is available and decide how it is to be spent.

So today I ask the Members of the Senate to support Ed-Flex. Let's have a clean Ed-Flex bill. Let's get it done. It has made a great difference for the people of Ohio and those States that have taken advantage of it. I think it is long overdue to give the other 38 States of this Nation the same opportunities that we have.

Mr. President, I yield the floor.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. I yield 10 minutes to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Thank you, Mr. President.

I first thank the Senator from Massachusetts for yielding me time but, more importantly, thank him for his tremendous efforts on the floor of this Senate for the last several days. Hour upon hour, he has been battling to ensure that this education flexibility bill is not simply a blank check to the States but it also has the kind of accountability that will be necessary to ensure that this flexibility will result in improved student performance. In fact, it is a battle the Governors urged us to take up because they are as concerned as anyone else to ensure that this flexibility is accompanied by accountability.

He has also taken up the fight on two important issues of unfinished business. Last year, we appropriated significant amounts of money over the next several years to ensure that we could reduce class size by hiring additional teachers. It is now imperative that we authorize that appropriation, that we give a sense of continuity, stability, and assurance to the local communities that this money, this program, will be in place over time. Second, last year we also went a long way toward developing programs to prevent students from dropping out of our schools. Senator BINGAMAN has been the champion of this program and that is unfinished business that we want to take up.

What has happened in the course of this debate is we have moved beyond both Ed-Flex and accountability and some unfinished business to embrace other issues. The positive value of that is any debate about education, I believe, is inherently healthy, and I am pleased to do that, but we have taken some steps away from the main topic.

There is one issue I particularly want to concentrate on and focus on. That is an amendment I introduced that would go directly to the issue of educational flexibility, directly to the issue of accountability. I had hoped to have the opportunity to offer the amendment as a stand-alone, that I could debate it and engage in a principled discussion, but because of the parliamentary condition of the floor, because of the unanimous consent, the only opportunity I had to have the amendment offered was to do so in conjunction with one of Senator LOTT's amendments.

I am in the awkward position of supporting my amendment and grateful that Senator LOTT included it in his

amendment, but respectfully differing with Senator LOTT on his proposal with respect to IDEA. What Senator LOTT is essentially providing to the school districts of America is a Hobson's choice, a choice between decreasing class size or additional resources for IDEA, the Individuals with Disabilities Education Act. I don't think we should present that choice to school districts. I think we should do all we can to ensure that we properly fund IDEA and at the same time we are able to reduce class sizes throughout the country.

In fact, I argue that a reduction in class size will materially benefit the Individuals with Disabilities Education Act programs throughout the country because the reality of many schoolrooms is that there are IDEA students in large classrooms. They are not getting the attention they need and deserve. At the same time, the other students aren't getting that type of attention. By reducing class size—and this is an amendment that Senator MURRAY has championed and I salute her—we will help both programs, but ultimately we should be able to find the resources to fund both reduced class sizes and also keep up our commitment to the Individuals with Disabilities Education Act program.

Let me speak specifically about my amendment that goes to the heart of Ed-Flex. It goes to the heart of accountability. What it would do is involve parents, which I think is a topic we have not paid enough attention to. I hope in this oncoming reauthorization of the Elementary and Secondary Education Act, we would put a special emphasis on innovative ways of involving parents in the educational process. We know it works. We know it is important. We know that good schools are schools not only with robust and intellectually curious children and good teachers, they are those schools that have strong parental involvement.

My amendment would simply require the States to have a comment period with respect to their proposals for educational flexibility. Specifically, ask that parents and other interested parties be allowed to comment. These comments would be taken pursuant to State laws. We are not trying to create a special unique procedure. We don't want to add to the burden of States, but we want States to listen to the parents in their communities when they talk about educational flexibility.

More than that, we want these comments to be incorporated in the application to the Secretary of Education so that the Secretary understands not just the perspective of the Governor, but just as importantly—in fact, one might argue more importantly—the perspective of parents in the communities of that State.

I am pleased to say after spending a great deal of discussion with Senator FRIST, particularly, we have reached an accommodation acceptable to both sides. In fact, it represents a movement on my part from the amendment I suggested last year which would have required a formal 30-day period of comments that would require an evaluation of the comments by the States in terms of their goals for educational flexibility and incorporating that in the application. We have decided to move closer together in terms of a more streamlined process.

I point out that just a few days ago the Committee on Education and the Workforce in the other body, by an overwhelming vote of 30–9, passed my amendment of last year requiring a much more rigorous parental involvement, a more heavily regulated, if you will, approach to the issue.

In order to have a position in conference that will give us the opportunity to discuss this and discuss this with a principle proposal already on the table, I am extremely pleased that this amendment, the Reed amendment, has been incorporated into Senator LOTT's proposal. This Reed amendment is going forward.

It also, I might add, follows precedents we established last year with respect to parental involvement, in particular with respect to the Workforce Investment Act and the Reading Excellence Act. I hope this is the beginning of a trend to involve parents directly with the issue of educational reform at the local level.

I hope it also represents an opportunity that we will follow up in the Elementary and Secondary Education Act to think about ways we can get parents more involved in the education of their youngsters. I also add that the Parent Teachers Association of America supports my amendment, the Education Trust supports it, the American Federation of Teachers and the Center for Law and Education supports this. Also, this was one of the provisions that was pointed out specifically in the statement of administration policy dated March 3 as part of their review of the underlying Ed-Flex legislation.

I say with some regret I cannot support Senator LOTT's proposal because I do think it is presenting a Hobson's choice. I think we can do better. I don't think we have to choose between some children versus others. I think we have to recognize that class size will help all children. It may, in fact, be additionally beneficial to children with special needs.

Again, I think as we all recognize that we have a special responsibility to put our money where our noble words are when it comes to the issue of individuals with disabilities and their education in the United States, that requires looking for additional resources rather than simply trying to play one off the other in terms of some children versus other children.

I thank, again, Senator KENNEDY's leadership and certainly Senator FRIST and Senator WYDEN who have been doing a remarkable job on the floor. I hope at the end of the day we will have a bill we can all support. There are some provisions, as I outlined, that I opposed, but I conclude by strongly supporting my amendment which would give parents a real say in the educational flexibility plans that emanate from the States.

With that, I yield back any time I have to Senator KENNEDY.

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

Mr. DOMENICI. Mr. President, I will be managing the time on our side until Senator JEFFORDS arrives. I yield myself 6 minutes and then I will yield to the distinguished Senator.

Mr. President, first, I rise in strong support of the Education Flexibility Partnership Act. I begin with a brief quote:

> An investment in knowledge always pays the best interest.

Benjamin Franklin stated that in the early years of our Republic.

Building upon this statement, I say it is a simple fact—which the occupant of the Chair, as a distinguished Governor in a State that has seen great economic growth and prosperity and better jobs and more opportunity—it is a simple fact that the future is prejudiced in favor of those who can read, write, and do math.

A good education is a ticket to a secure future in this United States. And obviously, the opposite is equally true. As the earning gap between brains and brawn grows even larger, almost no one doubts that there is a link between education and the individual's prospects, even in this great land of opportunity.

Today, the Senate is taking a first step to improve our Nation's educational system, because everyone acknowledges that our children are the future of this country and we must make every effort to provide them with the tools to succeed. Our action provides States with increased flexibility to ensure that our students have an even better opportunity to succeed. I submit that because we have so many programs at the national level, small and large—and I will allude to the number shortly—that if you are looking for a place to reform, maybe you ought to start right here.

Maybe we ought to look at the whole package of targeted educational programs at the national level and see how far off the mark they really are when it comes to helping children in the United States. This takes some of our programs and says that one size doesn't fit all, and Washington bureaucrats and interpreters of these various laws don't always know best, so we are going to give local teachers and administrators who know the problems the opportunity to create flexibility in

terms of how these various programs are used in the field for our children.

I want to move ahead to a summary that was given to us by the GAO that, in conjunction with the Budget Committee staff and under the leadership of Senator FRIST, looked at a whole myriad of U.S. Federal programs to see just what we were doing and what we were not doing. And so, Mr. President, I want to inform you that your concern when you were Governor of Ohio of all the bureaucracy and paperwork and missing the target by Federal programs, if you wondered why, this is why. Our National Government has funded over 86 teacher training programs in 9 agencies and offices; 127 at-risk and delinquent youth programs in 15 agencies and offices; and over 90 childhood programs in 11 Federal agencies and 20 offices.

Now, it is quite obvious that the U.S. Government, our committees, and our Secretary, are not the know-all and end-all of good education occurring in Ohio, New Mexico, Arizona or Massachusetts. How could we be the end-all and the know-all when, essentially, we contribute less than 7 percent of the funding? Now, it almost makes us, standing on the floor speaking so eloquently about what the Federal Government is doing with its money on education, to some extent, borderline unreasonable in terms of credibility, because how can you change this big education system—and I am going to estimate that we are spending $427 billion a year on kindergarten through 12 in all our sovereign States and all the school districts. You tell me how that $200 million or $300 million targeted in some way—Mr. President, a former Governor, tell me how that $200 million or so spread across this land can have a real impact on a system that is as diverse as America and into which we are spending $417 billion and we can't get the job done. It can't be that the million dollars is going to help. It is only that we make it appear as if it is going to help. We invent the amendments and the bills, and sometimes we even take a poll before we invent them to see what it is the people want.

Who can be against more teachers? But if you fund the States with more money for IDEA, the disabled children, which we are already obligated to do, it relieves an equal number of dollars for them to use for teachers if they would like. Some are frightened, however, that the States and the schools might not use it for more teachers. They might use just a little piece of it for that because they already might have sufficient teachers.

It is not a new thing in education that we dreamt up here in Washington that we need more teachers in our schools, although it is still not unequivocal as to whether reducing the size to the level we contemplate nationally is what every school system thinks would do the job best for their children. That is not decided yet. That is still out there feverishly being tossed around with many other concepts in terms of education.

So, Mr. President, this is just the beginning—this flexibility—of what I hope is a real effort by the U.S. Government to reform its own education commitment to our States. We are all saying we want the States to reform, we want them to be more accountable. Well, when the bill comes up this year on primary and secondary education, it is my hope that we will not do more of the same. It is my hope that we will seriously consider a total reform of those programs, because if we are asking the States to do better, it is pretty obvious that we can do better also. As a matter of fact, I believe it is borderline these days as to just how much the Federal Government's assistance is really raising the education level of our children.

I repeat, if I had my way, and we could focus it into the right channels, I would be for more Federal aid to education, not less. But I guarantee you, with the myriad of programs, as I have described them, spread throughout Government with no accountability, one program to another, I would not be for spending more money to feed that kind of educational assistance when I have very serious doubts as to whether it has contributed significantly to helping our young people.

I yield the floor.

Mr. JOHNSON addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. Mr. President, the Senator from South Dakota was here before I was. Does he wish to have time on the Democratic side?

Mr. DOMENICI. Mr. President, we were rotating. I will take the privilege of saying that Senator KENNEDY would yield to Senator JOHNSON.

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

Mr. JOHNSON. Mr. President, I will be brief.

I ask unanimous consent that Susan Hansen of my staff be permitted to be on the floor.

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

Mr. JOHNSON. Mr. President, I join with my colleagues, Republican and Democrat, in expressing support for the underlying Ed-Flex legislation that we are taking up today. This legislation recognizes that the final thought in how to prioritize educational needs in our school districts and our States does not reside exclusively here in Washington. It will commit to a level of innovation that I think is needed in the 50 States, and with the proper accountability, provide for many different strategies designed to improve student achievement all across this country.

However, I think Congress would be remiss if it stopped there. I think there are a number of very constructive amendments being offered relative to this legislation, not least of which is the afterschool program amendment being offered by the Senator from California, Senator BOXER, to provide for what I believe is a commonsense kind of Federal, State and local partnership, to provide for an enhanced ability to deal with afterschool programs for children K through 12.

This is not a new idea and it is not the province of either particular political party. There has been a tremendous amount of effort through the 21st Century Community Learning Centers Program across some 46 States today that have afterschool programs of one kind or another, in 800 different schools, involving some 190,000 students. This amendment would create the kind of partnership that would not involve Federal bureaucracy or Federal micromanagement, but would provide some additional resources for our States and our schools to expand afterschool efforts to 1.1 million additional students in the United States.

Our school budgets are strapped. Property taxes that fund school districts in many of our States are already too high.

It is apparent to anyone who has had any discussions with school leaders and community leaders and child advocacy leaders that they simply cannot go it alone, that this kind of effort requires a new form of partnership.

Not least of all, one of the great gains that we have already seen demonstrated by effective afterschool programs in this country has been a significant reduction in juvenile crime. At a time when we see crime rates going down nationally but yet crime rates among children, among young juveniles, in too many instances going up, there is a need for an additional strategy, an additional partnership to address that crisis.

Every study we have presented to the Senate indicates that most juvenile crime occurs between 3 o'clock in the afternoon and dinnertime. That is when experimentation with drugs, with alcohol, with sexual activity, and with gang participation most often occur, it is when it is initiated, and it is the time when we most need this kind of partnership not just with our schools but with other community organizations and civic organizations to provide alternative kinds of activities for young people.

The studies have already shown that to the degree we have these effective programs in place, they have cut juvenile crime by anywhere from 40 to 70 percent. That is why we have such broad-based support from national law enforcement and police groups across this country. And it is why we can make a contrast between the modest expenditure required to significantly increase these afterschool programs

and the alternative cost of incarceration. The cost of keeping a young person in a juvenile facility and ultimately in a prison equates roughly to the cost of sending them to Harvard for a year. For a much more modest expenditure, we can keep whole communities intact, have the kind of responsible adult supervision, and have the kind of focus in these young people's lives that they so badly need.

I have been holding meetings all across my home State of South Dakota, meeting with parents, with teachers, with law enforcement officials, with child care providers, and the need for expanding after school programs is obvious. More and more families are working. Both spouses are in the workplace, neither of them at home, because of the economic necessity of having a two income household. South Dakota has one of the highest ratios of two-spouse incomes in the Nation. More and more single-parent households as well find themselves confronting the latchkey option with their young people in the family.

As a consequence of this very apparent reality, South Dakota. Has struck a bipartisan level of cooperation and understanding about the need for these programs. My Governor, Republican Governor William Janklow, has been one of the more forceful advocates of an expanded State-local partnership on afterschool programs. I applaud his leadership on the issue. He has secured the services of Loila Hunking, the state coordinator for child care services and a long-time Democrat activist, to head up his afterschool program. It has been a model in many ways and reflects what States in other parts of the country have been doing to bring both sides together to set aside political polarization and, instead, to focus on what in fact is in the best interest of our kids and our communities.

But it is all too apparent—even though we have been building facilities and afterschool program facilities that can be used for afterschool programs, and day-care centers, even though we are scraping to find private funds to match local school funds and State funds—that the resources simply are not there, and all too often the communities where the need is the greatest are the communities that have the least financial capability of providing for these kinds of programs.

So, again, if we can come up with this amendment to authorize adequate funding for an afterschool program, we will, make a long stride forward not only to anticrime strategy but a pro-education strategy and one that both political parties can rally around. I think it compliments our Ed-Flex legislation. It compliments everything else that we are doing here on the floor today.

I want to again applaud Senator BOXER, Senator KENNEDY, and others who have worked hard to promote this afterschool amendment and the underlying Ed-Flex legislation as well.

Mr. President, how much time remains on each side?

The PRESIDING OFFICER. Six and one-half minutes on your side.

Mr. JOHNSON. I retain my time and yield the floor.

Mr. JEFFORDS addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, first I will yield 10 minutes to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 10 minutes.

Mr. GREGG. Mr. President, I thank the Senator from Vermont. I want to congratulate the Senator from Vermont and the Senator from Tennessee, Senator FRIST, for having brought this bill finally to a vote after what was considerable resistance from the other side and what amounted to essentially a blocking of this bill as initiative after initiative after initiative was brought forward from the other side.

I think you have to look at the context of this bill in the context of those amendments from the other side that were offered. The concept of this bill is to give local communities, local teachers, local principals, and local school boards the ability to apply the Federal funds and to be released from the burden, the cost, and the interference of Federal regulations. That is what Ed-Flex is all about.

Thus, it is with some irony and significant inconsistency of the proposals that we have seen thrown at this bill from the other side do just the opposite. They create new program initiatives, almost all of which have been subject to no hearings, no disclosure in the sense of the congressional process, almost all of which create brand new, federally mandated, programmatic initiatives which tell the local communities, you must do this in order to get these Federal dollars: You must do this in order to get these Federal dollars. And the directive comes from here in Washington. It says that some group of bureaucrats sitting in the Department of Education, or at the White House, or maybe just the leadership on the other side of the aisle, is going to tell some school district in New Hampshire, or Vermont, or Missouri, or wherever, how to manage their day-to-day activity of managing the education of children.

Those proposals, which are being put forward—whether it is the 100,000 teachers, the afterschool program, the school building program—are all fundamentally inconsistent with the underlying purpose of this bill, which is to free up the local communities from the burden of Federal regulation.

More significantly than that, every one of those proposals suggests as its funding mechanism taking money from the special education accounts, money that is due the special education children of this Nation under the law that was already passed by this Congress—taking that money and using it for a brand new Federal program instead of putting it where it is supposed to be, which is with the special education child through 94–142.

Let's review that issue for a second, because it is so critical to this whole debate.

We have put forward an amendment on our side that says: Before you start a new program, before you create a new panoply of Federal regulations, let's do the job that we said we were going to do for the special education kids in this country; let's pay, or begin to pay, a higher percentage of the cost of special-education education.

When the special education bill was originally passed, the Federal Government said it was going to pay 40 percent of the cost. It dropped down to where the Federal Government was only paying 6 percent of the cost 3 years ago. And that difference, that 34 percent, was having to be picked up by the local taxpayers. The Federal share was having to be paid for by the local taxpayer. So that skewed education at the local community.

So, if the local teacher needed some assistance in their classroom, maybe a teaching assistant, or, if a principal needed an addition onto the school, or needed some new computers, they couldn't buy those kinds of things, they couldn't hire that new teacher. Why? Because the Federal Government wasn't paying its fair share, its obligated share, of the cost of special education. And the local community was having to take local dollars to support the Federal obligation for special education.

So what did the other side come forward and suggest? We are not going to pay any more money to special education. We are not going to increase that money at all. This administration set up a Federal budget. Instead of new money for special education, it essentially flat-funded that program and took the money that was supposed to go to special education and put it in all these new programs they created.

What does the local school district do now? They get hit twice: First, they get hit by the Federal Government, which refuses to pay for the special education children to the tune of the 40 percent they are supposed to. Then, they get told, if you want to get the dollars from the Federal Government, which is supposed to be coming to you for special education, you have to follow one of these brand new, great ideas that the President has held a press conference on. You have to follow one of these press conference initiatives, whether it happens to be more teachers, more classroom size, or more afterschool programs.

So the local school district, in order to get this money, first loses it, and then it is told, ''Oh, but we will give you the money that we just took from you, but you are going to have to follow what we want you to do here in Washington.''

How arrogant can we get? At what point does the arrogance of this administration stop in the area of education?

I do not believe that there is one person in this administration who can name more than maybe one child at Epping Elementary. I do not believe they have any idea what the child in the Epping Elementary School needs for education. When that teacher in the Epping Elementary School walks into that classroom and that teacher knows every child at every desk and knows what the child needs for education and knows that they need more books or more computers or maybe they need another teaching assistant, it should be that teacher who makes the decision as to what is used to help that child's education. It should not be here in Washington that that decision is made. And yet, that is exactly what these proposals suggest: Don't give the local school districts the flexibility to spend their own money on special ed, to spend their own money on general education activities. Instead, force the local school districts to take up the Federal share of special education costs and then tell the local school districts that because we want you to have more teachers in order for you to get the money which was supposed to go to special ed, you have to apply and take on this new Federal program.

It is total hypocrisy. It is total arrogance. And yet, it is these proposals that are coming forward. Fortunately, the people in this Congress, at least in the Senate, are going to have a chance to make a choice. They are going to have a chance today, because we are going to give them the option. We are saying that the money last year which was appropriated for the teachers' program, $1.2 billion, let's free that money up so that local school districts can make the choice: Do they want a new teacher or do they want the money to come to the special education accounts?

That is the simple choice that comes on the Lott amendment which was drafted by the Senator from Vermont and myself and the Senator from Tennessee, and it is really an excellent idea. We will find out what the local school districts need more. Do they want the dollars for special ed, or do they want the dollars for teachers? It is a perfectly reasonable proposal, and it is flexibility in the tradition of Ed-Flex.

So this amendment, this underlying amendment, about which I have heard people on the other side get up and say, oh, I can't support that because it pits one group of students against another group of students, well, ladies and gentlemen, the people who are pitting one group of students against the other group of students is the administration and the people who support these administration initiatives, because what they have done is to say we are going to pit the special ed students, who we are supposed to be funding, against our programs coming from Washington because we are going to take their money and use it.

That is where the real conflict comes. So we are going to give you an opportunity. We are going to give you an opportunity to live up to the obligations which the Federal Government put on the books back in 1976 and has refused to live up to. And we are going to give the communities the option of choosing whether they want a teacher, a program directed from Washington, designed by Washington, told to them how to operate by Washington, or whether they want to free up their local dollars by getting more special ed dollars that the Federal Government was obligated to pay in the first place and use those local dollars to either, one, hire a teacher; two, buy books, add new computers, add a new classroom, whatever they want to do with it. That is the ultimate flexibility.

The choice is going to be pretty clear here today as to how you want to manage education in this country. You can vote for all these directives from Washington, all these programs which are made for the creation of press conferences but give the local communities no flexibility and no opportunity to make their choices as to how they spend the money, or you can vote to give the local communities true flexibility by funding an obligation that has been on the books since 1976 and thus freeing up the dollars for the local community to either hire teachers, buy books, add classrooms, or create after-school programs. I opt for the side of giving local communities, teachers who know their kids, principals who know their schools, parents who know their children, the opportunity to make decisions on dollars rather than the Federal bureaucracy or even an American President.

Mr. President, I yield the remainder of my time back to the floor manager.

Mr. JEFFORDS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 9 minutes.

Mr. JEFFORDS. Mr. President, I yield 2 minutes to the Senator from Alabama.

Mr. SESSIONS. I thank the Chair.

I appreciate the work Senator JEFFORDS has done.

Mr. President, I would like to share just a few thoughts. I have been involved in education with my children. I have taught, my wife has taught in public school. We care about education. We have school boards all over America that care about education. I know one of the school board members in my hometown of Mobile, AL, exceedingly well. His abilities and talents will match any Member of this body. He knows a lot more about the education going on in his area than we know in this body. Who is to say what is the best way to expend money to improve our children's education? The thing that counts is that magic moment in a classroom when learning occurs and children are motivated and inspired to do better.

I do not believe this Congress has the ability or has a proven track record of improvement. We now have a host of amendments. We have 788 Federal programs—788. We had an amendment offered yesterday that would mean the 789th; it would create a dropout czar for America.

I have been involved in local programs to deal with dropouts. Programs like that are happening all over America. It is not going to be solved by some Federal dropout czar.

This legislation is precisely what we need. It needs to go out of here clean, not as an appropriation, big Government spending bill, but a bill that gives flexibility to the schools.

The Presiding Officer was Governor. He knows how much benefit was gained when welfare reform was accomplished and we gave flexibility to Governors. I think it is time we give flexibility to our State and local school systems to improve education.

I thank the chairman, the Senator from Vermont, for his leadership. This is good legislation. It is time for us to pass it, and we can debate these issues about how further to help education when the elementary and secondary education bill comes up, which the Senator will be leading later this month.

I thank the Senator.

Mr. GRAMS. Mr. President, today the Senate debates an important bill designed to facilitate education administration and free more resources for our students. The ''Education Flexibility Partnership Act of 1999'' would extend the ''Education Flexibility Partnership Demonstration Program,'' otherwise known as ''Ed-Flex.'' Ed-Flex allows eligible local school districts to forgo Federal red tape that consumes precious education resources. In return, States must have sufficient accountability measures in place and continue to make progress toward improving student education. States must also comply with certain core Federal principles, such as civil rights. The concept of Ed-Flex is simple, yet the benefits would be significant. In other words, let's put more money into educating our kids in the classroom rather than lining the pockets of bureaucrats.

The Ed-Flex demonstration program is currently in place in 12 States. The ''Ed-Flex Act of 1999'' would allow all

50 States the option to participate in the program. With good reason, the program has been very popular. Unnecessary, time-and-money-consuming Federal regulations are rightly despised by school administrators. Did you know that the Federal Government provides only seven percent of local school funding, but requires 50 percent of all school paperwork? That is ridiculous. Again, let's put money into the classroom instead of bureaucracy.

Ed-Flex is a step toward allowing more localized decisionmaking authority—the power to decide when the Federal regulations are more troublesome and expensive than they are worth. Today, there are simply too many regulations which are despised by school administrators.

Giving more decisionmaking authority to States and local school districts is good common sense. Naturally, those who are closest to our students are in the best position to make the most appropriate and effective decisions concerning their education. One-size-fits-all legislation may work well in other areas, but not in education. Some of the most successful classrooms across our Nation vary tremendously in their structure, functioning, and appearance.

In my home State of Minnesota, for instance, we have very rural communities, urban communities, and everything in between. We have got farm kids, suburban kids, and city kids. And all of these kids are students. And I know this sort of rural-to-urban community-mix is typical for most States. How much sense does it make then, to require local school districts and classrooms—all with their own particular strengths and weaknesses—to follow, in lock-step, the homogenized, uniform routine of Federal bureaucracy? Not much.

We have some opportunities before us to do something meaningful for our children's education. A complementary possible amendment to Ed-Flex which promotes local decisionmaking power is Senator GORTON's block grant amendment, as well as Senator HUTCHINSON's Dollars to the Classroom Act. Under these proposals, many federally funded K–12 programs would be consolidated and the dollars sent directly to states or local school districts—free from the usual Washington red tape. This helps to ensure that our education dollars go to students, as opposed to bureaucrats.

Similarly, Senator COVERDELL's Education Savings Accounts and School Excellence Act is an important step forward in restoring decisionmaking authority to parents and families—where it is needed. The bill simply allows families to save for their children's education, without tax penalty. It would expand the college education savings accounts established in the Taxpayer Relief Act of 1997 to include primary and secondary students. It would also increase the annual contribution limit from $500 to $2,000 per child. The money could be used without tax penalty to pay for a variety of education-related expenses for students in K–12, as well as college expenses.

This is a simple, straight-forward initiative for families and students. Common sense would have had us pass the Education Savings Accounts bill long ago. Unfortunately, tired, groundless attacks continue. The charge I hear most frequently is that ''education savings accounts and tax breaks for parents would shift tax dollars away from public schools.'' That is simply not the case.

More education dollars under parental control would promote education by encouraging parents to save, invest in, and support programs and materials that facilitate and provide the right option for a child's education.

We all want the best education available for our children, and to improve the state of American education and schools for all children. It would be nice to think that we could solve the problems of education by spending more and more money. Unfortunately, that doesn't work. The United States is the world leader in national spending per student. Yet our test scores show that our system is failing our children.

Test results released last year show that American high school seniors score far below their peers from other countries in math and science. We are at rock bottom. It is going to take more time and effort to solve these problems—and the most important work will be done by those in the best position to do so: parents, teachers, and local administrators. We must give them the freedom they need to accomplish the job. This freedom comes with the authority to make decisions based on a variety of specific needs. I will continue to support measures like the Ed-Flex legislation that return money and control—from Washington—to parents, teachers, and local school districts. After all, they know best how to spend education dollars.

Mr. MCCAIN. Mr. President, I rise today to express my support for S. 280, the Education Flexibility Partnership Act of 1999, which would free all fifty states from many of the costly and burdensome federal regulations which are imposed on them by the federal government. These unnecessary regulations prevent their schools from providing innovative and effective academic opportunities for millions of young Americans. I am proud to be an original cosponsor of this measure which would expand the current Ed-Flex program to all fifty states.

One of the most important issues facing our nation is the education of our children. Providing a solid, quality education for each and every child in our nation is a critical component in their quest for personal success and fulfillment. A solid education for our children also plays a pivotal role in the success of our nation; economically, intellectually, civically and morally. We must strive to develop and implement initiatives which strengthen and improve our education system, thereby ensuring that our children are provided with the essential academic tools for succeeding professionally, economically and personally.

The most exciting aspect of this bill is that it brings teaching back to our classrooms and frees our schools from excessive filing, correlating, faxing and shuffling of paper. It would allow schools like Barbara Bush Elementary School in Mesa, Arizona to focus on helping children learn essentials like reading and using a computer. It would allow Barbara Bush Elementary School to focus on teaching its students rather than wasting its valuable educational resources for filing, typing, refiling, and faxing paper to the bureaucrats in Washington, DC.

It is important to note that all states which obtain an Ed-Flex waiver must adhere to basic Federal principles, including the protection of civil rights, educational equity and academic accountability.

Like many Americans, I have grave concerns about the current condition of our nation's education system. If a report card on our educational system were sent home today, it would be full of unsatisfactory and incomplete marks. In fact, it would be full of ''D's'' and ''F's.'' These abominable grades demonstrate our failure to meet the needs of our nation's students in kindergarten through twelfth grade.

Our failure is clearly visible throughout the educational system. One prominent display of our nation's failure is seen in the results of the Third International Mathematics and Science Study (TIMSS). Over forty countries participated in the 1996 study which tested science and mathematical abilities of students in the fourth, eighth and twelfth grades. Tragically, our students scored lower than students in other countries. According to this study, our twelfth graders scored near the bottom, placing 19th out of 21 nations in math and 16th in science, while scoring at the absolute bottom in physics.

Meanwhile, students in countries which are struggling economically, socially and politically, such as Russia, outscored U.S. children in math and scored far above them in advanced math and physics. Clearly, we must make significant changes in our children's academic performance in order to remain a viable force in the world economy.

We can also see our failure when we look at the Federal Government's efforts to combat illiteracy. We spend over $8 billion a year on programs to

eradicate illiteracy across the country. Yet, we have not seen any significant improvement in literacy in any segment of our population. Today, more than 40 million Americans cannot read a menu, instructions, medicine labels or a newspaper. And, tragically, four out of ten children in third grade cannot read.

Another clear sign of our failure is displayed by the inadequate preparation of many students when they exit the system. The number of college freshmen who require remedial courses in reading, writing and mathematics when they begin their higher education is unacceptably high. In fact, presently, more than 30 percent of entering freshman need to enroll in one or more remedial courses when they start college. Equally dismal is a Wall Street Journal report that two-thirds of job applicants for a division of the Ford Motor Company ''fail a test in which they are asked to add fractions.'' It does not bode well for our future economy if the majority of workers are not prepared with the basic skills to engage in a competitive global marketplace.

I am also disturbed by the disproportionate amount of federal education dollars which actually reach our students and schools. It is deplorable that the vast majority of federal education funds do not reach our school districts, schools and children. In 1995, the Department of Education spent $33 billion for education and only 13.1 percent of that reached the local education agencies. It is unacceptable that less than 13 percent of the funds directly reached the individuals schools and their students.

My home state of Arizona receives approximately $420 million each year in federal education funding. These funds account for seven percent of Arizona's education budget, yet it takes almost half of the staff at the State Department of Education to administer the numerous rules and regulations which accompany the federal dollars. This means that half of the Arizona Department of Education staff is busy working on Federal paperwork rather than developing improved curriculum, helping teachers with professional development skills and working to improve the quality of education for Arizona children. This is a sad commentary on the current structure of our educational system.

Much of the Federal Government's involvement in education is highly bureaucratic, overly regulatory, and actually impedes our children's learning. Clearly, we need to be more innovative in our approach to educating our children. We need to focus on providing parents, teachers, and local communities with the flexibility, freedom, and, yes, the financial support to address the unique educational needs of their children and the children in their communities. This is precisely what the Ed-Flex program does. It removes the obstacles for innovative, productive and successful educational initiatives in our classrooms and frees our schools from the choking grip of federal bureaucrats.

Mr. President, it is absolutely crucial, as we debate this and other proposals to reform our educational system, that we not lose sight of the fact that our paramount goal must be to increase the academic knowledge and skills of our nation's students. Our children are our future, and if we neglect their educational needs, we threaten that future.

I am gravely concerned that goal is sometimes lost in the very spirited and often emotional debate on education policies and responsibilities. Instead, this should be a debate about how best to ensure that young Americans will be able to compete globally in the future. I believe the key to academic excellence is broadening educational opportunities and providing families and communities both the responsibility and the resources to choose the best course for their students.

Ed-Flex is an important step in our journey to improve our nation's education system and better prepare our children so that each of them has much more than their individual dreams of becoming an astronaut, fire fighter or pilot. The bill is an important step towards ensuring that our children not only dream but have the capacity to make their dreams a reality. This is what education is all about—providing an endless realm of possibilities through knowledge. But it is just the first of many steps which we need to make to ensure that the best interests of our children, our future are being realized. I look forward to working with my colleagues as we continue this journey towards a strong and successful educational system.

Mr. BYRD. Mr. President, I have long been concerned about our nation's education system and the many problems that individual classes across the country grapple with every day. When I reflect on my days in a two-room schoolhouse, I have fond memories of my teachers and classmates, and, most importantly, my learning experience. The students were disciplined, my teachers were serious about their work, classes were small and well-kept, and students thrived on learning for learning's own sake. We did not have the kinds of problems so common in schools today.

I do, however, recognize that with each passing year, educating our nation's children becomes an even more formidable challenge. I am pleased that we were able to address a few of the many concerns facing parents, students, and educators as part of the Senate's debate on this bill, S. 280, the Education Flexibility Partnership Act of 1999. With classrooms bursting at their seams with students, there is a definite need for smaller class size. Students do better when they have the individual attention of a teacher. Moreover, I believe that this kind of environment provides teachers and students with a setting truly conducive to quality instruction. We, as a nation, need to do more in this regard.

But, Mr. President, there are also other pressing education priorities for states, including funding for the Individuals with Disabilities Education Act (IDEA), which remains underfunded to date. Disabled children deserve the same opportunity to receive a good education as those without a disability. I am hopeful that we in Congress will continue to build toward the forty-percent funding commitment that was established as part of the IDEA legislation. I believe, however, that reducing class size and providing for the needs of disabled children are both worthy goals that are not mutually exclusive, and I am troubled that efforts to provide sufficient resources to achieve one of those goals may have the effect of undercutting the other. The notion of pitting these two worthy goals against one another to score partisan political points is embarrassing. Certainly, both can, and should, be accomplished.

While many important education programs and new initiatives have been discussed during the Senate's debate of S. 280, I believe that the underlying legislation offers some benefits in the form of flexibility. I do have concerns that there is little substantive performance data on the impact of Ed-Flex in the states now operating with it. I would have preferred to see some positive results on student achievement levels prior to making this type of expansion. But I am hopeful that the education accountability built into this legislation will hold states to a higher standard and serve as an incentive to all states seeking Ed-Flex status. I am also somewhat comforted by the fact that the bill contains a sunset provision, which will force the Congress to revisit this issue, and, I hope, live up to its oversight responsibilities.

Mr. President, it disturbs me greatly to witness the political divide in this body on such an important issue which affects us all, whether it be our own child's education, that of a grandchild, or a neighbor's child. We are all for education—it is the country's number one priority, and with many problems to solve, it is time for us to work together to make every child's educational experience a rewarding one.

Ms. SNOWE. Mr. President, during the consideration of S. 280, the Education Flexibility (Ed-Flex) Partnership Act of 1999, several new education proposals have been advanced by my colleagues on the other side of the aisle. In particular, an issue that has received prominent attention is an

amendment that would authorize federal monies for the hiring of 100,000 new teachers.

Like my colleagues, I am strongly committed to improving K–12 education and ensuring that the unique needs of our nation's schools are addressed. While the federal government provides only a fraction of our nation's total K–12 education spending, the amount that it does provide is critical to ensuring that our nation's children receive the quality education that they need and deserve.

Mr. President, as I look at the various challenges and issues facing our nation's schools, it is clear that every state and every community has different needs, even if some of these needs are fairly pervasive. While one community may feel that its greatest need is the hiring of more teachers, another may feel that buying new textbooks or purchasing computers for the classroom may be the most pressing need.

Over the years, various federal education programs have been created to assist state and local governments in addressing their disparate needs, including programs that are designed to address issues that demand national oversight. For instance, more than 20 years ago, the federal government appropriately demanded that individuals with disabilities receive a quality education, and the Individuals with Disabilities Education Act (IDEA) was enacted accordingly.

Unfortunately, even as the federal government appropriately mandated that disabled children be educated at the local level, it has continued to fall woefully short in fulfilling its promised commitment to cover 40 percent of the associated cost. In fact, as several of my colleagues have emphasized, the federal government only funds approximately 10 percent of the cost today—and that paltry percent has only been achieved through Republican-led efforts over the past three years to increase funding for IDEA by 85 percent!

As a result of the ongoing federal shortfall, state and local governments are not only forced to cover the 60 percent share that was agreed to—but they also pick-up the missing 30 percent federal share.

Mr. President, this broken promise on the part of the federal government must not continue. Not only does it represent a failure on the part of the federal government to meet an important obligation to our nation's disabled children, but it also forces states and communities to divert their scarce resources for this unfunded mandate—resources that could otherwise be used to address a wide variety of local needs, including the hiring of new teachers.

To demonstrate the impact of this unfunded mandate, consider that in my home state of Maine, the federal government currently provides approximately $20 million for the education of the disabled, while the state and local governments are forced to shoulder more than $200 million of the cost. Therefore, if the federal government were to fulfill its 40 percent commitment, an additional $60 million would flow to the state.

That's $60 million now spent by Maine's state and local governments to cover a federal commitment—$60 million that would otherwise be freed-up to address distinct and pressing local needs. Sixty million dollars.

Needless to say, this shortfall has not been overlooked by officials at the state or local level. During a recent meeting with representatives of the Maine Municipal Association, local officials emphasized to me the need for the federal government to fulfill its commitment to fund 40 percent of the cost of educating the disabled because of the substantial budgetary impact it is having on their communities.

And during the recent gathering of the National Governors Association (NGA), the Governor of Maine, Angus King, interrupted President Clinton during his presentation on education issues to hammer home the need for special education funding. As quoted in a March 1, 1999, article in the Portland Press Herald, Governor King ''raised his hand and interrupted'' the President saying:

> Mr. President, I'm bringing you a report from Franklin, Maine, and a lot of other places in Maine. What I'm telling you is that if you want to do something for schools in Maine, then fund special education and we can hire our own teachers and build our own schools.

Mr. President, I don't believe the thoughts and comments by the Governor of Maine are unique to our state. This is a national problem that requires federal action. Paying ''lip-service'' to this funding commitment is no longer enough. We cannot simply brush off the comments of governors and local leaders by expressing support for the full-funding of education for the disabled and not achieving it—rather, it's time to actually deliver on the promise made more than 20 years ago.

For this reason, I believe Congress should ensure that the federal share of education for the disabled is fully-funded before new programs are created. Not only will this ensure that a long-standing federal promise will finally be met, but it will also ensure that distinct local needs—which may include the hiring of new teachers—can be readily addressed.

During the upcoming reauthorization of the Elementary and Secondary Education (ESEA) Act, there will be countless opportunities to reform and improve federal education programs that are intended to address distinct needs. But the time to create truly new federal education programs—and to devote federal resources to these new proposals—should not occur until we have met our outstanding federal obligation to disabled children and to the states and communities that educate them.

Mr. President, the time to fully-fund the federal share of education for the disabled is now. I urge that my colleagues vote to ensure that any new K–12 education monies be used to meet this commitment, and to finally fulfill a federal promise made to state and local governments more than 20 years ago.

Mr. KOHL. Mr. President, I rise today to express my intention to vote for final passage of the Education Flexibility Act. Although this bill is far from perfect, I support the underlying principle of flexibility in education, and believe we should move this bill forward.

Despite my support for giving local school districts more flexibility in improving education, I have serious concerns about this bill. Last year, we passed a new initiative to hire 100,000 teachers to reduce class size in the early grades. We approved this program on a bipartisan basis, recognizing that research has shown that smaller classes give teachers more time to spend with individual students and improves student achievement.

School districts in Wisconsin are already putting together their budgets and planning to use this Federal money to hire teachers. They are looking to Congress to send them assurances that the teachers they hire today will receive Federal support over the next six years. I am extremely disappointed that the Senate failed to adopt Senator MURRAY's class size amendment, which would authorized the program for six years and given our school districts that assurance. I am hopeful that we can still address this important issue later this year.

In addition to the Senate's failure to authorize the class size initiative, I am also concerned that the bill, as amended, pits students with special needs against other students in fighting for education funding. This is inexcusable—and unnecessary.

I agree that the Federal government must live up to its obligation to pay for 40% of the costs of special education. It is a responsibility we have failed to meet for far too long, and I will continue to fight for full funding of special education. However, I believe it is time that we make education of all our children—including those with special needs—our top priority. There is no reason why we cannot fully fund all of our educational needs in this country. We should fully fund special education, and we should fully fund class size, and after-school programs, and school construction. We can do all of these things—and we should not pit any of these vital programs against one another as some have tried to do here today.

I am extremely concerned about the amendments that were added to this bill today. Although I recognize that school districts need additional resources for special education, I believe these amendments wrongly force them to choose between special education and hiring teachers—another essential need they face. We should not force them to make this choice—we should provide enough funding to fill both needs.

Although I am deeply troubled about these amendments, I will vote for final passage of the bill because I believe in the original intent of providing more flexibility to States and local school districts. I am voting for it now because I think we need to move this bill forward. However, I strongly believe these amendments should be dropped in conference. If this bill comes back from the Conference Committee with these amendments still included, I will be forced to oppose the bill.

Mr. President, I still hold out hope that these problems can be worked out in conference, and that we can move this bill, which was originally a bipartisan bill, forward expeditiously.

Mr. DEWINE. Mr. President, I rise today in strong support of S. 280, the Education Flexibility Act. This legislation will give greater responsibility, flexibility, and control to local schools. That's where the students, parents, and teachers are. That's where the education happens.

That's where the control ought to be. I have been fighting for our teachers and local school administrators for many years, and I think one of the most important things we can do for them is liberate them from Federal red tape—so they can do what they do best: Teach our kids.

In offering this bill, our distinguished colleague from Tennessee, Senator FRIST, is striking a blow for freedom in American education.

This bill would expand an existing pilot program to all eligible states. It is a good deal for the states—in this bill we offer to free the states from the burden of unnecessary, time-consuming Federal regulations. In return, all states have to do is comply with certain core principles, such as civil rights, and establish a system of accountability. The bill also would require states to have a system of waiving their own regulations.

My own home state of Ohio has been one of the pilot programs and has provided over 200 waivers for local schools. For example, the Eisenhower teacher training program only supported math and science training. Using Ed-Flex, Ohio waived this requirement—and today schools can use this program for training teachers in other subjects such as reading and social studies.

The Ohio Department of Education, in its annual report to the Secretary of Education, reached the following conclusion, and I quote: ''The greatest benefit to having Ed-Flex authority is that it, combined with the ability to waive State rules and statutes, establishes a school-planning environment unencumbered by real or perceived regulatory barriers. This environment encourages creativity, thoughtful planning, and innovation.''

Mr. President, that's as true everywhere else in America as it is in Ohio. And that's why this Ed-Flex bill has such strong bipartisan support.

But I should note that while Ed-Flex is an important step forward, it is just a single step. We need to do more. Over the next year, the Health, Education, Labor, and Pensions Committee, on which I serve, will be working on the Elementary and Secondary Education Act of 1999—which will deal with almost all of the federal programs that impact K–12 grade education. When the Elementary and Secondary Education Act was passed in 1965, it was 30 pages long, today it is more than 300 pages long. As a member of that committee, I will be looking to empower parents, support local control, promote effective teacher training programs, recognize and reward excellent teachers, and send more money back to the states and local schools with no strings attached.

Remember: The Federal Government provides only 6 percent of local school funding, but demands 50 percent of the paperwork that burdens local teachers and administrators. That burden demands nearly 49 million hours each year—or the equivalent of 25,000 school employees working full time—on paperwork, not kids. There are over 700 separate federal education programs spread across 40 separate federal bureaucracies.

Mr. President, I am concerned about the quality of our children's education. The Third International Math and Science Study recently reported that out of 21 countries, the U.S. ranked 19th in math and 16th in science, barely ahead of South Africa. Verbal and combined SAT scores are lower today than they were in 1970. Businesses spend more than $30 billion annually in retraining employees who cannot read proficiently. Nearly 30 percent of college freshmen need remedial classes.

Mr. President, these are disturbing statistics. As we move forward to improve our children's education, I urge my colleagues to remember that the most important education tool in any classroom is a qualified, highly trained teacher. After parents and families, America's teachers play the most important role in helping our children realize their potential. Our current teachers are doing a good job—indeed, a great job—given the resources they have to work with. Clearly, it's time to change the way we allocate resources. It's time that today's teachers get more support and training and less paperwork from the federal government.

I want to thank the sponsor of the Ed-Flex legislation, Senator FRIST, for his work with all members to improve this bill. The manager's amendment that we accepted last week addresses many of the concerns that have been raised about this legislation. Without going into the details of the amendment, I would simply point out that it will strengthen accountability measures currently in the bill, require states to coordinate their Ed-Flex applications with state comprehensive plans, emphasize school and student performance as an objective of Ed-Flex and add additional provisions for public notice and comment regarding Ed-Flex proposals.

Ultimately, our children's success in education depends on the support they receive at home and in the classroom. Our focus in Washington should be to take every opportunity to empower parents and then free local schools from regulations that prevent improvements and innovations in local schools.

Mr. President, that's why I strongly support this bill.

PREVENTION OF TRUANCY ACT

Mr. DODD. In the 105th Congress, I offered my legislation, the Prevention of Truancy Act, as an amendment to the Ed-Flex bill during the Labor and Human Resources Committee's consideration, where it failed on a tie vote. It was my intention to offer it on the floor on this bill. However, I am pleased instead to be on the floor with my colleague from Alabama, Senator SESSIONS, to discuss our common interest in assisting communities address this real and serious problem and express our intent to offer legislation similar to the bill I offered last year soon. We will also be working with Senator BINGAMAN who offered similar legislation last Congress and Senator COLLINS who supported my amendment in Committee last year.

Senator SESSIONS, a new member to the Committee on Health, Education, Labor, and Pensions and the Chairman of the Judiciary Committee's Subcommittee on Youth Violence, believes as I do that truancy is a gateway offense, and that this legislation would present us with an opportunity to catch good kids before it is too late. The Senator from Alabama has worked hard for the duration of his career on finding solutions to difficult issues such as truancy. I believe this legislation will truly make a difference in the lives of many children and, at the same time, prevent juvenile crime. I also believe that our working together will produce strong, solid legislation that we should all be able to support.

Mr. SESSIONS. Mr. President, I am pleased to be working with the Senator from Connecticut on truancy legislation. I am struck by the alignment of our interests here. I believe this is a national problem and one that deserves federal attention. I am pleased that

Senator DODD and I have been able to work out an agreement here that avoids an amendment to the Ed-Flex bill on this subject, which would be a concern for me and a number of my colleagues who very much want to be supportive in this effort to address truancy. I look forward to working with the Senator to bring forward a strong bill from my committee to support efforts to assist local governments in their efforts to reduce truancy.

AFTERSCHOOL CARE

Mr. DODD. Mr. President, I'd like to thank my colleague from Vermont for his cooperation in working out an agreement to address the need for afterschool programs as part of the Health and Education Committee's reauthorization of the Elementary and Secondary Education Act later this year.

As my colleagues know, I was planning to offer an amendment to the Education Flexibility Act, that I offered when this bill was in committee, to increase funding for programs serving children during out-of-school hours through the Child Care and Development Block Grant and the 21st Century Community Learning Centers Program.

I know that my colleague from Vermont shares my strong interest in ensuring that children have safe alternatives during the hours they are not in school. He has been a leader for years on this specific issue as well as a tireless advocate for many other critical concerns of American families.

Mr. JEFFORDS. This is a very important issue for me, but not nearly as important as it is to the parents of the nearly 24 million school-age children who need care while their parents work. The issue of how best to meet the needs of school-aged children and youth will be addressed—not just in the context of one program, like the 21st Century Community Learning Centers Act, but within the framework of a comprehensive, cohesive review of Federal public education policy.

Mr. DODD. Out of consideration for the Senator's interest in moving this bill forward expeditiously, I have agreed to withdraw my amendment. I am pleased that Senator JEFFORDS has agreed instead to take up this issue as part of ESEA and to hold comprehensive hearings on the issue of afterschool care this year.

I am particularly pleased that Senator FRIST shares our concern about the documented rise in juvenile crime that we see in the hours immediately after school. I also appreciate his pledge to work with us to increase support for afterschool programs.

Mr. JEFFORDS. I want to thank Senator DODD for helping us move the educational flexibility legislation along. I want to assure him and my Senate colleagues that the withdrawal of Senator DODD's amendment does not signal the end of the Senate debate on school-aged child care, but the beginning of our work.

Senator DODD has been a leader on child care and other youth issues for his entire congressional career. He has continually worked to craft effective legislation that will help children and their families, and I appreciate his tireless efforts.

By working together, I have little doubt that we can greatly improve the Federal Government's response to the needs of school-aged children and their families.

Mr. BAYH. Mr. President, I rise today as an original cosponsor of the Education Flexibility Partnership Act of 1999. I am pleased to join with a bipartisan group that includes thirty-three of my colleagues and almost all of the nation's governors, to ensure that all states have the flexibility to encourage education reforms of the highest standards in our schools. This legislation enjoys the support of the National Education Association, the National School Board Association, the National Conference of State Legislatures, and the National Governors' Association.

As many of my colleagues know, the Ed-Flex Program was established in 1994 under the Goals 2000 Program. It originally authorized 6 states to participate in a demonstration program that would allow States the ability to waive certain Federal regulations and statutes for local school districts and schools in return for high standards and accountability. In 1996, Congress expanded the Ed-Flex Program in the Omnibus Appropriations Act to include six more states. While this waiver authority may seem broad, Ed-Flex States may only grant waivers for selected Federal programs. Most importantly, these states may not waive Federal requirements relating to health, safety, civil rights, parental involvement, allocation of funds, participation by pupils attending private schools, and fiscal accountability.

With over 14,000 school districts in this nation, there cannot be one education reform plan that fits every community. Ed-Flex allows states and local education agencies to commit to common goals and purposes and yet allows them to choose the best path to achieve these results. Ed-Flex is not a cure-all for education reform. It is just a common-sense, practical tool that allows local school districts and schools to get back to the business of educating our youth and away from the business of filling out forms.

Most waivers granted under Ed-Flex have dealt primarily with the use of Title I funds on a school-wide basis and the allocation of Eisenhower Professional Development Funds for teaching disciplines other than math and science. These are common sense changes that have allowed local school districts and schools to use Federal dollars in a smart and efficient manner. Ed-Flex has also encouraged several states to streamline their own regulations and statutes, thus providing their schools with better guidance and clarity on state requirements.

Some of the requirements of Federal programs have produced nonsensical results. For instance, in my home state of Indiana, the town of Elwood operates two separate elementary schools. One of these schools meets the 50 percent threshold for Title I so it can implement Title I programs school-wide. However, the other school just misses this threshold and must restrict Title I resources to only Title I students. That particular elementary school in Elwood, Indiana would be cited by the State Board of Accounts if they were to allow non-Title I students the use of their computer lab which was paid for with Title I funding. These Federal requirements have not only produced two systems of elementary education for this town, but has created confusion over what sort of educational programs can be implemented. This kind of strict regulation is not only absurd, but counterproductive to school reform. As long as Title I students are being targeted for additional assistance, there is no reason a school should be prohibited from sharing its resources with all of its students. In twelve states, Ed-Flex has allowed local education agencies and schools to operate Title I programs on a school-wide basis thus equalizing the standard of learning for all students.

Some have raised the issue that Ed-Flex does not address the major concerns of our nation's school districts. While Ed-Flex will not on its own solve our education problems, it can spur our States and schools to creatively approach old problems in a new way. As a former Governor, I know first-hand how easing strict Federal requirements can help states achieve positive results. Any school teacher will tell you that there is no one lesson plan from which to educate all of our nation's students. Just as each child is unique in his or her capacity to learn and grow, so too our are nation's school districts unique. No matter how well-intentioned, the Federal Government cannot continue down the path of a one-size fits all educational system for our nation's children. Education is now and will continue to be the primary responsibility of local communities and states. Educators, community leaders, and parents are the best judges of what is good education policy for their schools. Each community has different needs and by expanding the Ed-Flex Program, we can allow them to partner with the Federal Government to achieve some truly outstanding results.

For example, a Maryland school district was able to identify a trend in

math and science performance of middle school students who came from two elementary schools. After looking at the assessment results and the demographic make-up of the student population, they were able to use the waiver authority to implement comprehensive planning and greater resource coordination. The result has been improved reading and math instruction for this school district's elementary and middle school students.

Our nation's schools will face many challenges in the next century. Dilapidated school buildings, overcrowding in the classrooms, and a shortage of qualified teachers will place great demands on our country's educational systems. While Ed-Flex alone will not solve all of these problems it can ease the burdens placed on our educators so they can rise to meet the challenges of the future. I am pleased to vote in favor of final passage of the Education Flexibility Partnership Act which expands this successful program so that all states, not just twelve, have the opportunity to waive Federal requirements that present an obstacle to innovation in their schools.

I thank Senators FRIST and WYDEN for re-introducing this effective tool of reform. I believe this bipartisan approach is a step in the right direction towards helping our nation's schools achieve positive results.

Mr. THOMPSON. Mr. President, I rise today to express my support for the Education Flexibility Partnership Act of 1999, better known as Ed-Flex. This bill will help to restore the proper respect for the ability of states and local communities to educate our children. I applaud the work done by my colleagues, BILL FRIST and RON WYDEN, and I am pleased to join them as a cosponsor of this bill. Ed-Flex is a common sense, bipartisan, cost-effective approach that empowers states and local communities to put their focus where it belongs—on educating our children, not on complying with federal mandates.

The principle of federalism is vital to our democracy. This principle holds that the Federal Government has limited powers and that government closest to the people—states and local communities—is best positioned to serve the people. Our Founding Fathers had serious concerns about the tendency of our government to centralize power and to encroach on a state's ability to improve the lives of its citizens.

This federal encroachment has been particularly pronounced in the area of education. The U.S. Constitution assigns Washington no responsibility at all for education. Indeed, for its first two centuries, America's Federal Government understood that the 10th amendment left responsibility for education to the states. America's education system works best when parents, teachers, and local school officials, who know our students best, make the decisions about where a school spends its money. But as federal involvement in education increased since the 1960's, Washington began to regulate how our schools spend their funds. Even after all these new regulations, America's dropout rates are near 40 percent in many urban areas, three-fourths of all 4th graders in high-poverty communities cannot read at a basic level, and our most disadvantaged communities remain in need of real education reform.

Americans understand that Washington can't possibly know what is best for a particular student in Memphis or in Los Angeles or in Miami. Patrick Jacob of Germantown, TN, wrote to me earlier this month to remind me that when the Federal Government tells our schools how to spend their money, it reduces the community's ability to take responsibility for educating our children.

There are real solutions in education and they are coming from states from Texas to North Carolina and Arizona and from cities from Milwaukee to New York. However, federal regulations often prohibit states from expanding these reforms. Ed-Flex will give state and local school officials greater freedom from burdensome requirements of federal education statutes or regulations that impede local efforts to improve education. For example, if the parents, teachers and leaders of a particular school district decide that additional money is needed for reading instruction, that school district should not be precluded from shifting its resources to achieve that goal. Ed-Flex will free our schools to make more of these critical choices for themselves. Ed-Flex costs American taxpayers nothing. And instead of sending another unfunded mandate down from Washington, it provides our states with what governors from both parties asked us for when they came to Washington last week—flexibility.

I urge my colleagues to join me in supporting this important legislation.

Mr. BINGAMAN. Mr. President, I rise in support of final passage of S. 280, the Education Flexibility Partnership Act of 1999 and would like to take a brief moment to describe my reasons for supporting this legislation. Despite serious concerns about the amendments that will be offered here on the floor today, I am voting for this legislation as a strong supporter of both increased federal flexibility and additional federal funding for special education.

First and foremost, I am in favor of making federal education programs as flexible as possible. Over the years, requirements and regulations in many areas have crossed the line from responsible monitoring to redundant paperwork. Much has been done in recent years to lessen administrative burdens and eliminate federal regulation. However, I strongly believe that federal education programs need to go farther in to set clear goals and then provide as much flexibility as possible to local policymakers, as well as principals and classroom teachers.

To that end, this bill will allow schools in all 50 states to apply for waivers from a set of state and federal education laws. I voted for expanding Ed-Flex in 1998, and I am proud to have supported creation of the demonstration program that gave New Mexico this flexibility three years ago.

I am also supporting this bill because I am a strong advocate of increased funding for special education. Special education provides specialized services to students that can require significant additional costs to schools and local school districts. These services are essential to these students, and the federal government should do its part to support these efforts.

During the past 3 years, I have worked with my colleagues in the Senate to help increase funding for the Individuals with Disabilities Education Act by billions of dollars. My goal, as stated in the IDEA statute, is that the federal government meet its commitment to IDEA funding by providing 40 percent of the costs of educating special education students. And this bill sends a strong signal that additional funding in FY2000 and beyond is required for IDEA grants to states.

For these reasons, I am voting in favor of final passage. However, I will carefully watch the final legislation that is produced by the conference committee on S. 280 before deciding how to cast my final vote before this bill is sent to the President.

For example, in my view it is unfortunate that the final version of this legislation could have the unintended and unnecessary effect of diverting funding from the new class size reduction program started last year. Under this program, New Mexico is slated to receive $9.6 million in FY99, which would allow schools around the state to hire more than 250 teachers.

There is no reason that the Senate cannot support this program as well as increased funding for IDEA. In fact it would have been preferable to have extended the authorization for the class size reduction program so that these efforts could continue into the future. I am concerned that, by merging two viable streams of funding into what is in effect just one source, the overall amount of funds awarded for education may not increase as much as is needed.

Because of these concerns I voted against several amendments to S. 280 that would make schools decide between the special needs of disabled students and the clear imperative to lower class size in the early grades. Ideally, there would be two strong programs that would both receive the funding they deserve.

I am also concerned that the Senate version of this legislation may not have sufficient accountability measures to go along with the expanded flexibility that is in the Ed-Flex bill. The taxpayers expect us to account for the roughly $15 billion per year that is sent to local schools, and in my view there should be stronger measures of performance and review in the final conference report.

Finally, it is extremely unfortunate that this version of the bill does not create the national dropout prevention program that I had offered as an amendment. This amendment, which passed last year by 74 to 26, would address the fact that 500,000 students drop out of school each year. There is no funded program to help lower dropout rates. And yet students in too many schools have just a 50–50 chance of graduating. Those that don't will earn less, be more likely to need public support, and more likely to get involved in crime. That affects all of us, not just the individual students.

It is my hope that some of these concerns can be addressed during the conference between the House and Senate.

Mr. SPECTER. Mr. President, I have sought recognition to comment on the important education bill which we are about to pass on its substantive merits, and also to speak briefly on the politics, where the bill might have appeared at some points to be partisan, with three votes on amendments being cast along party lines. I am convinced that we will have a very strong bipartisan vote on final passage. At the same time that the Senate will pass this Education Flexibility Partnership Act, the House of Representatives is working on similar legislation, so it will be presented to the President for his signature, which we are optimistic of obtaining.

I think it is important to note that there were important provisions in amendments offered by Members on the other side of the aisle, where there were good programs which can be taken up in due course. The program for new teachers I think is a good idea. The program for dropout prevention is another good idea. The program for afterschool provisions I think, again, is sound and can be taken up at a later time. But had they been pressed on this bill, we would have had gridlock and this bill would not have been enacted.

Last year, the President proposed $1.2 billion as a starter for 100,000 new teachers. That was accepted by the Congress. Before the President came forward with that proposal, in the subcommittee of Labor, Health, Human Services, and Education which I have the privilege to chair, we had put provisions in for some $300 million which would have provided for as many new teachers as could have been hired during fiscal year 1999. The President came in with a bigger figure at a later date. That was ultimately accepted by the Congress.

But I do think the idea for new teachers is a good idea. The question of how to fund it is always the tough issue. Similarly, the proposals for dropout prevention and afterschool programs again are sound and it is a question of finding the adequate funding for these kinds of important programs.

I believe the Senate spoke very loudly and very emphatically on the question of giving local school districts the choice as to whether to use the money for special education, or whether to use the money for new teachers, or what to use the money for. The local education agencies were given that discretion on a vote of 61 to 38, where 6 Democrats voted with 55 Republicans on that choice issue. Funding special education is a very major problem in America today. The Federal Government has imposed a mandate on the States, and the Supreme Court in a recent decision has broadened the terms of that mandate.

In the subcommittee that I chair, which funds education, we have provided very substantial increases for special education, but the Federal Government has made a commitment for 40 percent funding and we are nowhere near that. So when you talk about the priorities of more new teachers or money for special education, that matter was put to the Senate for a vote and, not strictly along party lines, the Senate voted to have the option with the local education agencies; with the vote being 61 to 38, some 6 Democrats joined the 55 Republicans.

When the choice issue was articulated along a slightly different line, the vote was 78 to 21, with some 23 Democrats joining 55 Republicans. That amendment also had provisions to keep the guns out of schools, which was doubtless an incentive to make that a stronger bipartisan vote than on some of the others.

Two of the other amendments were 59 to 40, with 4 Democrats joining the Republicans and, 57 to 42, 2 Democrats joining—and although we did have 3 votes along party lines, 55 to 44, there was a very definite bipartisan flavor to the votes on this matter.

It is always difficult when we have votes which are 55 to 44, strictly along party lines, with the question being raised: Isn't there any independence among 55 Republicans or the 44 Democrats? But the party line was adhered to in order to get the bill passed, even though, as I say, in voting against new teachers, against dropout prevention programs, and against afterschool programs—those are good ideas, and on another day we will be able to take them up. But if we were to maintain these programs, I think this bill could not pass if we do not draw the line to focus on Ed-Flex in this bill.

The flexibility I think is a very good idea. The Federal Government funds some 7 to 8 percent of the total funding. Last year, again in the subcommittee, we increased the funding by about $3.5 billion, about 10 percent, bringing the total Federal share to about $34.5 billion. But the principle of federalism continues to be sound, and that is that we ought to leave as much to the States as we can and we ought to leave as much to the local education agencies as we can, with the people at the local level knowing best what their needs are. So if there is a limited amount of funding, let them make the choice among special education or new teachers or dropout prevention programs or afterschool programs; leave it to the people who are closest to the problems.

So, all in all, there was a bit of partisanship here but I think it was justified to get the bill passed—not too much, with only three votes being along party lines—and deferring to another day the important programs which were not enacted today, but maintaining a very important point of flexibility to allow local education agencies to have the dominant voice in meeting their needs as they see them, being closest to them.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, how much time do I have.

The PRESIDING OFFICER. The Senator has 6 minutes 24 seconds.

Mr. KENNEDY. I yield myself 6 minutes, Mr. President.

Mr. President, in the last 3 or 4 weeks, we have heard our majority leader on three different occasions indicate that the most important issue we are going to address in the early part of this session was education. Over the period of the last 6 days, we have tried to debate a number of the ideas that we have on this side of the aisle, and certainly there ought to be the opportunity to debate amendments from the other side of the aisle as well.

We have tried to do that, but have been effectively closed out from that opportunity.

I would like at this time, to read a statement by Senator PATTY MURRAY, who, because of a death in the family, will be unable to be here to make this representation in the final few minutes of consideration before we go into a series of votes—the most important being the time-sensitive issue of smaller classes for grades K through 3. This is what Senator MURRAY says:

> Mr. President, I want to express how deeply disappointed I am. The Senate had a tremendous opportunity to work together to make a tangible difference in our children's lives and their futures. But instead, Republicans have chosen the path of partisanship and division.
>
> Last October, the Senate reached a bipartisan agreement to reduce class size and improve teacher quality. Republicans and

Democrats worked together to reach a compromise that is sending funds to local school districts this July. We did it because we knew it was the right thing to do. That simple fact has not changed in the last 5 months.

So I am absolutely baffled about why we could not reach this agreement again. The Senate's failure to pass this amendment was irresponsible and inexcusable.

The Senate Republicans have broken their promise to teachers, to parents, and worst of all, to children in the first, second, and third grades across the country.

The Senate Republicans are hoping that this issue will just fade away, but the education of our children is far too important for me to allow that to happen. I will be back for as long as it takes to get them to recognize they cannot continue to stall. Until they take real steps to reduce the class size, Mr. President, the Republicans owe the children of this country an explanation.

This is what we heard last fall. At that time, leading Republicans in Congress hailed the class size agreement. House Majority Leader DICK ARMEY said, ''We were very pleased to receive the President's request for more teachers, especially since he offered a way to pay for them,'' effectively supporting the first year of getting smaller class sizes. Republican Congressman BILL GOODLING, Chairman of House Education Committee, declared that the Class Size Reduction Act was ''. . . a real victory for the Republican Congress but, more importantly, a huge win for local educators.'' Senator SLADE GORTON said the same thing about the Class Size Reduction Act, representing the Republicans in negotiation on education, ''On education, there s been a genuine meeting of the minds involving the President and the Democrats and Republicans here in Congress. . . .''

Now before the Senate we have the amendment of the Senator from Washington, to fulfill that commitment—which Republicans were taking credit for 5 months ago—and we are being denied this opportunity.

We will have a chance this afternoon to vote on it. This is the time, today is the day, where the U.S. Senate can go on record for smaller class sizes in grades K–3. Today—today is the day to do it.

I say to my good friend from New Hampshire, all of us are very concerned about our nation's children. We, on this side, do not yield that there is anyone who is more concerned about those needy children in our local communities. The fact of the matter is that his battle is not with us—it is with the Republican leadership that supported this program 5 months ago.

Special ed educators all over this country are supporting the Murray amendment. Why? Because they think you can serve special needs children in many different ways, not just in targeting money for a particular funding program, but in smaller classes. We put that in the record. So we reject this idea that we are pitting one group of children against another, which effectively is what the Republican amendments are doing.

Mr. President, today in just 8 minutes we will start a series of votes. They are on amendments that can make a major difference in student achievement. They are supported by parents, local school boards, principals, and teachers all across this Nation for smaller class size, expanding after-school programs, reducing drop out rates, and ending social promotion. We have a chance on the floor of the U.S. Senate, to take votes and declare that we want action in those areas. That is what we are trying to do. We have been trying to do it for 6 days and have been denied that through parliamentary mechanisms of our Republican friends.

I hope those Americans who care so deeply about those issues know how important it is to the children of this country. It is intuitive. Every parent knows if you have a child in a smaller class the child is going to do better. We have an opportunity to do something about that and I hope this afternoon we will have a strong vote in support of the Murray amendment—the children in this country deserve it.

I reserve the remainder of my time.

Mr. JEFFORDS. Mr. President, I yield 2 minutes to the Senator from Tennessee, the sponsor of the bill.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, it is an exciting day because education in the United States is off to a fresh start. The underlying bill, which I am hopeful and confident will be passed later today, does something that previous bills out of this body did not do, and that is cut redtape. It combines flexibility and allows local innovation, local creativity to emerge, with strong accountability built in to give our students—and that is the purpose—to give our students the best chance to receive a solid and a strong education to prepare them for the millennium which is just around the corner.

Ed-Flex is not a panacea. We have been very careful, as sponsors of this bill, to point out it is not a panacea to our Nation's educational systems' woes, but it is a strong bipartisan, bicameral first step. It is a first step to unshackle the hands of our teachers, to unshackle the hands of our administrators, of our principals—all who are working hard every day to educate our children. You look around at the success of Ed-Flex, whether it is just around the corner in Phelps Luck School in Maryland where waiver authority was granted to reduce class size, or in Kansas where Ed-Flex has made it possible to implement all-day kindergarten, or in many of the States that have access to Ed-Flex now to reduce paperwork. After today, coupled with the passage in the House of Representatives just a few hours ago, and ultimately to be signed by the President, we can give these opportunities to all States, to all children, to all schools in this country.

I am proud to have been an original author and original sponsor of this particular bill. I am very appreciative of the manager and his conduct of the floor proceedings over the last several days, and I especially want to thank the Governors with whom I have worked very closely over the last several weeks to accomplish passage of this bill. I yield the floor.

Mr. JEFFORDS. Mr. President, I yield to the Senator from Maine 2 minutes.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I thank the chairman and again commend Senator FRIST, chief sponsor of this legislation, and the chairman of the committee. I am pleased to join with them in this effort.

Mr. President, the question before us is simple. This is not a question of who is for better schools; this is not a question of who is for putting more Federal resources in education; because both Democrats and Republicans alike share those two goals. The question before us is whom do you trust to make education decisions? Should education decisions be decided in Washington? Should every Federal dollar be attached to a string? Or should we trust the people at the local level—our school board members, our teachers, our parents, to make the best decisions for the students in local schools? To me, the answer is clear. We should increase the Federal commitment to education, but empower local school boards, teachers and parents to make the best decisions in keeping with the needs of their communities. That is the question before us.

The second question before us is, Is the Government, is Congress, going to keep its promise with regard to funding special education? I say the answer to that should be yes. Let's keep the promise that was made more than 20 years ago when Congress passed the legislation mandating special ed. Let's keep our promise. Let's fully fund that important program before creating a whole lot of new categorical grant programs with strings attached. That is the debate.

Everyone here is for better schools, better teachers, but that is not the issue.

The PRESIDING OFFICER. Who yields time?

Mr. JEFFORDS. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 1 minute 50 seconds.

Mr. JEFFORDS. I yield the remainder of my time to myself.

I have noticed over the years with my good friend from Massachusetts,

that the weaker his arguments, the louder the volume. He exceeded all my expectations today.

My Democratic friends have a number of amendments that will be coming up for votes shortly. As I have pointed out this week, we will be considering the reauthorization of the Elementary and Secondary Education Act this Congress. The Committee on Health, Education, Labor, and Pensions has already held several hearings on the ESEA, and many more are in the works. I will oppose all amendments that are relevant to the Elementary and Secondary Education Act. I will do this, not because I am callous to these issues, in fact, I ve championed them, but because these amendments should be discussed in the normal committee process. I will, however, support amendments that are designed to let local educators direct more money to special education. The reauthorization of special ed occurred last year, and it is open to have more money. The amendment I introduced on behalf of Senator LOTT and others will provide local communities with a choice regarding how much they will use their share of the $1.2 billion included in last year's omnibus appropriations bill for education.

Under our amendments, a school system may use the funds either to hire teachers or to support activities under the Individuals with Disabilities Education Act. What fairer system can you have under the circumstances? That is all we are doing. We are saying give them an option, give the locals an option: More teachers or more money for special ed. Our amendment will permit local school officials themselves to decide whether they need more money to educate children with disabilities or whether they need funds to hire more teachers.

In Vermont, I am betting the funds will be used for IDEA. Time and again, Vermonters have made clear to me that special education funding is far and away the most pressing need of our communities. And time and again, Vermonters have pressed me to find out whether the Federal Government will honor its promise to pay 40 percent of the costs of special education. We are fortunate in Vermont to have already achieved the small class sizes which the President is trying to promote with his teacher hiring program. We do not need more. We need more money for special ed.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts has 24 seconds.

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

Mr. JEFFORDS. Mr. President, I ask for the yeas and nays on the concurrent resolution.

Mr. KENNEDY. Is it appropriate or is it in order to ask for the yeas and nays on all of the amendments this afternoon? I ask unanimous consent that it be in order to ask for the yeas and nays.

The PRESIDING OFFICER. Is there an objection to the Senator's request? Without objection, it is so ordered.

Mr. KENNEDY. I ask for the yeas and nays, Mr. President.

The PRESIDING OFFICER. Is there a sufficient second on the amendments en bloc?

There appears to be a sufficient second.

The yeas and nays were ordered en bloc.

CONGRESSIONAL OPPOSITION TO THE UNILATERAL DECLARATION OF A PALESTINIAN STATE

The PRESIDING OFFICER. Under the previous order, the Senate will now vote on Senate Concurrent Resolution 5.

The clerk will report the concurrent resolution.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 5) expressing congressional opposition to the unilateral declaration of a Palestinian state and urging the President to assert clearly United States opposition to such a unilateral declaration of statehood.

The Senate continued with the consideration of the concurrent resolution.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution. On this question, the yeas and nays were ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. REID. I announce that the Senator from Washington (Mrs. MURRAY) is absent because of a death in the family.

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

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 38 Leg.]

YEAS—98

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

NAYS—1

Byrd

NOT VOTING—1

Murray

The concurrent resolution (S. Con. Res. 5) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, is as follows:

S. CON. RES. 5

Whereas at the heart of the Oslo peace process lies the basic, irrevocable commitment made by Palestinian Chairman Yasir Arafat that, in his words, ''all outstanding issues relating to permanent status will be resolved through negotiations'';

Whereas resolving the political status of the territory controlled by the Palestinian Authority while ensuring Israel's security is one of the central issues of the Israeli-Palestinian conflict;

Whereas a declaration of statehood by the Palestinians outside the framework of negotiations would, therefore, constitute a most fundamental violation of the Oslo process;

Whereas Yasir Arafat and other Palestinian leaders have repeatedly threatened to declare unilaterally the establishment of a Palestinian state;

Whereas the unilateral declaration of a Palestinian state would introduce a dramatically destabilizing element into the Middle East, risking Israeli countermeasures, a quick descent into violence, and an end to the entire peace process; and

Whereas in light of continuing statements by Palestinian leaders, United States opposition to any unilateral Palestinian declaration of statehood should be made clear and unambiguous: Now, therefore, be it

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

(1) the final political status of the territory controlled by the Palestinian Authority can only be determined through negotiations and agreement between Israel and the Palestinian Authority;

(2) any attempt to establish Palestinian statehood outside the negotiating process will invoke the strongest congressional opposition; and

(3) the President should unequivocally assert United States opposition to the unilateral declaration of a Palestinian State, making clear that such a declaration would be a grievous violation of the Oslo accords and that a declared state would not be recognized by the United States.

EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

The Senate continued with consideration of the bill.

AMENDMENT NO. 60

The PRESIDING OFFICER. The question is on amendment No. 60 offered by Senator JEFFORDS for the majority leader. There is 5 minutes of debate equally divided. Who yields time?

Mr. JEFFORDS. It is my understanding the yeas and nays have already been ordered on all of these amendments.

The PRESIDING OFFICER. The Senator is correct.

Mr. JEFFORDS. I yield myself 2½ minutes.

Mr. President, I urge a ''yes'' vote on this amendment for your local school districts. This is the most important amendment you will have this afternoon. I emphasize that this is extremely important for your local school districts.

The pending amendment would amend the class size reduction provisions of the fiscal year 1999 Department of Education Appropriations Act. It would allow any local educational agency the choice of using its share of the $1.2 billion provided under those provisions either to hire teachers or to carry out activities under part B of the Individuals with Disabilities Education Act, IDEA.

We reauthorized IDEA last year, and this is the perfect time to do this. Local school officials would have the opportunity to determine which of these two activities is a greater need for their schools, and to spend the additional funds accordingly.

In addition, the amendment contains a finding that reemphasizes a simple fact—full funding of IDEA would offer LEAs the flexibility in their budgets to develop class size reduction, or other programs that best meet the needs of their communities.

I believe this approach offers a good middle ground. It is a compromise between those of us who are urging we live up to our promises, with respect to IDEA funding, and those who believe we should undertake a massive new effort to hire teachers for local schools.

I urge all of my colleagues to support this amendment. I think it ought to be unanimous.

Mr. KENNEDY. Mr. President, last year we made a bipartisan agreement to support the hiring of additional teachers. We had a $500 million increase in IDEA and $1 billion increase in terms of the teachers, including special needs teachers.

Communities need funds both for IDEA and smaller classes—and for other top priorities too. We can reduce class size and give children with disabilities a better education. There is no reason to choose one or the other—both are priorities and both can be met.

Every local community in this country is trying to decide whether they are going to hire additional teachers within the next few weeks. If we say now we are going to accept the Lott amendment, you are emasculating this particular provision, which the local communities have been basing their judgment on, and saying, no, that isn't what you are going to do, you are going to have to come up with a new kind of a program.

If we make a commitment to a local community that permitted them to hire general teachers or special needs teachers, I daresay one of the principal reasons that the special needs community supported this amendment last year was because we added that specific provision. We are saying let us, let the local communities live out the bipartisan commitment that we made to them 5 months ago. They can make that local judgment depending upon the needs of the community.

How can you have greater flexibility than that—rather than overturn the whole proposal that was out there and dump this on the school committees that are all finalizing their budgets in the next few weeks?

I hope that the amendment would not be accepted.

The PRESIDING OFFICER. The Senator from Vermont has 1 minute 9 seconds.

Mr. JEFFORDS. I reiterate what I said before. If you want flexibility, vote yes. This amendment gives the local communities total flexibility to meet the needs they have. If you want to limit them down to one thing, hiring new teachers, vote no.

All of our schools want total flexibility, especially in order to have money for special education. We have promised them 40 percent, but have given them 11 percent. We are the cause of the terrible problems local schools have in trying to do what they can to improve their school systems.

I urge a ''yes'' vote.

Mr. KENNEDY. This is the language:

> . . . to carry out effective approaches to reducing class size with highly qualified teachers to improve educational achievement of both regular and special needs children.

That is defined as ''providing professional development to teachers, including special education teachers and teachers of special-needs children. . . .'' We already have it. The local school communities are committed to making their own judgment and decision. Why are we turning that all over, Mr. President, now in the final hours of this? It makes absolutely no sense whatsoever. The special needs community supported that amendment last year.

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

The PRESIDING OFFICER (Mr. ENZI). Does the Senator yield his time?

Mr. JEFFORDS. I yield back my time.

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll to determine the absence of a quorum.

The legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names.

[Quorum No. 5]

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

The PRESIDING OFFICER (Mr. VOINOVICH). A quorum is present.

Mr. KENNEDY. I move to table the Lott amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President——

Mr. KENNEDY. Mr. President, I made a motion to table, and I asked for the yeas and nays. It is not debatable. I asked for the yeas and nays on the motion to table. I made a motion to table, and I have asked for the yeas and nays, Mr. President.

The PRESIDING OFFICER. The motion has been made to table.

Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts to lay on the table the amendment of the Senator from Mississippi. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Washington (Mrs. MURRAY) is absent because of a death in the family.

The PRESIDING OFFICER (Mr. GREGG). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 38, nays 61, as follows:

[Rollcall Vote No. 39 Leg.]

YEAS—38

Akaka	Durbin	Kerry
Baucus	Edwards	Kohl
Bayh	Feingold	Landrieu
Biden	Feinstein	Lautenberg
Bingaman	Graham	Levin
Boxer	Harkin	Lieberman
Bryan	Hollings	Lincoln
Cleland	Inouye	Mikulski
Daschle	Kennedy	Moynihan
Dodd	Kerrey	Reed

Reid	Sarbanes	Wellstone
Robb	Schumer	Wyden
Rockefeller	Torricelli	

NAYS—61

Abraham	Enzi	McCain
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Murkowski
Bennett	Gorton	Nickles
Bond	Gramm	Roberts
Breaux	Grams	Roth
Brownback	Grassley	Santorum
Bunning	Gregg	Sessions
Burns	Hagel	Shelby
Byrd	Hatch	Smith (NH)
Campbell	Helms	Smith (OR)
Chafee	Hutchinson	Snowe
Cochran	Hutchison	Specter
Collins	Inhofe	Stevens
Conrad	Jeffords	Thomas
Coverdell	Johnson	Thompson
Craig	Kyl	Thurmond
Crapo	Leahy	Voinovich
DeWine	Lott	Warner
Domenici	Lugar	
Dorgan	Mack	

NOT VOTING—1

Murray

The motion to lay on the table amendment No. 60 was rejected.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 60.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Washington (Mrs. MURRAY) is absent because of a death in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 60, nays 39, as follows:

[Rollcall Vote No. 40 Leg.]

YEAS—60

Abraham	Enzi	Mack
Allard	Fitzgerald	McCain
Ashcroft	Frist	McConnell
Bennett	Gorton	Murkowski
Bond	Gramm	Nickles
Brownback	Grams	Roberts
Bunning	Grassley	Roth
Burns	Gregg	Santorum
Byrd	Hagel	Sessions
Campbell	Hatch	Shelby
Chafee	Helms	Smith (NH)
Cochran	Hutchinson	Smith (OR)
Collins	Hutchison	Snowe
Conrad	Inhofe	Specter
Coverdell	Jeffords	Stevens
Craig	Johnson	Thomas
Crapo	Kyl	Thompson
DeWine	Leahy	Thurmond
Domenici	Lott	Voinovich
Dorgan	Lugar	Warner

NAYS—39

Akaka	Dodd	Kerrey
Baucus	Durbin	Kerry
Bayh	Edwards	Kohl
Biden	Feingold	Landrieu
Bingaman	Feinstein	Lautenberg
Boxer	Graham	Levin
Breaux	Harkin	Lieberman
Bryan	Hollings	Lincoln
Cleland	Inouye	Mikulski
Daschle	Kennedy	Moynihan
Reed	Rockefeller	Torricelli
Reid	Sarbanes	Wellstone
Robb	Schumer	Wyden

NOT VOTING—1

Murray

The amendment (No. 60) was agreed to.

AMENDMENT NO. 64

The PRESIDING OFFICER. Under the prior order, we are now on amendment No. 64. There are 5 minutes equally divided.

Mr. JEFFORDS addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Am I correct that the 5 minutes is for debate only?

The PRESIDING OFFICER. That is correct, the 5 minutes is for debate only. It is equally divided.

Who yields time? The 5 minutes is equally divided.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, this is the Murray amendment. Senator MURRAY is not here today, due to a death in the family, otherwise, she would be making the presentation at this particular time.

Basically, the Murray amendment builds on what was agreed to in the budget last October by providing 6 years of funding. It gives certainty to school boards all across the country that we are making a national commitment to see smaller class size in schools all across the Nation.

In the President's budget, there is $11 billion that is effectively allocated for this particular purpose. It follows the pattern that was agreed to last year that states if a particular district has already achieved 18 students, they can use the funds for professional enhancement or for special needs children. That is why it has the support of the special education community.

This amendment has the wholehearted support of all the school boards, of all the parent-teacher organizations, of the school teachers and local authorities across the Nation. It is a major national effort to try to get smaller class sizes.

We are going to need 2 million teachers over the next 10 years. This is only going to provide 100,000, but it will make sure that they are well-qualified teachers. It will place support the early grades, which ought to be our priority. I hope it will be accepted.

It also includes, Mr. President, the sense of the Senate that the budget resolution shall include an annual increase for the IDEA part B and funding so that the program can be fully funded within the next 5 years. So, we are committed to that as well. And it also says these increases shall not come at the expense of the other education programs.

If you support this amendment, you are also supporting a commitment to fund the IDEA over the period of the next 5 years.

I withhold the remainder of my time.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I will not support the amendment offered by my colleagues from Washington and Massachusetts.

First and foremost, the 100,000 teacher proposal is flawed. It puts quantity over quality. There is little or no emphasis on improving teacher quality in the proposal. Yet, the research shows with certainty that the quality of the teacher leading the class is significantly more important than the size of the class.

Furthermore, adopting a new, untested, multi-billion dollar program without hearings or local input is no way to make good public policy. We have begun the process of reauthorizing the Elementary and Secondary Education Act, and we should examine this proposal during consideration of that bill. I give my assurance to my friends on the other side of the aisle that I intend to fully examine this question. But the proper way to do it is under the orderly committee process. We are in the middle of that right now. We have begun the process of reauthorizing the Elementary and Secondary Education Act, and this issue should be appropriately addressed during this process.

So I inform my colleagues that I will, at the time of the vote, move to table the amendment.

I reserve the remainder of my time.

Mr. LEVIN. Mr. President, I am pleased to join with my colleagues Senator MURRAY, Senator KENNEDY and others in introducing this Class Size Reduction amendment, which builds on last years successful effort towards reducing class sizes in grades 1–3 to 18 or fewer students nationwide. Last year, President Clinton proposed this historic initiative and Congress approved a down payment on this request last year, providing a $1.2 billion appropriation to help communities hire approximately 30,000 teachers nationwide.

Under the initiative enacted into law last year, school districts will begin to receive funding this July 1 in order to hire teachers to begin reducing class size this fall. While last year's appropriation provided an important start on this seven year initiative, the amendment before us gives us a chance to support effective local planning by giving school districts the confidence they need that funding will be available under this initiative for future years.

The average U.S. class size is 24 students with some as high as 30 students per class. A consensus of research indicates that students attending small classes in the early grades make more rapid educational progress than students in larger classes and that those achievement gains persist through at

least the middle grades. More specifically, class size reduction leads to enhanced teacher-student quality relationships, higher student achievement, solid foundation for further student learning, and the ability of students to read independently by the end of the 3rd grade.

Mr. President, there are 3,750 schools in my state of Michigan. Some of these schools have been fortunate enough to reduce some of their classes in the early grades. Last month, I visited about a dozen of them, witnessing first hand the benefits of smaller classes. I also visited several of the numerous schools in my state that are disadvantaged by large class sizes. For example, at the Calvin Britain Elementary School in Benton Harbor, where the student to teacher ratio is higher than the national average, teachers worry that they are not able to identify their students' learning needs. When I asked 2nd grade teacher Louise Hufnagel what it would mean to reduce her class of 26 down to 17 or 18, she said, ''It would make a world of difference. A lot of the children have special needs and it would make it easier to give them the individual attention they need.''

At East Leonard Elementary School in Grand Rapids, principal Tina Barwacz said she is convinced that lower class size improves academic performance. Teachers there are now giving more personalized attention to their students because their classes are smaller. Third grade teacher Dan Mayhew, with 17 students this year down from 23 last year, says that now he can get to each student more often and make sure the individual masters the standards and the core curriculum. Another third grade teacher, Sharon Uminski, with 17 students this year, down from 28 last year, says she gets to know her class better, including learning faster students strengths and weaknesses. She went on to say that it also allows her to initiate remedial education in a subject when necessary on an individual basis; and that she encounters less discipline problems resulting in more class time for instruction. First Grade teacher Teresa Guinnup who had 25 students last year and 17 this year says now she can talk to each child and check his or her ability. The students told me that they like smaller class sizes because it was easier to concentrate, there was more room and some kids get to sit at their own desk.

At Winchell Elementary School in Kalamazoo where some classes have gone from 29 down to 17, teachers are seeing major improvements in their pupil's reading skills. First grade teacher, Mary Trotter, who had 28 students last year and has 19 this year said, ''I'm able to give children much more individual help. It's a dream.'' First grade teacher Kitty Wunderlin who had 29 students last year and 19 this year, said ''it is divine to have 19 students. I can give them one to one attention. With 29 students I felt overwhelmed.'' And, first grade teacher Kathie Gibson told me, ''I've seen great gains in my students reading skills this year.''

In Lansing, at Harley Frank Elementary School, kindergarten teacher Mrs. Zimmerman, who has been teaching for 34 years and who last year planned to retire until she heard class sizes were going to be reduced, said that she now has more control over her class, the kids are happier and more adjusted and in short, they are able to learn more. With smaller classes, teachers can assess each student's progress in a more timely manner and students develop more interest in learning, all of which create higher student achievement.

Many other direct experiences of teachers and students were shared with me. For instance, at Merrill Community Elementary school in Flint, which started a class downsizing program five years ago for grades K–4. Before this program began, their student to teacher ratio was 30–1. One teacher, Mrs. Stephanie Thibault told me that ''having 30 first and second graders in a classroom was overwhelming and exhausting.'' Teachers would literally find themselves counselling some of their students in the hallways because their buildings and classrooms were so overcrowded. After the implementation of their new program, that ratio changed to 17 students to 1 teacher, and listen to the difference expressed by Mrs. Thibault. She exclaims ''As a teacher, my role has expanded beyond instruction. Having a 17–1 ratio allows me to know my students and their families better, allows me to personalize learning tasks for each child and it gives me opportunities to provide one-on-one help. Students benefit because they receive the attention and caring they deserve.''

Because of a class size reduction program, Mrs. Thibault can now give students the instruction they deserve. Isn't that exactly what we should strive for? Our teachers should not be overwhelmed and exhausted at the end of each day. Our students should not be competing with each other to get the attention of their teachers. Each child deserves that attention and caring that teachers like Mrs. Thibault can provide. But some teachers are not capable of providing that teaching environment. Too many of our classrooms are spilling out into the hallways and until we change this by reducing class size, our young people will be at a disadvantage.

When we reduce class size, we not only help our teachers and students, but we meet needs of parents whose children are learning more and performing better in school. When the program to reduce class size first began in the Flint Community School District, test scores for students were low. For the 1994–95 school year, only 8 percent of the students at Merrill Elementary passed the ''Reading/Story'' portion of the Michigan Education Assessment Program, the MEAP test. For that same year, only 26 percent passed the ''Reading/Info'' section and just 10 percent passed the Math portion of the MEAP test. Since the implementation of the program, the students at Merrill Elementary school have seen their scores rise dramatically, and I'm not just taking about a couple of percentage points. Last school year, after just 4 years of smaller class sizes, 54 percent of those elementary students passed the ''Reading/Story'' portion of the test, an increase of 45 percent. In addition, 70 percent of Merrill elementary students passed the ''Reading/Info'' portion, a 44 percent increase and 55 percent passed the ''Math'' section of the MEAP test, a 44 percent increase. In just a few years, these students were receiving more attention in a better academic environment and were simply, learning more.

Let's take the important lessons from these elementary schools in Michigan and apply them to this legislation. We must start reducing class sizes now. If we fail to pass this amendment, reducing class size, we fail the students of Michigan and the rest of the nation.

Ms. MIKULSKI. Mr. President, I am proud to be an original cosponsor of the Murray/Kennedy Class Size Amendment. This amendment continues a major six year effort to help local school districts hire 100,000 teachers nationally. It is one the most important pieces of legislation the Senate will consider this year. This amendment will strengthen our schools today and build a framework for the future.

Last year we made a down payment by including $1.2 billion in the budget for class size. This year, we must continue the fight for our schools and the fight for our kids. We must give our schools the support they need to lower class size. We must get behind our kids by passing this critical legislation.

Last year, we worked together in a bipartisan fashion to reduce class size in the FY99 Omnibus Appropriations Act. Last year we got $1.2 billion in the Omnibus to reduce class size using highly qualified teachers. Nationally, this allowed us to hire some 30,000 new teachers this year. My state of Maryland alone received $17.5 million and will get about 425 new teachers this summer.

Mr. President, I have visited these classrooms and I have talked to these kids. These children have told me over and over again that they want to learn. They have told me they need more individualized attention. I have received letters from kids in school who are begging for our help. They tell me their schools are overcrowded and the teachers can't control the large classrooms.

They tell me they are scared to go to school and that they can't learn because the teachers are too busy trying to manage the overcrowded classes.

Mr. President, this is a sad time for our students. A child should never fear going to school. We need to work and work hard to ensure that our efforts are not short circuited because of politics. I have told many teachers and students about the important strides we made last year to make sure they will have smaller and more effective classrooms. These children are excited about having more opportunities to learn. They are eager to learn to read and learn about science and technology. They are excited about all the wonderful possibilities that lie ahead for them with a proper education. But we need to do more. By passing this amendment today, we in the Senate have an opportunity to prove our commitment to education.

Efforts are already underway in my state of Maryland to reduce class size. I have heard from at least five counties in my state that they have class reduction programs already in place or in development. The schools in Montgomery County, Maryland, for example, are reducing class size for reading at the primary grade level. In the primary grades, they have started a program where there are only 15 students per teacher for a 90 minute reading block. They are also reducing class size in math at the middle and high school levels and have added an extra math teacher to each school to ensure success in algebra. I applaud these efforts, but they need federal help to do more.

These programs started this school year and are being phased in over the next three years focusing initially on low-performing schools. And do you know what these programs will do? They will prepare Maryland kids for the new millennium. They will prepare our children to go onto college and gain the important skills they will need in the future. These class reduction programs are the building blocks that will help prepare our kids to be our future leaders.

The American people are counting on us to help fix an education system which failed so many children. Our education system has been ignored for far too long. If we don't pass this amendment today, we are sending the wrong message to the American public. Because of our efforts last year, our schools will be able to hire new teachers this summer. If we don't pass this amendment, we are telling those school that we are not committed to improving America's education system. We need to continue this effort to provide 100,000 new teachers for America. Let's get behind our kids and pass this amendment.

Mr. KENNEDY. Do I have any time?

The PRESIDING OFFICER. The Senator from Vermont has 1 minute. The Senator from Massachusetts has no time.

Mr. KENNEDY. How much time do I have?

The PRESIDING OFFICER. No time remaining.

Mr. JEFFORDS addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. JEFFORDS. I yield back the remainder of my time and I move to table the amendment, and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the Murray amendment No. 64. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Washington (Mrs. MURRAY) is absent because of a death in the family.

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

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote No. 41 Leg.]

YEAS—55

Abraham	Frist	Murkowski
Allard	Gorton	Nickles
Ashcroft	Gramm	Roberts
Bennett	Grams	Roth
Bond	Grassley	Santorum
Brownback	Gregg	Sessions
Bunning	Hagel	Shelby
Burns	Hatch	Smith (NH)
Campbell	Helms	Smith (OR)
Chafee	Hutchinson	Snowe
Cochran	Hutchison	Specter
Collins	Inhofe	Stevens
Coverdell	Jeffords	Thomas
Craig	Kyl	Thompson
Crapo	Lott	Thurmond
DeWine	Lugar	Voinovich
Domenici	Mack	Warner
Enzi	McCain	
Fitzgerald	McConnell	

NAYS—44

Akaka	Edwards	Levin
Baucus	Feingold	Lieberman
Bayh	Feinstein	Lincoln
Biden	Graham	Mikulski
Bingaman	Harkin	Moynihan
Boxer	Hollings	Reed
Breaux	Inouye	Reid
Bryan	Johnson	Robb
Byrd	Kennedy	Rockefeller
Cleland	Kerrey	Sarbanes
Conrad	Kerry	Schumer
Daschle	Kohl	Torricelli
Dodd	Landrieu	Wellstone
Dorgan	Lautenberg	Wyden
Durbin	Leahy	

NOT VOTING—1

Murray

The motion to lay on the table the amendment (No. 64) was agreed to.

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

Mr. CRAIG. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 66

The PRESIDING OFFICER. Under the previous order, we will now debate Lott amendment No. 66 with 5 minutes equally divided.

Mr. JEFFORDS. Mr. President, this is very similar to the amendment we previously voted on, referred to as the Lott-Jeffords amendment. The pending amendment would amend the class size reduction provisions of the fiscal year 1999 Department of Education Appropriations Act to expand the choices available to local school officials. They would have the opportunity to determine whether hiring teachers or educating children with disabilities is a greater need for their schools, and to spend the additional funds accordingly.

I am sure that many areas would choose to hire teachers, although I strongly suspect that most communities in my home State would choose to use their funds for IDEA. A number of small States are already at the level of teachers they need, but we are grossly underfunded in taking care of our special needs children. I have heard many times during my trips home, that the current level of funding for IDEA falls far short of the 40 percent we promised in 1975. Full funding of IDEA would offer local school officials the flexibility in their budgets to develop dropout prevention or other programs that best meet the needs of their communities. I urge my colleagues to support this amendment.

I retain the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. DODD. Mr. President, it is very difficult to hear. The Senate is not in order.

The PRESIDING OFFICER. The Senator is correct.

The Senate will be in order.

The Senator from Connecticut.

Mr. DODD. Mr. President, I rise in opposition to the amendment and do so with a sense of some regret. I offered an amendment a year ago with, in fact, Senator COVERDELL, our colleague from Georgia, on the $7 tax break proposal as an alternative where real money—$1.6 billion—would go toward IDEA.

I think all of us appreciate the fact that many of us over the years wanted to raise our level of support for that program. But in this particular issue, to kind of ask in a sense that we now take needed dollars to try to bring down class size and throw this item in—by the way, I lost on that amendment where we would have had $1.6 billion for IDEA. I got voted down on that proposal. Here we have a real issue of class size.

One of the major problems in IDEA is the learning disabilities. Two-thirds of IDEA kids are learning disabled; primarily speech, and language is the second disorder. That problem is not discovered until the third or fourth grade in most schools. You don't discover that with a younger child.

The irony here, in a sense, is that we are trying to reduce class size, which is what the underlying amendment would do, so that you try to avoid the problems from being created in the first place. Here we are sort of competing against each other. We have a legitimate issue that we are trying to get dollars into, and that is to reduce class size. To the extent that we do that, we are going to reduce the IDEA problem. That is what we ought to be trying to do, instead of creating this false choice out here, in a sense. If you can choose between these dollars, clearly, in many communities, because it is a tax issue, they are going to go with IDEA. The underlying problem with IDEA gets addressed if we reduce the class size.

I urge my colleagues in this particular case—after we increased by $500 million last year IDEA funding—that we reject the amendment. Do what we can in this partnership and bring down class size, which is what most Americans would like us to do across the board, and still work on the IDEA issue and reducing the obligations there.

For those reasons, I urge the rejection of this amendment.

Mr. JEFFORDS. Mr. President, I point out that all we are doing is giving flexibility to States like Wyoming, North Dakota, Vermont, and other States that are already at the reduced class size. Why not let them spend it for IDEA, which is grossly underfunded? That is where the money is really needed. That is where the kids will be helped.

I yield the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Mississippi. The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. REID. I announce that the Senator from Washington (Mrs. MURRAY) is absent because of a death in the family.

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

The result was announced—yeas 61, nays 38, as follows:

[Rollcall Vote No. 42 Leg.]

YEAS—61

Abraham	Dorgan	Leahy
Allard	Enzi	Lott
Ashcroft	Fitzgerald	Lugar
Bennett	Frist	Mack
Bond	Gorton	McCain
Breaux	Gramm	McConnell
Brownback	Grams	Murkowski
Bunning	Grassley	Nickles
Burns	Gregg	Roberts
Campbell	Hagel	Roth
Chafee	Hatch	Santorum
Cochran	Helms	Sessions
Collins	Hutchinson	Shelby
Conrad	Hutchison	Smith (NH)
Coverdell	Inhofe	Smith (OR)
Craig	Jeffords	Snowe
Crapo	Johnson	Specter
DeWine	Kyl	
Domenici	Landrieu	
Stevens	Thompson	Voinovich
Thomas	Thurmond	Warner

NAYS—38

Akaka	Feingold	Lincoln
Baucus	Feinstein	Mikulski
Bayh	Graham	Moynihan
Biden	Harkin	Reed
Bingaman	Hollings	Reid
Boxer	Inouye	Robb
Bryan	Kennedy	Rockefeller
Byrd	Kerrey	Sarbanes
Cleland	Kerry	Schumer
Daschle	Kohl	Torricelli
Dodd	Lautenberg	Wellstone
Durbin	Levin	Wyden
Edwards	Lieberman	

NOT VOTING—1

Murray

The amendment (No. 66) was agreed to.

AMENDMENT NO. 63

The PRESIDING OFFICER. We are now on amendment No. 63. There are 5 minutes equally divided for debate. But before we begin that, we will need to get the attention of the Senate. Will Members in the well take their conversations to the Cloakroom?

Who seeks recognition?

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, this amendment is intended to commit the Federal Government to help local school districts deal with a very serious problem, the problem of students dropping out of school before they graduate. There is no Federal program that is intended to resolve this problem. I hear a lot of talk about how there are other Federal programs. There is no Federal program that is funded that is intended to solve this problem. This amendment would help us do this.

Clearly, this is a major issue in all of our States.

This is particularly an important issue in our States where we have large numbers of Hispanic students. The dropout rate is 30 to 50 percent among that community.

I yield the rest of the time to the Senator from Nevada who is a cosponsor on this amendment.

Mr. REID. Mr. President, we have over 1 million people, men and women, in prison in this country. Let's round it off and say we have 1 million people in prison, and 820,000 of those people in prison, men and women, have not graduated from high school. If there were no better reason to do something about the dropout problem, that would be it. We have to keep young men and women in school. Three thousand children drop out of school every day, 500,000 a year. This amendment would do nothing to take away from local school districts absolute control as to how they handle dropouts, but it would give them additional resources and assets they now do not have.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I am reluctant to oppose this amendment because I have such great empathy and sympathy for the problem, and, because I respect the Senator from New Mexico a great deal. We have worked together on so many programs and problems over the years, and we will continue to do so. And I respect his judgment. However, to address this issue at this time is not appropriate. This is a program already in existence, though obviously, not working well. The program is within the Elementary and Secondary Education Act. I am dedicated to working closely with the Senator from New Mexico to find out how and what we should do to amend existing programs in order to have better dropout programs. So I hope he would understand that, and that by opposing this amendment, which I will move to table eventually, I am not doing anything other than saying wait—wait until we go through the reauthorization of the ESEA this year. We are going to hold hearings and make sure we do the best thing possible to solve the dropout problem.

Right now, I cannot accept this amendment. I retain the remainder of my time.

Mr. BINGAMAN. Mr. President, is there additional time?

The PRESIDING OFFICER. The Senator from Vermont has 1 minute. The Senator from New Mexico has no more time.

Mr. JEFFORDS. That is all the time that is available?

Mr. President, for the reasons that I have stated, I move to table the amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the amendment of the Senator from New Mexico, Mr. BINGAMAN. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Washington (Mrs. MURRAY) is absent because of a death in the family.

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote No. 43 Leg.]

YEAS—55

Abraham	Domenici	Kyl
Allard	Enzi	Lott
Ashcroft	Fitzgerald	Lugar
Bennett	Frist	Mack
Bond	Gorton	McCain
Brownback	Gramm	McConnell
Bunning	Grams	Murkowski
Burns	Grassley	Nickles
Campbell	Gregg	Roberts
Chafee	Hagel	Roth
Cochran	Hatch	Santorum
Collins	Helms	Sessions
Coverdell	Hutchinson	Shelby
Craig	Hutchison	Smith (NH)
Crapo	Inhofe	Smith (OR
DeWine	Jeffords	Snowe

Specter	Thompson	Warner
Stevens	Thurmond	
Thomas	Voinovich	

NAYS—44

Akaka	Edwards	Levin
Baucus	Feingold	Lieberman
Bayh	Feinstein	Lincoln
Biden	Graham	Mikulski
Bingaman	Harkin	Moynihan
Boxer	Hollings	Reed
Breaux	Inouye	Reid
Bryan	Johnson	Robb
Byrd	Kennedy	Rockefeller
Cleland	Kerrey	Sarbanes
Conrad	Kerry	Schumer
Daschle	Kohl	Torricelli
Dodd	Landrieu	Wellstone
Dorgan	Lautenberg	Wyden
Durbin	Leahy	

NOT VOTING—1

Murray

The motion to lay on the table the amendment (No. 63) was agreed to.

Mr. JEFFORDS. Mr. President, I move to reconsider the vote by which the motion was agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JEFFORDS. Mr. President, let me explain what we intend to do on this side of the aisle. I intend to arrange for a voice vote on the next two amendments. They are Lott amendments. They are very similar to the ones that we had before. I do not believe it is worthy of time to get votes on those, because that dye is well cast by the previous vote.

AMENDMENT NO. 67

Mr. JEFFORDS. The amendment we have now is Lott No. 67. Fulfilling a promise is not as exciting as raising new expectations with new programs. We don't get much press coverage, presumably, for doing the right thing, but if we fulfill our obligation to fund IDEA, State and local agencies will be able to target their own resources toward their own, very real needs. These may be needs for afterschool activities, or for dropouts, or for any number of the pressing needs facing our Nation. All of this is going to be discussed in the reauthorization of the Elementary and Secondary Education Act.

With that, Mr. President, I will yield the floor.

The PRESIDING OFFICER (Mr. GORTON). Are there further remarks on amendment No. 67?

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Just a point of information, is this the Boxer amendment that the Senator has just spoken against?

Mr. JEFFORDS. This is the Lott amendment.

Mrs. BOXER. Fine, I will withhold.

Mr. JEFFORDS. Mr. President, I ask to vitiate the yeas and nays.

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

The question is on agreeing to amendment No. 67.

The amendment (No. 67) was agreed to.

Mr. JEFFORDS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 65

Mrs. BOXER. Thank you, Mr. President. In 2½ minutes I hope to convince my colleagues to support this after-school amendment.

The Senator from Vermont said it is not so exciting to fund new programs. This is not a new program. This is a tried and true program. This is a program that works. This is a program that we all agreed we would spend $200 million on last year. The response in the community has been overwhelmingly positive and we need to fund it at a greater level.

What we do in this amendment is authorize the same amount of funding that the President has put in his budget; $600 million would accommodate over 1 million children. Look at these children, look at their faces, look at how they are involved with a mentor after school. After school programs keep children like them from getting into trouble by involving them in positive activities. We can see here, if we look at this chart, that the time when juvenile offenders commit violent crimes is during the after school hours. You do not need a degree in criminology or sociology or psychology to understand that youth offenders are more likely to commit crime or become involved in criminal activity when they are home alone or unsupervised. We see criminal activity among youth peaking here at 3 p.m., when schools let out. Gradually, as the hours move into the early evening and parents come home, the peak drops. Additionally, law enforcement supports afterschool programs. We call this particular amendment an anticrime amendment. It has been endorsed by police athletic leagues from across the Nation. Members have been calling in favor of this amendment. Here is the list of the many law enforcement groups, just a handful of them, to show you how popular this program is.

Who supports afterschool programs in America? In a recent poll, August of 1998, 92 percent of Americans support afterschool programs. After school programs are anticrime, pro-education, pro-community, and make common sense. Again, I hope Senators will vote in favor of afterschool programs. This is not a new program. I thank my colleagues for their attention.

Mr. LEVIN. Mr. President, I am pleased to cosponsor this legislation to provide quality after school programs for our nation's youth. There are 23.5 million school-age children who have working parents, and of these children, 5 to 7 million are considered ''latchkey'' kids, or children who are alone at some point in the day.

Mr. President, law enforcement statistics show that from the hours of 3:00 p.m. to 6:00 p.m., students between the ages 12 to 17, are more likely to commit violent acts or be the victims of violent activity. We know that they are more likely to engage in these activities if young people are without adult supervision. According to a report published by the U.S. Department of Education and U.S. Department of Justice in June of 1998, entitled Safe and Smart: Making After School Hours Work for Kids, ''first and foremost, after school programs keep children of all ages safe and out of trouble.''

There is no question that after-school programs keep most kids out of trouble, unfortunately, there are not enough of them to keep all kids on the right track. According to findings of Mr. Herbert Moyer of the Michigan State Board of Education, which were published in the March 10, 1999 Oakland Press:

> More than 80 percent of parents want their children to attend an after-school program, but only 30 percent of elementary and middle schools offer such programs. After-school hours are when juvenile crime rates triple and youth without positive alternatives may do drugs, smoke, drink or engage in sexual activity . . . eighth-graders who are left unsupervised for 11 hours or more a week are twice as likely to abuse drugs or alcohol as those under adult supervision.

Mr. President, this amendment would make a substantial effort to resolve that problem. By increasing the appropriations for the 21st Century Learning Centers program to $600 million, a three fold increase over last year's funding, public schools will be able to develop after school centers for children that provide educational, recreational, cultural, health and social services. Specifically, activities and services may include: Literacy programs, telecommunications and technology education programs, mentoring, academic assistance, job skills assistance, expanded library services, nutrition and health programs, summer and weekend school programs, services to individuals with disabilities, drug, alcohol, and gang prevention.

Last year, 21st Century Community Learning Centers grants were awarded to four school districts in my State. Schools in Armada, Benton Harbor, Grant Rapids and the Highland Park School have received these grants. I would like to share with you some of the possibilities that these grants can provide to local school districts around my state and nationwide.

In the Armada Area Schools, the district planned a virtual network of middle school computer centers (called ''clubhouse''). The centers are meant to

increase student engagement in learning through computer use; foster collaboration among students, schools and communities; and develop a model of statewide collaboration through the sharing of resources.

The Benton Harbor Area Schools planned to partner up with local community groups and Western Michigan University to provide Community Learning Centers, which are established to assist middle school students in developing literacy and technology skills and they plan, produce, and present constructive projects that deal with community-wide issues such as poverty, violence, drug use, and teen pregnancy.

The Grand Rapids Public Schools planned to create four local Learning Centers in its middle schools. The program is designed to operate on afternoons, one evening per week, and several hours on Saturdays and provide enrichment activities, recreational activities, parent and child activities and community support activities.

The Highland Park School District, which collaborated with government, nonprofit groups, and local universities, planned to create two Learning Centers in their area. At these centers, students and community members can participate in academic programs, sports and recreational activities, literacy and family recreational activities.

I would like to applaud the innovative ways in which Michigan educators have provided students with after school programs. These school districts were selected for the 21st Century Learning Centers grants because of their innovative projects in addressing their after-school needs. And, let me say, Mr. President, that Michigan students and parents are lucky to have people like Kathleen Strauss, Vice President of the Michigan Board of Education, who has championed the cause of after-school programs for our youth for many years. We are also lucky to have such dedicated educators, especially in Armada, Benton Harbor, Grand Rapids and Highland Park, who have helped students gain access to computers and new technologies, and to encourage student involvement in the community.

I am pleased that Michigan schools are benefiting from these grants, and am hopeful that the model set by these school districts will encourage the establishment of similar initiatives in communities throughout my state and the nation. I urge my colleagues to support this amendment.

Ms. MIKULSKI. I rise today as an original cosponsor of Senator BOXER's After School Education and Anti Crime Amendment. I am very pleased to support this important legislation with Senator BOXER. One of my highest priorities as Senator is to promote structured, community-based after school activities to help kids stay safe. I will support this amendment for three reasons. First, there is a desperate need in this country for constructive after school programs for our youth. Second, it authorizes increased funding for after school programs. Third, this amendment specifically includes Police Athletic Leagues as part of the after school effort.

Mr. President, America's youth needs our help. Kids need constructive after school activities to keep their young minds healthy and active. In many families today, both parents have to work. And that's if they are lucky enough to have two parents. Many kids are raised by single moms who hold down one or more often, even two jobs just to make ends meet. I talk to single moms in my state of Maryland who can barely get by. Many of them hold down steady jobs while trying to go to school. They are trying to improve themselves so they can get better jobs and take care of their families. These parents can't always be there after school to supervise their children. They cannot leave their jobs at 3:30 when school lets out. They cannot quit their jobs because even if there are two parents working, they still need every dime.

So what do we tell these people to do with their kids after school? What if they aren't lucky enough to have grandparents or aunts and uncles to take care of the kids after school? Most of these parents can't afford the high costs of day care. Do we just blame the parents when their kids get in trouble? No. This is a responsibility for us all. This situation presents a problem for us all. Gangs, drugs, and violent crimes has become an epidemic among our children. These kids are the future of our country. One day, they will be our leaders. Here in Congress we have the ability and the duty to save our youth. And this amendment helps communities build after school programs for our youth.

I also support this amendment because it authorizes $600 million for after school programs. This money will allow 1.1 million kids each year to go to an after school program. In the budget last year, we put $200 million in after school programs. Last year, we made the downpayment. This year, the President has tripled that amount to $600 million. And what will this funding mean? It means that after school programs could get more space. They could hire more staff and add programs and services. It means that these programs can serve more young people.

Mr. President, I will also support this amendment because it specifically includes Police Athletic Leagues as part of the after school effort. I have made it a priority to do all I can to help the PAL programs in Maryland. We have 27 PAL centers in Baltimore, Maryland. The first PAL center in Maryland was in 1995, in northeastern Baltimore, located in a transformed convenience store. Our PAL centers were not started with the help of the federal government. The success of this program is due to the hard work of the Baltimore Police Department and the support and involvement of members of the community. But now it's time for the federal government to help fund the PAL centers and the excellent work that they do.

The PAL centers provide adult role models for our kids. They promote character & responsibility. The people there help kids with their homework. They teach them about art, cultural activities and sports. This is all part of our effort to get behind our kids and combat juvenile crime. PAL centers help to make our streets safe and give kids the tools for success. These programs recognize that we need to give kids alternatives to the streets.

Mr. President, after school programs must be a priority. We don't have the luxury of funding after school programs just because we want to do something extra for our kids. After school is not an extra anymore. After school programs are now a necessary fact of life. We need to give kids a fighting chance. I will be fighting to enact this bill into law and I encourage all of my colleagues here to get behind our kids and vote for this amendment.

The PRESIDING OFFICER. Who yields time? The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I will likely oppose this amendment because, again, this will be reauthorizing the Elementary and Secondary Education Act. Actually, this program is already part of the law in a way. It is the 21st Century Schools program I got in in 1994. The administration has, by regulation, kind of changed it into an after-school program. I do not mind that, but I think the 21st Century Schools was much broader and a better program. We can argue this out, and we will have hearings on it and evidence presented during the next few weeks and months. At this point, I would have to oppose the Boxer amendment, and eventually, after time runs out, I will move to table it.

I retain the remainder of my time.

The PRESIDING OFFICER. The Senator from California has 58 seconds remaining.

Mrs. BOXER. Thank you, Mr. President. I will take that time, if I might. I knew I could speak fast, but I did not realize I had left all that time.

Again, I say to my friend, this is a moment, an opportunity for us. We have an education bill before the U.S. Senate. Why would we wait to put more teachers in the classroom? Why would we wait on afterschool programs when, in fact, it is so necessary? Throughout America, people are asking us to act. If you go to the community

and say, well, we are waiting for a different vehicle to come before the Senate before we address after school programs, they will look at you and say, wait a minute, we need these funds now. Our kids are getting into trouble after school. We have an opportunity, with a good bill that Senator WYDEN has brought to us and Senator FRIST, to make it even better. I urge my colleagues, please vote in favor of this amendment for afterschool programs.

The PRESIDING OFFICER. Who yields time?

Mr. JEFFORDS. Mr. President, again, I just reiterate, this is not the time to be arguing about this. The time is with reauthorization of the Elementary and Secondary Education Act. Therefore, I would strongly urge Members of both sides to vote against this amendment.

Mr. President, I move to table the amendment, and I yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator ask for the yeas and nays?

Mr. JEFFORDS. I ask for the yeas and nays on the motion to table.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the motion to lay on the table the amendment of the Senator from California. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. REID. I announce that the Senator from Washington (Mrs. MURRAY) is absent because of a death in the family.

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote No. 44 Leg.]

YEAS—55

Abraham	Frist	Murkowski
Allard	Gorton	Nickles
Ashcroft	Gramm	Roberts
Bennett	Grams	Roth
Bond	Grassley	Santorum
Brownback	Gregg	Sessions
Bunning	Hagel	Shelby
Burns	Hatch	Smith (NH)
Campbell	Helms	Smith (OR)
Chafee	Hutchinson	Snowe
Cochran	Hutchison	Specter
Collins	Inhofe	Stevens
Coverdell	Jeffords	Thomas
Craig	Kyl	Thompson
Crapo	Lott	Thurmond
DeWine	Lugar	Voinovich
Domenici	Mack	Warner
Enzi	McCain	
Fitzgerald	McConnell	

NAYS—44

Akaka	Daschle	Johnson
Baucus	Dodd	Kennedy
Bayh	Dorgan	Kerrey
Biden	Durbin	Kerry
Bingaman	Edwards	Kohl
Boxer	Feingold	Landrieu
Breaux	Feinstein	Lautenberg
Bryan	Graham	Leahy
Byrd	Harkin	Levin
Cleland	Hollings	Lieberman
Conrad	Inouye	Lincoln
Mikulski	Robb	Torricelli
Moynihan	Rockefeller	Wellstone
Reed	Sarbanes	Wyden
Reid	Schumer	

NOT VOTING—1

Murray

The motion to lay on the table the amendment (No. 65) was agreed to.

Mr. JEFFORDS. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 68

Mr. JEFFORDS. Mr. President, I am going to now ask for a voice vote on Lott amendment numbered 68. This is basically the same amendment we have been voting on. I think I talked to the other side of the aisle and they have no reason not to have a voice vote.

At this point, I ask unanimous consent to vitiate the yeas and nays on Lott amendment No. 68.

Mr. BAUCUS. Mr. President, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. JEFFORDS. Mr. President, let me explain this amendment. Like the previous Lott amendment, this would amend the class size reduction provisions of the fiscal year 1999 Department of Education Appropriations Act to expand the choices available to local school officials. They would have the opportunity to determine whether hiring teachers or educating children with disabilities is a greater need in the schools and spend the additional funds accordingly.

I am sure that many areas will choose to hire teachers, although I strongly suspect that most communities in my home State would choose to use their funds for IDEA, special education. If a locality has a plentiful supply of unemployed qualified teachers and lacks only the funds to hire them, that locale will use the $1.2 billion to hire teachers. If that is not the case, those funds will be put to better use by supporting existing efforts to educate special education students.

I urge my colleagues to support this amendment. I retain the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. Mr. President, I want to make it crystal clear that I am not in favor of amending IDEA in any significant way, now or in the near future. In the last Congress, members of both the House and the Senate worked hard to bring all sides together to reauthorize IDEA. Now, Congress owes children and families across the country the most effective possible implementation of this legislation.

The amendments enacted in 1997 were the product of comprehensive, bipartisan negotiations involving Congress and the Administration, with extensive public input. The final product involved compromises on many sensitive and complex issues, and it has been widely recognized as a significant improvement of this landmark legislation, to protect the rights of 6 million children to a free, appropriate public education. The Department of Education moved quickly to propose regulations, and the final regulations are expected this Friday.

In many communities, schools are only just beginning to use the tools that are available to them under current law in cases where disciplinary action is warranted for a disabled student. Schools have broad power to develop and implement behavioral intervention plans for children with disabilities, and to use early intervention in ways that can avoid the need for disciplinary actions at all.

The 1997 changes in the law and the implementation of the regulations under it must be given a chance to work. At this point, it is clearly premature to make substantive changes in the statute. The goal of this Congress should be to give all children the educational opportunity to pursue their goals and dreams. We should not prematurely undermine the implementation of this landmark legislation.

Mr. President, for the reasons outlined earlier, we were prepared to move towards a voice vote.

There is one change in terms of the IDEA regulations. There will be some IDEA regulations with regard to discipline that have been included in this amendment that are generally not objectionable. However, since it does effectively undermine the previous agreement, I hope it would not be accepted.

Mr. President, I have three letters—one from the National Parent Network on Disabilities, the Disability Rights Education and Defense Fund, and the National Organization on Mental Retardation—from organizations that are opposed to this amendment, and I ask unanimous consent they be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL PARENT NETWORK ON DISABILITIES,
Washington, DC, March 11, 1999.

Senator EDWARD M. KENNEDY,
Russell Senate Building, Washington, DC.

DEAR SENATOR KENNEDY: On behalf of the board and members of the National Parent Network on Disabilities (NPND) we are opposed to any amendments to the Individuals with Disabilities Education Act (IDEA) now or in the near future. In the last Congress, members of both the House and Senate worked hard to bring all sides together to pass the rauthorization of IDEA. The vote in both Houses was near unanimous in favor of reauthorization.

Tomorrow the regulations to implement this law will be promulgated. With these regulations there is an opportunity to move forward with full implementation of the law. Congress owes the children and families across the country the most effective possible implementation of this legislation.

The amendments which were enacted on June 4, 1997 were the product of comprehensive, bipartisan negotiations involving both chambers of Congress and the Administration, with extensive public input. The final product, which involved compromises on many sensitive and complex issues, has been widely recognized as a significant improvement of this landmark legislation, which protects the rights of 6 million children to a free, appropriate public education.

In many communities, schools are only just beginning to use the tools that are available to them under current law in cases where disciplinary action is warranted for a disabled student. Schools have broad power to develop and implement behavioral interventions plans for children with disabilities, and to use early intervention in ways that can avoid the need for disciplinary actions at all.

The NPND represents 147 organizations nationwide that serve parents and families of students with disabilities. NPND provides a voice and a presence at the national level to influence public policy on behalf of its constituents. NPND is opposed to any amendments to IDEA.

Sincerely,

PATRICIA M. SMITH,
Executive Director.

DISABILITY RIGHTS EDUCATION AND DEFENSE FUND, INC.,
March 11, 1999.

Senator EDWARD M. KENNEDY,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR KENNEDY, the Disability Rights and Education Fund (DREDF), is an organization which specializes in disability, civil rights and education law. We are strongly opposed to any amendments to the Individuals with Disabilities Education Act (IDEA).

In the last Congress, the House and Senate worked hard in a bipartisan manner to bring all sides together to pass the reauthorization of IDEA. The amendments which were enacted on June 4, 1997 were the product of intense negotiations involving both chambers of Congress and the Administration, with extensive public input. Parents, family members, educators, administrators and legal scholars came together week after week prior to passage to provide input to assist in crafting this landmark legislation which protects the rights of 6 million children to a free, appropriate public education.

The final regulations for IDEA are going to be promulgated tomorrow. With these regulations, we expect full implementation and enforcement of the law. We believe that it is imperative that Congress allow this law to be implemented on behalf of these students nationwide.

One of the major points of contention in the reauthorization was the subject of discipline. Section 615 of IDEA reflected very carefully crafted language dealing with discipline. In many communities, schools are only beginning to use the tools that are available to them under Section 615 in cases where disciplinary action is warranted for a disabled student. Schools have broad power to develop and implement behavioral intervention plans for children with disabilities.

Please, as you have done so many times before, continue to fight to protect the rights of children with disabilities and their families.

Sincerely,

PATRISHA WRIGHT,
Director of Governmental Affairs.

THE ARC OF THE UNITED STATES,
GOVERNMENTAL AFFAIRS OFFICE,
Washington, DC, March 11, 1999.

Hon. EDWARD M. KENNEDY,
Ranking Minority Leader, Health, Education, Labor and Pensions Committee, U.S. Senate, Washington, DC.

DEAR SENATOR KENNEDY, it has come to the attention of The Arc that the Senate intends to vote on the Ed-Flex legislation, S. 280, today. Much to our chagrin, a last second amendment which would amend the discipline provisions of the Individuals with Disabilities Education Act has been added to S. 280. While we know that IDEA funding has been heavily debated during consideration of this bill, there has been no debate on the IDEA discipline provisions. Amending IDEA at this time and under this circumstance is absolutely unacceptable to the disability community and The Arc. The last Congress, after more than 2 years of intense negotiation, made major changes to the IDEA discipline provisions. These provisions have not had a chance to be fully understood and implemented since we still do not have the final regulations to implement these complicated provisions. Further amending IDEA this way is fraught with danger and will lead to considerable more confusion in the education and special education communities. It is simply not the time and the Ed-Flex bill is not the place to amend IDEA. Thus, we reluctantly recommend you oppose final passage of the Ed-Flex bill.

We thank you for your consideration of our views.

Sincerely,

LORRAINE SHEEHAN,
Chairman.

Mr. LOTT. Mr. President, I would like to yield to the Senator from Missouri, Senator ASHCROFT, so that he can explain a provision that he drafted for Amendment No. 68, an amendment that he and I have offered to the Ed-Flex bill.

Mr. ASHCROFT. I thank the Majority Leader for this opportunity to give an explanation of the provision.

Mr. LOTT. It is my understanding that the Senator from Missouri's provision makes an important clarification to a discipline provision within the Individuals with Disabilities Education Act.

Mr. ASHCROFT. Yes, that is correct. I am proposing this provision in response to specific concerns I have heard from Missourians.

Mr. President, a message that I am hearing from parents and teachers and students is the issue of school discipline. For the past few months my staff and I have been looking into this issue to see if there are changes that can and should be made to the Individuals with Disabilities Act Reauthorization legislation, in order to give local schools the flexibility they need to apply disciplinary measures in a fair, uniform, and logical manner. I will have more to say on this issue when the Senate takes up the reauthorization of the Elementary and Secondary Education Act.

But one issue has come to my attention that I believe Congress should address right now, and it involves the issue of a school's ability to discipline IDEA students who carry or possess weapons to or at schools.

Mr. President, I have proposed a provision within Amendment No. 68 which makes an important addition to a provision in the Individuals with Disabilities Education Act. The revision I propose will ensure that the IDEA legislation accurately reflects the intent of Congress that schools should have the ability to place a child with a disability in an alternative setting for discipline situations involving weapons.

Specifically, this provision revises the law to explicitly allow a school to place a child with a disability in an appropriate interim alternative educational setting for up to 45 days if the child carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function. Currently, the law says that a school could take such action only if the child carries a weapon to school or to a school function.

The problem with the current statutory language is that it creates an unintended loophole which could prevent a school from placing a child in an alternative placement if the child at question is in possession of a weapon.

Some school boards in my state have expressed concerns about the language in the IDEA reauthorization allowing a 45 day change in placement of a child who ''carries'' a weapon to school. Schools want to know whether that language means they can change the placement of a child whom they found to be in ''possession'' of a weapon, as well as a child found to be simply ''carrying'' the weapon to school. They are afraid that the language of the statute sets up a distinction that is going to create a big loophole which kids can jump through to avoid the 45 day change in placement.

Right now, there is a situation in a school district in my state involving two students, both with individualized education programs (IEPs). I have been asked not to name the specific school district at issue because proceedings are still pending on this matter. But here are the facts: Student A carried a weapon into the school and gave it to Student B, who then put the weapon into his (Student B's) locker. The school knew that it could put Student A into an alternative placement, since Student A literally ''carried ''the weapon into school. But could the school also change Student B's placement, since technically he didn't ''carry'' the weapon into school, but instead was simply ''possessing'' it?

The school went ahead and also placed Student B in an alternative placement as well. However, the school is now worried that at the pending proceeding, Student B will raise the issue of ''carrying'' as opposed to ''possessing'' the weapon. The school says that it doesn't know how it will be able

to get around an argument from the child or his parent that the child did not literally carry the weapon to school.

Surely Congress did not intend to set up such a situation in the 1997 IDEA reauthorization. Surely we intended that schools have the ability to place a child in an alternative setting for up to 45 days if the child possessed a weapon on school premises, as well as carried a weapon to the school. And this is why we should pass this amendment: to ensure that schools have the ability to take the appropriate measures against students when weapons are involved.

I would like to point out that even the Department of Education has acknowledged that the current statutory language ''carries a weapon to school or to a school function'' is ambiguous, and that it was the clear intent of Congress to cover instances in which the child is found to be in possession of a weapon at school.

Now this amendment, if passed, would not apply to the school district in Missouri that is facing this dilemma, since that is a pending case. But we would be addressing this problem for any future situations, providing the clarity that schools, parents, and children need.

Mr. President, schools, teachers, principals, and administrators want and need to be able to treat all students on a uniform basis when weapons are involved. We need to be sure that our laws allow a school to remove any student from the regular classroom if that student is found with a weapon at school. We need to close up any loopholes in the law that would prevent a school from taking this immediate action to maintain a safe learning environment for our students.

Mr. President, I hope that my colleagues will join with me in making this vital addition to the IDEA law, so that schools will be able to exercise the authority we intended to give them to maintain a safe school environment for all our children.

Mr. JEFFORDS. Mr. President, this is an amendment which I think everyone would agree is an appropriate amendment regarding the rules with respect to discipline and carrying a weapon into a school. A decision was made, that the law only applied to those individuals who carried a weapon to the school. But, if the weapon was in the possession of someone within the school, the law did not apply. This would make sure that possession, as well as carrying it in, is a violation. That is why I will obviously support the amendment.

Mr. KENNEDY. Mr. President, I yield back our time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Washington (Mrs. MURRAY) is absent because of a death in the family.

The result was announced—yeas 78, nays 21, as follows:

[Rollcall Vote No. 45 Leg.]

YEAS—78

Abraham	Edwards	Mack
Allard	Enzi	McCain
Ashcroft	Feinstein	McConnell
Baucus	Fitzgerald	Murkowski
Bayh	Frist	Nickles
Bennett	Gorton	Reid
Bond	Gramm	Robb
Boxer	Grams	Roberts
Breaux	Grassley	Rockefeller
Brownback	Gregg	Roth
Bryan	Hagel	Santorum
Bunning	Hatch	Schumer
Burns	Helms	Sessions
Byrd	Hollings	Shelby
Campbell	Hutchinson	Smith NH)
Chafee	Hutchison	Smith (OR)
Cochran	Inhofe	Snowe
Collins	Jeffords	Specter
Conrad	Johnson	Stevens
Coverdell	Kerrey	Thomas
Craig	Kyl	Thompson
Crapo	Landrieu	Thurmond
DeWine	Lieberman	Torricelli
Domenici	Lincoln	Voinovich
Dorgan	Lott	Warner
Durbin	Lugar	Wyden

NAYS—21

Akaka	Graham	Leahy
Biden	Harkin	Levin
Bingaman	Inouye	Mikulski
Cleland	Kennedy	Moynihan
Daschle	Kerry	Reed
Dodd	Kohl	Sarbanes
Feingold	Lautenberg	Wellstone

NOT VOTING—1

Murray

The amendment (No. 68) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 61

The PRESIDING OFFICER (Mr. SMITH of Oregon). There are now 5 minutes evenly divided on amendment No. 61.

Who yields time?

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I would like to share my 2½ minutes with Senator DORGAN. The amendment before the body right now is a combined amendment. My amendment is on social promotion and provides funding for—

Mr. WELLSTONE. Mr. President, may we have order in the Chamber.

The PRESIDING OFFICER. The Senate will be in order.

The Senator from California.

Mrs. FEINSTEIN. I thank the Chair.

Mr. President, the amendment before the body is a combination amendment with Senator DORGAN. It is remedial education and a report card amendment. He will speak on the report card provisions. My amendment is on social promotion and remedial education. I hope this is one area this body can agree on; that is, the practice, formal or informal, of promoting youngsters from grade to grade when they sometimes don't even attend school and often fail classes. That is not the way to educate young people in the United States of America.

Increasingly, States are doing away with the practice of social promotion and providing standards and enabling school districts to implement those standards in the basic core curriculum—reading, writing, math, and social sciences.

This amendment tries to provide Federal incentives and Federal help for the remedial education that is necessary to make the abolition of the policy of social promotion a realistic possibility.

So it would authorize $500 million to school districts for remedial education for afterschool, summer school, intensive intervention for students who are failing or at risk of failing. As a condition of receiving the funds, the school districts would have to adopt a policy that prohibits social promotion. District would have to require students to meet academic standards. And they would test students for achievement.

Now, I think the problem is clear. This course of least resistance, of simply promoting youngsters, has really led to declining test scores, failure, frustration, and certainly the inability of many to even fill out an employment application to be able to get a job after graduation.

Mr. WELLSTONE. Mr. President, could we have order in the Chamber.

The PRESIDING OFFICER. The Senate will be in order.

The Senator from California.

Mrs. FEINSTEIN. I thank the Chair.

So I feel very strongly that the linchpin of reform of the public education system is the elimination of social promotion. But if you eliminate it and you do not provide any help for failing students, it will not work. So this is a small authorization, $500 million to help those students and not just leave them languishing. I very much hope that both sides of the aisle will vote for it.

I yield the remainder of my time to the Senator from North Dakota.

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

Mrs. FEINSTEIN. I am sorry.

Mr. DORGAN. Mr. President, let me ask unanimous consent for 1 minute.

Mr. JEFFORDS. Mr. President, I yield 1 minute to my good friend.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. I thank the Chair.

The second half of this amendment would allow for the opportunity to have a standardized report card on

schools—not students, schools. What does it mean if your child gets the best grades in the worst school in the school district? We know about our children. Our children bring home report cards every 6 weeks or 9 weeks. We don't know about our schools.

Do you get a report card on your school? You sure don't. Oh, there are some 30 States that call for a certain kind of report card. Most parents have never seen one. This would suggest that parents ought to be able to understand what they have received from that school with the investment they have made. How does that school compare to other schools? How does your State compare to other States?

That is what this report card proposal would do. It would say, let's do for schools what we do for students, and let's allow parents the opportunity to understand how well their school does in educating children.

I have been joined by Senator BINGAMAN in offering this amendment. We have added it to the Feinstein amendment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I reluctantly rise in opposition and also will move to table after I finish. But I oppose it only because it should be in the reauthorization act which we are doing for elementary and secondary education. I promise my colleagues that I will work with them to improve programs that make sure that we do a better job in ending the problems we have with so-called social promotion.

How much time do I have?

The PRESIDING OFFICER. Fifty seconds.

Mr. JEFFORDS. I will yield it back.

I move to table the amendment.

The PRESIDING OFFICER. All time is yielded back.

Mr. JEFFORDS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. REID. I announce that the Senator from Washington (Mrs. MURRAY) is absent because of a death in the family.

The result was announced—yeas 59, nays 40, as follows:

[Rollcall Vote No. 46 Leg.]

YEAS—59

Abraham	Burns	Crapo
Allard	Campbell	DeWine
Ashcroft	Chafee	Domenici
Bennett	Cochran	Enzi
Bond	Collins	Feingold
Brownback	Coverdell	Fitzgerald
Bunning	Craig	Frist
Gorton	Kyl	Shelby
Graham	Leahy	Smith (NH)
Gramm	Lott	Smith (OR)
Grams	Lugar	Snowe
Grassley	Mack	Specter
Gregg	McCain	Stevens
Hagel	McConnell	Thomas
Hatch	Murkowski	Thompson
Helms	Nickles	Thurmond
Hutchinson	Roberts	Voinovich
Hutchison	Roth	Warner
Inhofe	Santorum	Wellstone
Jeffords	Sessions	

NAYS—40

Akaka	Durbin	Lieberman
Baucus	Edwards	Lincoln
Bayh	Feinstein	Mikulski
Biden	Harkin	Moynihan
Bingaman	Hollings	Reed
Boxer	Inouye	Reid
Breaux	Johnson	Robb
Bryan	Kennedy	Rockefeller
Byrd	Kerrey	Sarbanes
Cleland	Kerry	Schumer
Conrad	Kohl	Torricelli
Daschle	Landrieu	Wyden
Dodd	Lautenberg	
Dorgan	Levin	

NOT VOTING—1

Murray

The motion to lay on the table the amendment (No. 61) was agreed to.

Mr. JEFFORDS. Mr. President, I move to reconsider the vote by which the motion was agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 62

The PRESIDING OFFICER. There are now 5 minutes evenly divided on the Wellstone amendment. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, following is a list of requirements this amendment will make unwaivable under Ed-Flex: providing opportunities for all children to meet challenging achievement levels; using learning approaches that meet the needs of historical underserved populations, including girls and women; provide instruction by highly qualified professional staff; provide professional development for teachers and aides to enable all children in the school to meet the State's student performance standards.

I am for flexibility, but we ought to also have, in addition, accountability. These are the core requirements of the title I program as a part of ESEA passed in 1965. There is a reason for these core requirements. We want to make sure that there will be no loophole so that we give protection to poor children in this country. Right now, this ed flexibility bill, unless this amendment is agreed to, creates a loophole whereby a State could allow a school district to be exempt from these basic core requirements, which is our effort as a national community to make sure that poor children have educational opportunities.

The Ed-Flex bill, if this amendment is not agreed to, could take away opportunities for poor children. I ask for your support in relation to title I, in relation to the vocational education program. This is the right thing to do. If this amendment is not agreed to, this piece of legislation will not be a step forward for low-income children in America. It will be a great leap backward.

Please support this amendment, colleagues.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I am sorry that I must disagree with the words of my colleague and member of my committee.

Ed-Flex, as it currently operates, demands accountability of participating States. It is important to keep in mind that accountability has been a part of Ed-Flex since its inception, and the manager's package builds upon those strong accountability provisions. The manager's package, adopted last week, adds the following accountability features: State Ed-Flex applications must be coordinated with the title I plan or with the State's comprehensive reform plan; emphasis on school and student performance; requires additional reporting by the Secretary regarding rationale for approving waiver authority.

It is very important to keep in mind that the Department of Education, the Secretary, is the entity that determines whether or not a State qualifies as an Ed-Flex State. That is retained.

The September 1998 GAO report stated:

> The recent flexibility initiatives increase the amount of information districts need, rather than simplifying or streamlining information on Federal requirements. Federal flexibility efforts neither reduce districts' financial obligations nor provide additional dollars.

For those reasons, I ask my colleagues to oppose the Wellstone amendment.

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

The PRESIDING OFFICER. Does the Senator from Minnesota yield back the balance of his time?

Mr. WELLSTONE. I do.

Mr. JEFFORDS. Mr. President, I move to table the Wellstone amendment, and I ask for the yeas and nays.

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table amendment No. 62.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Washington (Mrs. MURRAY) is absent because of a death in the family.

The result was announced—yeas 57, nays 42, as follows:

[Rollcall Vote No. 47 Leg.]

YEAS—57

Abraham	Frist	McCain
Allard	Gorton	McConnell
Ashcroft	Gramm	Murkowski
Bennett	Grams	Nickles
Bond	Grassley	Roberts
Brownback	Gregg	Roth
Bunning	Hagel	Santorum
Burns	Hatch	Sessions
Campbell	Helms	Shelby
Chafee	Hutchinson	Smith (NH)
Cochran	Hutchison	Smith (OR)
Collins	Inhofe	Snowe
Coverdell	Jeffords	Specter
Craig	Johnson	Stevens
Crapo	Kyl	Thomas
DeWine	Landrieu	Thompson
Domenici	Lott	Thurmond
Enzi	Lugar	Voinovich
Fitzgerald	Mack	Warner

NAYS—42

Akaka	Durbin	Levin
Baucus	Edwards	Lieberman
Bayh	Feingold	Lincoln
Biden	Feinstein	Mikulski
Bingaman	Graham	Moynihan
Boxer	Harkin	Reed
Breaux	Hollings	Reid
Bryan	Inouye	Robb
Byrd	Kennedy	Rockefeller
Cleland	Kerrey	Sarbanes
Conrad	Kerry	Schumer
Daschle	Kohl	Torricelli
Dodd	Lautenberg	Wellstone
Dorgan	Leahy	Wyden

NOT VOTING—1

Murray

The motion to lay on the table the amendment (No. 62) was agreed to.

Mr. LOTT. Mr. President, I believe we are through with the list of amendments and we will be ready to go to final passage.

ORDER OF PROCEDURE

Mr. LOTT. For the information of all Senators, the Senate after this vote will be finished for the day. We will not have any recorded votes on Friday, and because we have been able to work out an agreement on how to proceed on the national missile defense issue, we will not have any recorded votes on Monday either. We will be on the bill. We worked it out where we would not have to have a cloture vote on the motion to proceed. I think this is a positive. I want to commend the Democratic leader for working with us on that.

Also, before we vote, I want to say how pleased I am that we have completed this Education Flexibility Act. The managers of the bill have done a good job. We have been through all these votes today and we are going to complete this legislation, and the story will be that the Senate passed a bipartisan education bill that is going to help the children at the local level.

I commend all who have been involved with it, and I am pleased that, as a result of that, we will not have to have recorded votes on Friday or Monday.

I yield the floor.

Mr. KENNEDY. Mr. President, I intend to vote for the Jeffords substitute to the Ed-Flex bill today because it is a small step forward in improving the federal, state, and local partnerships in education. It helps to guarantee that accountability goes hand in hand with flexibility, and that increased flexibility will in fact lead to improved student achievement.

But I'm concerned that we are not fulfilling the 7-year commitment we made only a few months ago to help communities reduce class size. It makes no sense to take a small step forward by passing Ed-Flex, and a giant step backward by breaking the class size commitment.

The National Parents and Teachers Association, the American Federation of Teachers, the Council of Chief State School Officers, and the National Education Association strongly oppose the Lott Amendment, because it undermines the commitment to class size reduction that was approved with broad bipartisan support only a few months ago, and because it pits class size reduction against helping disabled children.

Congress made a specific promise last fall to help schools hire 100,000 new teachers over the next seven years to reduce class size. We should keep that promise, not undermine it, and not put it in competition with IDEA.

School districts can't choose to do what is right for some children and not for others. They must—and do—serve all children. They need a federal helping hand to make sure all children get a good education. We should not force communities to choose between smaller classes and students with special needs. Pitting one child against another is wrong. We should meet our commitment to improving education for all children.

Nothing is more important on the calendar of schools right now than their budgets. Over the next few weeks, schools across the country will be making major decisions on their budgets for the next school year. And in many of these communities, the budgets are due by early April. In Memphis, school budgets are due on March 22. In Fayette County, Kentucky, school budgets are due on March 31. In Boston, Savannah, Las Vegas, and Houston, school budgets are due in the first week of April. In San Francisco, they are due by April 1. In Council Bluffs, Iowa, school budgets are due April 15th. In Altoona, Pennsylvania, school budgets are due in April.

Communities can't do it alone. They want the federal government to be a strong partner in improving their schools—not sit on the sidelines—and certainly not break its promises to help.

The Senate should not turn its back on our promise to help communities reduce class size in the early grades. We need to act now, so that communities can plan effectively for the full seven years. No school can hire teachers one year at a time. That makes no sense. Communities want to reduce class size—and they need to be sure that Congress will do its part to help them over the long term, as we promised.

I intend to vote for the final Ed-Flex bill to move this defective legislation to the next stage, where I hope we can reach a satisfactory compromise.

Clearly we should not break promises to communities. We should make commitments and keep them. And I will oppose a conference report that includes any provisions to undermine our commitment to reducing class size.

I will continue to work to make sure that we meet our commitments to helping communities give all children a good education. The nation's future depends on it.

I want to thank the leaders, Senator LOTT and Senator DASCHLE, for their courtesy and I want to congratulate my friend and colleague, the chairman of the committee, on his work, too.

I want to thank Danica Petroshius, my education advisor, for her able assistance on this legislation and tireless work, along with Jane Oates, Dana Fiordaliso, Connie Garner, and Mark Taylor, along with my committee staff director Michael Myers.

I also thank Greg Williamson of Senator MURRAY's staff, Suzanne Day of Senator DODD's staff, Elyse Wasch of Senator REED's staff, Bev Schroeder of Senator HARKIN's staff, Roger Wolfson of Senator WELLSTONE's staff, and Lindsay Rosenberg of Senator WYDEN's staff.

And I also thank Sherry Kaiman, Jenny Smulson, and Susan Hattan of Senator JEFFORDS' staff, and Meredith Medley of Senator FRIST's staff.

Mr. LOTT. Mr. President, across our Nation, courageous teachers and school administrators, parents and Governors, are working to find creative ways to ensure that our children receive a world class education. The United States Senate is prepared to promote and support these efforts. Nothing is more important to the future of our Nation that the education of our children.

The ideas we propose today are confident reform, rooted in tested principles, parents, teachers and principals, the ones who know our children best, should have the greatest influence on their classrooms. The needs of America's schools differ from community to community, and we help them most when we empower them to make wise choices for the children in their care. Our money, manpower and energy should be primarily devoted to teaching children, not to filing paperwork and fueling bureaucracies.

These commonsense proposals have broad appeal. They have received strong bipartisan support. Every Democratic Governor in the country supports this bill. Last year, the President promised he would expand the program we are considering today to all fifty States. The bill passed out of

committee by a vote of 17–1 last July, and Secretary Riley strongly supported its enactment at that time. There is no reason why the Senate should not quickly pass the bill sponsored by Senators FRIST and WYDEN.

So the question before the Senate is really quite simple. It is not whether we will pass the Ed-Flex bill, for in the end the overwhelming majority of the Senate will support it. Rather, the question is whether the Senate will keep faith with the American people, by working together in a bipartisan fashion, to help America's school children. Republicans stand ready to do just that. The evidence of our commitment is the fact that we offer a bipartisan bill as one of the very first we bring to the Senate floor.

Republicans and Democrats have honest disagreements on many education initiatives. Democrats believe that new Federal categorical grant programs that distribute money to States and counties based on complex formulas are the best way to hire more teachers. Republicans believe that Federal dollars should be sent directly to the classroom so that parents, teachers, and principals can address the unique educational needs of their particular students, whether it be to hire more teachers, to provide special tutors, to buy new books or to teach computer skills. These differing philosophies will be debated, and ought to be debated, fully by the Senate. We will have ample opportunity throughout this Congress to do just that.

However, there is simply no need to have divisive debates on a bipartisan bill. So I urge my colleagues from across the aisle to choose constructive progress over political posturing for the sake of improving America's schools.

Ed-Flex works for America's children. It proposes a simple exchange. States will hold schools accountable for their performance in return for granting each school the freedom to determine how best to achieve those results. This is not an untested premise. Currently, twelve States have this authority. The results have been promising.

In Texas, Ed-Flex schools outperformed those without waivers by several percentage points on student achievement scores. An elementary school in Maryland now provides individual tutors for its students who lag behind in reading. The same school has dramatically reduced class size in math and reading, providing one teacher for every twelve students.

The bill before us today simply expands the right to become an Ed-Flex State to all fifty States. It is strongly supported by our Nation's Governors, both Democrats and Republicans. Last month, the National Governors Association stated, ''The expansion of the Ed-Flex program is a high priority for Governors. . . . We strongly support this legislation as well as your decision to move forward at this time.'' The Nation's Democratic Governors joined together unanimously saying, ''S. 280 is commonsense legislation that we believe deserves immediate consideration. We hope, therefore, that you will join in supporting its prompt enactment.''

Governors across America are united. There is simply no reason why the Senate should not be as well. I urge my good friends and colleagues on the other side of aisle to listen to their Governors. Join us in supporting the prompt enactment of a simple bill that will provide meaningful reform to schools throughout our Nation. Let's not squander an opportunity to work together to demonstrate our common commitment to America's schoolchildren.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

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

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of the House companion measure, Calendar No. 37, H.R. 800, and, further, after the enacting clause be stricken and the text of S. 280, as amended, be inserted in lieu thereof. I further ask unanimous consent the bill be read a third time and the Senate proceed to a vote on passage of the bill, as amended. Finally, I ask consent that immediately following that vote, the Senate insist on its amendment, request a conference with the House, and S. 280 be placed back on the Calendar.

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

Mr. JEFFORDS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Shall the bill, as amended, pass?

The yeas and nays have been ordered.

The clerk will call the roll.

Mr. REID. I announce that the Senator from Washington (Ms. MURRAY) is absent because of a death in the family.

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 48 Leg.]

YEAS—98

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

NAYS—1

Wellstone

NOT VOTING—1

Murray

The bill (H.R. 800), as amended, was passed, as follows:

Resolved, That the bill from the House of Representatives (H.R. 800) entitled ''An Act to provide for education flexibility partnerships.'', do pass with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Education Flexibility Partnership Act of 1999''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) States differ substantially in demographics, in school governance, and in school finance and funding. The administrative and funding mechanisms that help schools in 1 State improve may not prove successful in other States.

(2) Although the Elementary and Secondary Education Act of 1965 and other Federal education statutes afford flexibility to State and local educational agencies in implementing Federal programs, certain requirements of Federal education statutes or regulations may impede local efforts to reform and improve education.

(3) By granting waivers of certain statutory and regulatory requirements, the Federal Government can remove impediments for local educational agencies in implementing educational reforms and raising the achievement levels of all children.

(4) State educational agencies are closer to local school systems, implement statewide educational reforms with both Federal and State funds, and are responsible for maintaining accountability for local activities consistent with State standards and assessment systems. Therefore, State educational agencies are often in the best position to align waivers of Federal and State requirements with State and local initiatives.

(5) The Education Flexibility Partnership Demonstration Act allows State educational agencies the flexibility to waive certain Federal requirements, along with related State requirements, but allows only 12 States to qualify for such waivers.

(6) Expansion of waiver authority will allow for the waiver of statutory and regulatory requirements that impede implementation of State and local educational improvement plans, or that unnecessarily burden program administration, while maintaining the intent and purposes of affected programs, and maintaining such fundamental requirements as those relating to

civil rights, educational equity, and accountability.

(7) To achieve the State goals for the education of children in the State, the focus must be on results in raising the achievement of all students, not process.

SEC. 3. DEFINITIONS.

In this Act:

(1) LOCAL EDUCATIONAL AGENCY; STATE EDUCATIONAL AGENCY.—The terms ''local educational agency'' and ''State educational agency'' have the meanings given such terms in section 14101 of the Elementary and Secondary Education Act of 1965.

(2) OUTLYING AREA.—The term ''outlying area'' means Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(4) STATE.—The term ''State'' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each outlying area.

SEC. 4. EDUCATION FLEXIBILITY PARTNERSHIP.

(a) EDUCATION FLEXIBILITY PROGRAM.—

(1) PROGRAM AUTHORIZED.—

(A) IN GENERAL.—The Secretary may carry out an education flexibility program under which the Secretary authorizes a State educational agency that serves an eligible State to waive statutory or regulatory requirements applicable to 1 or more programs or Acts described in subsection (b), other than requirements described in subsection (c), for any local educational agency or school within the State.

(B) DESIGNATION.—Each eligible State participating in the program described in subparagraph (A) shall be known as an ''Ed-Flex Partnership State''.

(2) ELIGIBLE STATE.—For the purpose of this subsection the term ''eligible State'' means a State that—

(A)(i) has—

(I) developed and implemented the challenging State content standards, challenging State student performance standards, and aligned assessments described in section 1111(b) of the Elementary and Secondary Education Act of 1965, including the requirements of that section relating to disaggregation of data, and for which local educational agencies in the State are producing the individual school performance profiles required by section 1116(a) of such Act; or

(II) made substantial progress, as determined by the Secretary, toward developing and implementing the standards and assessments, and toward having local educational agencies in the State produce the profiles, described in subclause (I); and

(ii) holds local educational agencies and schools accountable for meeting educational goals and for engaging in the technical assistance and corrective actions consistent with section 1116 of the Elementary and Secondary Education Act of 1965, for the local educational agencies and schools that do not make adequate yearly progress as described in section 1111(b) of that Act; and

(B) waives State statutory or regulatory requirements relating to education while holding local educational agencies or schools within the State that are affected by such waivers accountable for the performance of the students who are affected by such waivers.

(3) STATE APPLICATION.—

(A) IN GENERAL.—Each State educational agency desiring to participate in the education flexibility program under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Each such application shall demonstrate that the eligible State has adopted an educational flexibility plan for the State that includes—

(i) a description of the process the State educational agency will use to evaluate applications from local educational agencies or schools requesting waivers of—

(I) Federal statutory or regulatory requirements as described in paragraph (1)(A); and

(II) State statutory or regulatory requirements relating to education;

(ii) a detailed description of the State statutory and regulatory requirements relating to education that the State educational agency will waive;

(iii) a description of how the educational flexibility plan is consistent with and will assist in implementing the State comprehensive reform plan or, if a State does not have a comprehensive reform plan, a description of how the educational flexibility plan is coordinated with activities described in section 1111(b) of the Elementary and Secondary Education Act of 1965;

(iv) a description of how the State educational agency will meet the requirements of paragraph (8); and

(v) a description of how the State educational agency will evaluate, (consistent with the requirements of title I of the Elementary and Secondary Education Act of 1965), the performance of students in the schools and local educational agencies affected by the waivers.

(B) APPROVAL AND CONSIDERATIONS.—The Secretary may approve an application described in subparagraph (A) only if the Secretary determines that such application demonstrates substantial promise of assisting the State educational agency and affected local educational agencies and schools within the State in carrying out comprehensive educational reform, after considering—

(i) the eligibility of the State as described in paragraph (2);

(ii) the comprehensiveness and quality of the educational flexibility plan described in subparagraph (A);

(iii) the ability of such plan to ensure accountability for the activities and goals described in such plan;

(iv) the significance of the State statutory or regulatory requirements relating to education that will be waived; and

(v) the quality of the State educational agency's process for approving applications for waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) and for monitoring and evaluating the results of such waivers.

(4) LOCAL APPLICATION.—

(A) IN GENERAL.—Each local educational agency or school requesting a waiver of a Federal statutory or regulatory requirement as described in paragraph (1)(A) and any relevant State statutory or regulatory requirement from a State educational agency shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require. Each such application shall—

(i) indicate each Federal program affected and the statutory or regulatory requirement that will be waived;

(ii) describe the purposes and overall expected results of waiving each such requirement;

(iii) describe for each school year specific, measurable, and educational goals for each local educational agency or school affected by the proposed waiver;

(iv) explain why the waiver will assist the local educational agency or school in reaching such goals; and

(v) in the case of an application from a local educational agency, describe how the local educational agency will meet the requirements of paragraph (8).

(B) EVALUATION OF APPLICATIONS.—A State educational agency shall evaluate an application submitted under subparagraph (A) in accordance with the State's educational flexibility plan described in paragraph (3)(A).

(C) APPROVAL.—A State educational agency shall not approve an application for a waiver under this paragraph unless—

(i) the local educational agency or school requesting such waiver has developed a local reform plan that is applicable to such agency or school, respectively; and

(ii) the waiver of Federal statutory or regulatory requirements as described in paragraph (1)(A) will assist the local educational agency or school in reaching its educational goals, particularly goals with respect to school and student performance.

(5) MONITORING AND PERFORMANCE REVIEW.—

(A) MONITORING.—Each State educational agency participating in the program under this section shall annually monitor the activities of local educational agencies and schools receiving waivers under this section and shall submit an annual report regarding such monitoring to the Secretary.

(B) PERFORMANCE REVIEW.—The State educational agency shall annually review the performance of any local educational agency or school granted a waiver of Federal statutory or regulatory requirements as described in paragraph (1)(A) in accordance with the evaluation requirement described in paragraph (3)(A)(v), and shall terminate any waiver granted to the local educational agency or school if the State educational agency determines, after notice and opportunity for hearing, that the local educational agency or school's performance with respect to meeting the accountability requirement described in paragraph (2)(B) and the goals described in paragraph (4)(A)(iii) has been inadequate to justify continuation of such waiver.

(6) DURATION OF FEDERAL WAIVERS.—

(A) IN GENERAL.—The Secretary shall not approve the application of a State educational agency under paragraph (3) for a period exceeding 5 years, except that the Secretary may extend such period if the Secretary determines that such agency's authority to grant waivers has been effective in enabling such State or affected local educational agencies or schools to carry out their local reform plans and to continue to meet the accountability requirement described in subsection (a)(2)(B), and has improved student performance.

(B) PERFORMANCE REVIEW.—The Secretary shall periodically review the performance of any State educational agency granting waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) and shall terminate such agency's authority to grant such waivers if the Secretary determines, after notice and opportunity for hearing, that such agency's performance has been inadequate to justify continuation of such authority.

(7) AUTHORITY TO ISSUE WAIVERS.—Notwithstanding any other provision of law, the Secretary is authorized to carry out the education flexibility program under this subsection for each of the fiscal years 2000 through 2004.

(8) PUBLIC NOTICE AND COMMENT.—Each State educational agency granted waiver authority under this section and each local educational agency receiving a waiver under this section shall provide the public adequate and efficient notice of the proposed waiver authority or waiver, consisting of a description of the agency's application for the proposed waiver authority or waiver in a widely read or distributed medium, shall provide the opportunity for parents, educators, and all other interested members of the community to comment regarding the proposed

waiver authority or waiver, shall provide that opportunity in accordance with any applicable State law specifying how the comments may be received, and shall submit the comments received with the agency's application to the Secretary or the State educational agency, as appropriate.

(b) INCLUDED PROGRAMS.—The statutory or regulatory requirements referred to in subsection (a)(1)(A) are any such requirements under the following programs or Acts:

(1) Title I of the Elementary and Secondary Education Act of 1965 (other than subsections (a) and (c) of section 1116 of such Act).

(2) Part B of title II of the Elementary and Secondary Education Act of 1965.

(3) Subpart 2 of part A of title III of the Elementary and Secondary Education Act of 1965 (other than section 3136 of such Act).

(4) Title IV of the Elementary and Secondary Education Act of 1965.

(5) Title VI of the Elementary and Secondary Education Act of 1965.

(6) Part C of title VII of the Elementary and Secondary Education Act of 1965.

(7) The Carl D. Perkins Vocational and Technical Education Act of 1998.

(c) WAIVERS NOT AUTHORIZED.—The Secretary and the State educational agency may not waive any statutory or regulatory requirement of the programs or Acts authorized to be waived under subsection (a)(1)(A)—

(1) relating to—

(A) maintenance of effort;

(B) comparability of services;

(C) the equitable participation of students and professional staff in private schools;

(D) parental participation and involvement;

(E) the distribution of funds to States or to local educational agencies;

(F) serving eligible school attendance areas in rank order under section 1113(a)(3) of the Elementary and Secondary Education Act of 1965;

(G) use of Federal funds to supplement, not supplant, non-Federal funds; and

(H) applicable civil rights requirements; and

(2) unless the underlying purposes of the statutory requirements of each program or Act for which a waiver is granted continue to be met to the satisfaction of the Secretary.

(d) CONTINUING ELIGIBILITY.—

(1) IN GENERAL.—Each State educational agency that is granted waiver authority under the provisions of law described in paragraph (2) shall be eligible to continue the waiver authority under the terms and conditions of the provisions of law as the provisions of law are in effect on the date of enactment of this Act.

(2) PROVISIONS OF LAW.—The provisions of law referred to in paragraph (1) are as follows:

(A) Section 311(e) of the Goals 2000: Educate America Act.

*(B) The proviso referring to such section 311(e) under the heading "**EDUCATION REFORM**" in the Department of Education Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321–229).*

(e) ACCOUNTABILITY.—In deciding whether to extend a request for a State educational agency's authority to issue waivers under this section, the Secretary shall review the progress of the State education agency, local educational agency, or school affected by such waiver or authority to determine if such agency or school has made progress toward achieving the desired results and goals described in the application submitted pursuant to clauses (ii) and (iii) of subsection (a)(4)(A), respectively.

(f) PUBLICATION.—A notice of the Secretary's decision to authorize State educational agencies to issue waivers under this section, including a description of the rationale the Secretary used to approve applications under subsection (a)(3)(B), shall be published in the Federal Register and the Secretary shall provide for the dissemination of such notice to State educational agencies, interested parties, including educators, parents, students, advocacy and civil rights organizations, other interested parties, and the public.

SEC. 5. PROGRESS REPORTS.

The Secretary, not later than 1 year after the date of enactment of this Act and biennially thereafter, shall submit to Congress a report that describes—

(1) the Federal statutory and regulatory requirements for which waiver authority is granted to State educational agencies under this Act;

(2) the State statutory and regulatory requirements that are waived by State educational agencies under this Act;

(3) the effect of the waivers upon implementation of State and local educational reforms; and

(4) the performance of students affected by the waivers.

SEC. 6. FLEXIBILITY TO DESIGN CLASS SIZE REDUCTION PROGRAMS.

(a) FINDINGS.—Congress finds that if part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) were fully funded, local educational agencies and schools would have the flexibility in their budgets to design class size reduction programs, or any other programs deemed appropriate by the local educational agencies and schools that best address their unique community needs and improve student performance.

(b) AMENDMENT.—Section 307 of the Department of Education Appropriations Act, 1999, is amended by adding after subsection (g) the following:

"(h) Notwithstanding subsections (b)(2), and (c) through (g), a local educational agency may use funds received under this section to carry out activities under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) in accordance with the requirements of such part."

SEC. 7. FLEXIBILITY TO DEVELOP DROPOUT PREVENTION PROGRAMS.

(a) FINDINGS.—Congress finds that if part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) were fully funded, local educational agencies and schools would have the flexibility in their budgets to develop dropout prevention programs, or any other programs deemed appropriate by the local educational agencies and schools, that best address their unique community needs and improve student performance.

(b) AMENDMENT.—Section 307 of the Department of Education Appropriations Act, 1999, is amended by adding after subsection (g) the following:

"(h) Notwithstanding subsections (b)(2), and (c) through (g), a local educational agency may use funds received under this section to carry out activities under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) in accordance with the requirements of such part."

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

In addition to other funds authorized to be appropriated to carry out part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.), there are authorized to be appropriated $150,000,000 to carry out such part.

SEC. 9. FLEXIBILITY TO DEVELOP AFTERSCHOOL PROGRAMS.

(a) FINDINGS.—Congress finds that if part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) were fully funded, local educational agencies and schools would have the flexibility in their budgets to develop afterschool programs, or any other programs deemed appropriate by the local educational agencies and schools, that best address their unique community needs and improve student performance.

(b) AMENDMENT.—Section 307 of the Department of Education Appropriations Act, 1999, is amended by adding after subsection (g) the following:

"(h) Notwithstanding subsections (b)(2), and (c) through (g), a local educational agency may use funds received under this section to carry out activities under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) in accordance with the requirements of such part."

SEC. 10. ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.

In addition to other funds authorized to be appropriated to carry out part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.), there are authorized to be appropriated $600,000,000 to carry out such part.

SEC. 11. FLEXIBILITY TO DEVELOP PROGRAMS TO REDUCE SOCIAL PROMOTION AND ESTABLISH SCHOOL ACCOUNTABILITY PROCEDURES.

(a) FINDINGS.—Congress finds that if part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) were fully funded, local educational agencies and schools would have the flexibility in their budgets to develop programs to reduce social promotion, establish school accountability procedures, or any other programs deemed appropriate by the local educational agencies and schools, that best address their unique community needs and improve student performance.

(b) AMENDMENT.—Section 307 of the Department of Education Appropriations Act, 1999, is amended by adding after subsection (g) the following:

"(h) Notwithstanding subsections (b)(2), and (c) through (g), a local educational agency may use funds received under this section to carry out activities under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) in accordance with the requirements of such part."

SEC. 12. ALTERNATIVE EDUCATIONAL SETTING.

(a) IN GENERAL.—Section 615(k)(1)(A)(ii)(I) of the Individuals with Disabilities Education Act (20 U.S.C. 1415(k)(1)(A)(ii)(I)) is amended to read as follows:

"(I) the child carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a State or a local educational agency; or".

(b) APPLICATION.—The amendment made by subsection (a) shall apply to conduct occurring not earlier than the date of enactment of this Act.

SEC. 13. FURTHER AUTHORIZATION OF APPROPRIATIONS.

In addition to other funds authorized to be appropriated to carry out part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.), there are authorized to be appropriated $500,000,000 to carry out such part.

Mr. JEFFORDS. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WYDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Thank you, Mr. President.

Mr. President, as an Oregonian, I am especially proud this evening that a program that began in my home State—we were the first to get an Ed-Flex waiver—on the basis of this vote in the U.S. Senate, this program that began in my State is going to be expanded across the country.

I would like to spend just a couple of minutes of the Senate's time this evening, and first begin by thanking my colleagues who put so much effort into this.

Senator FRIST is here this evening. He and I have been living and breathing this legislation for well over a year.

I think it is worth noting that this began in the Senate Budget Committee. Senator DOMENICI worked on a bipartisan basis with a number of us. And this legislation began with hearings in the Senate Budget Committee.

I thank the Senator from Tennessee for the opportunity to work with him.

I also see Senator JEFFORDS here. He was especially gracious to me this afternoon. He pointed out that from time to time it felt a little lonely on their side. But I want to assure him that I think that this is truly bipartisan.

Senator DASCHLE every step of the way was enormously supportive in this legislation. I thank Senator KENNEDY. He had to leave this evening. But he worked very closely with us, especially on the accountability provision.

Now, shortly after dealing with the impeachment matter, the Senate can show that we have dealt with the premier domestic issue of our day—the premier domestic issue of our day—education, in a bipartisan fashion. It is always possible in the Senate and just about anywhere else to find something on which to disagree. The Senate ultimately resisted that proposition, and we went forward with something we could agree on, which is the principle that you ought to squeeze every dollar of value out of the Federal budget for education in order to help the kids, to help them raise their scholastic performance, to deal with the issues that were debated on the floor of the U.S. Senate.

I think my only regret is that to some extent in the last hours of this discussion it became a debate about whether you are for more resources for education or whether you are for more efficiently allocating the dollars that are currently obligated. I think that is a false choice.

I happen to believe that we are going to need some additional resources for the key education areas. We want our young people to get a good quality education so they will be ready for the high-skill, high-wage jobs of tomorrow.

But the single best way to go to the taxpayers when additional resources are needed is to show the taxpayers that you are efficiently spending the dollars that are currently obligated.

That is why Ed-Flex is so important. All across the country we saw that without Ed-Flex what you have is sort of a ''one-size-fits-all'' approach to education. Folks inside the beltway will say, ''Well, what works in Coos Bay, OR, is what we ought to do in the Bronx, and what works in the Bronx ought to be done in the State of the majority leader, the State of Mississippi.'' That doesn't make sense.

We ought to hold school districts accountable. But we also ought to give them the freedom to be innovative and creative and make those dollars stretch so that we can serve more poor schoolchildren.

The fact of the matter is that there is a school very close to the U.S. Capitol that has cut class size in half with Ed-Flex using existing dollars. They didn't spend $1 more, not one, and they cut class size in half.

In my home State of Oregon, in one rural district, the poor kids weren't able to get advanced computing, because their school district didn't have the technology and they didn't have the instructors. There was a community college close by with Ed-Flex. Without any additional expenses to the taxpayers, those kids could go to the community college and get the skills they needed. Again, we see a concrete example of how with just a little bit of flexibility we can better serve the poor kids of this country.

We were on the floor of the U.S. Senate, I guess, for the better part of 2 weeks dealing with Ed-Flex, and not one single example of abuse was ever shown on the floor of the Senate—not one. But there were plenty of examples of how this program worked. I just cited one close by the Capitol that cut class size in half. In Texas, the scores went up with better use of technology. From one end of the country to the other, we see how this program has worked.

I know that my colleagues wish to speak tonight on this issue. But I just wanted to take a minute or two to talk about why I think this is a particularly good day for the U.S. Senate. There is no issue more important than this.

I see the majority leader is here. I want to express my thanks to him, and to TOM DASCHLE.

The fact is that this important legislation could have blown up 15 or 20 times in the last few days. And Tom DASCHLE and TRENT LOTT said that this was too important to let that happen.

Senator KENNEDY and Senator JEFFORDS hung in there as well, with Senator FRIST, who constantly came to the floor and just appealed to let this bipartisan idea, which every Governor in the country wants, to go forward. We were able to get it done.

I suspect the conference on this legislation will not be for the fainthearted. There are certainly differences of opinion on a number of the issues.

But this is a very good day for the U.S. Senate, and a good day for American families, because we have shown that we could tackle important issues.

Mr. President, I yield the floor.

Mr. JEFFORDS addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I want to say thank you to the Senator from Oregon, because without him we would have had a much more difficult time. It was bipartisan from the start, and it ended up very bipartisan. We ended up, I think, with a 98 to 1 vote.

Also, Mr. FRIST, I am going to use 30 seconds, and then allow those who wish to speak longer to do so.

I want to express my particular gratitude to all the members of the Health, Education, Labor, and Pensions Committee, who have worked especially hard on this legislation. I very much value the time, effort, and commitment they have brought to this task.

I would also like to acknowledge the two sponsors of the Ed-Flex bill, Senators FRIST and WYDEN. It is in large part due to their dedication and commitment that we were able to pass this bill with such overwhelming bipartisan support.

Finally, I would like to extend my sincerest thanks to the many staff people who contributed to the passage of this important Ed-Flex legislation:

Sherry Kaiman, Mark Powden, Jenny Smulson, Heidi Scheuermann and Susan Hattan of my staff;

Townsend Lange and Denzel McGuire with Senator GREGG;

Lori Meyer, Meredith Medley, and Gus Puryear with Senator FRIST;

Paul Palagyi with Senator DEWINE; Chad Calvert with Senator ENZI: Holly Kuzmich with Senator HUTCHINSON; Julian Hayes with Senator COLLINS; Cherie Harder with Senator BROWNBACK; Jim Brown with Senator HAGEL; and Jim Hirni with Senator SESSIONS.

I also want to acknowledge the extraordinary assistance offered by Mark Sigurski with Senate Legislative Counsel, and Wayne Riddle with the Congressional Research Service.

Mr. President, I also thank all of the staff here who have worked so many hours to expeditiously pass this legislation.

Mr. President, I yield the floor.

Mr. FRIST addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, I, too, will be very brief.

I believe that today has been almost a momentous day, and a very important day to set the stage, I believe, for the way, the manner, and the spirit in which I hope to see a lot of legislation be addressed over the coming months in the remainder of this Congress.

We started off with a bill that originated out of really a town meeting format where we have had people come and testify on the task force, and listen very carefully. People came forward, and said, ''We have a program that works.''

To be honest with you, 2 years ago I didn't know what Ed-Flex was. But somebody came forward, and said in a

community, as my colleague has just pointed out, that this program works.

We fulfilled exactly what the Federal mandate was, and what the Federal intention was. We took the appropriate funding—the Federal dollars that came down. But what the Federal Government allowed us to do through a waiver was to participate through Ed-Flex to accomplish that stated goal of fulfilling the intent of Congress, but in a way that we knew was best for us based on our local circumstances.

Not everybody needs a computer, not everybody needs tutoring, not everybody needs kindergarten, not everybody needs an extra teacher, but that varies from community to community, and the beauty of that is we took that idea, we discussed it, we developed legislation, we passed it through the committee last year, but we ran out of time last year. It was brought to the floor. It was one of the first major bills brought to this body, and after 7 days of intense debate, a lot of negotiation, we passed the bill here 10 minutes ago.

It is a momentous day also because the House passed a very similar bill, almost an identical bill, about 6 hours ago. And that means, because in a bipartisan way, in a bicameral way, meaning both the House and Senate, in a Federal, State and local way, meaning we worked very closely with the Governors, together we were able to pass legislation which, once it is signed by the President, can inure to the benefit of millions of children within 6 months or 8 months—millions of children. And that is nice. That is what people expect Government to do; produce in a spirit, in an environment where you can work together to accomplish the goals that we all care about.

A lot of people should be thanked, and again most of those names will be made a part of the RECORD, but I do want to recognize the coauthor and cosponsor of this particular bill, Senator WYDEN, who just had the floor.

Again, this is a bipartisan bill. Both of us knew what our goals were. We worked very hard on both sides. I appreciate his support, his collegiality as we addressed these issues.

As is so often the case, what we have accomplished in large part is as a result of the work of many staff members, and I do want to take this opportunity to thank the staff who were most immediately involved over the last year and a half. My own staff of Meredith Medley, Lori Meyer and Gus Puryear have literally been here with other staff members until early hours of the morning each night.

Again, most everybody has been recognized already, but I am going to take the liberty of going ahead and verbally mentioning them. Lindsay Rosenberg of Senator WYDEN's staff has been somebody whom my staff has enjoyed and I personally have enjoyed working with in this process as we have gone through it.

Senator JEFFORDS, the chairman, who has literally been in the Chamber every day for the last 7 days, does have the patience of Job going through this, looking at every bill and every word that comes forward with a response. And I just want to express my appreciation because he ushered this thing through in a very direct way and really put in both the time and the effort. He is the leader on our side in education. We cited again and again the number of bills passed last year under his leadership as chairman of the former Labor, Health and Education Committee. Currently, he is examining all public education, K through 12, through the Elementary and Secondary Education Act. I have the privilege of working on that committee with him and his wonderful staff who have been at his side. Mark Powden, Susan Hattan and Sherry Kaiman really all deserve our gratitude for their tremendous work over the last several days.

I am not going to list all the staff, but Senator GREGG, again, from whom we have heard so much about special education; Senator LOTT, who needs to be thanked because it would have been very easy after 3 or 4 days, when it looked as if gridlock—it was gridlock, but he, with the Democratic leader, agreed to keep this bill in the Chamber so we could address those issues, and that is what the American people expect. We addressed it with very good, very strong debate, sometimes too strong maybe, but we were able to work it out. And that bipartisanship in coming together, again, is what the American people expect. I thank the majority leader for allowing us to bring this to a resolution, to completion, to a product that we know will benefit, as I said, millions of children in the short term as well as the longer term.

I have to just briefly mention the Governors because it has been a fantastic relationship for me over the last month in that at least every day we, a Federal body, the Congress, the Senate, were in touch with all of our Governors, Democrat and Republican. I have talked to as many Democrat Governors as I have Republican, and America doesn't see that sort of interaction, but I think it is important for people to hear because so many problems, whether they be welfare, health care, or education, demand that constant dialog and discussion about what we do here at the Federal level, at the State level, as well as the local level.

Senator VOINOVICH, who is new to this body but a former Governor, spearheaded much of that. Governors Carper of Delaware, Ridge of Pennsylvania, Leavitt of Utah, O'Bannon of Indiana, and House Members Castle and Roemer all played a major role and were significant participants in what we have accomplished today.

With that, I think I will stop. I am very excited about this particular bill. It accomplishes much in a way that I think will really set that track for the next several months as we consider other legislation. We do have a fresh start for education. It is a first step. It does not address all the problems, all the challenges in education, but it is a major first step.

I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

(The remarks of Mr. DOMENICI pertaining to the introduction of S. 595 are located in today's record under "Statements on Introduced Bills and Joint Resolutions.")

Mr. LOTT. Mr. President, I see the Senator from Pennsylvania may wish to make a statement in a moment also, but if I could just do a couple of things here.

First, before the Senators leave the Chamber, the Senator from Tennessee and the Senator from Oregon, I want to again thank them for their effort. It was bipartisan because the Senator from Oregon, Mr WYDEN, made it so, stayed in there, worked with us, but I particularly wish to thank the Senator from Tennessee, Mr. FRIST, the doctor, who gave us an education. He took us to school. He used apples and information and examples. He acted like a good teacher should. I congratulate him for that. He even showed us how you could use a scalpel to cut the redtape, and that is what this Ed-Flex bill will do.

So to the two Senators, I thank them for their leadership, for their work, for their persistence because they both have been heckling me about this bill for a year, and I am glad it is done. I congratulate them for their effort.

NATIONAL MISSILE DEFENSE ACT OF 1999

Mr. LOTT. Mr. President, I ask unanimous consent the Senate now turn to S. 257, the Missile Defense Act.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 257) to state the policy of the United States regarding the deployment of a missile defense system capable of defending the territory of the United States against limited ballistic missile attack.

There being no objection, the Senate proceeded to consider the bill.

Mr. LOTT. Mr. President, for the information of all Senators, then, the Senate will be able to have the initial statement by Senator COCHRAN, the manager, tonight. We will resume the missile defense bill on Monday, and it is our hope that an agreement can be reached on a time agreement and that amendments will be offered during Monday's session.

I urge that Members be present on Monday to make their statements on this legislation and to offer amendments, if they have them. This is a

very important defense initiative. I am pleased that we are going to be able to go straight to the bill, and I hope that within short order next week we will be able to get to the conclusion of this very important national defense issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, let me thank the distinguished majority leader for calling up the national missile defense bill and also compliment the Democratic leader for refraining from objecting to proceeding to consider this bill at this time.

Senators may remember that this is the bill that was brought up on two occasions during the last session of the Senate and objections were made to considering the bill, a motion to proceed to consider the bill was filed, and then it was necessary to file a cloture motion to shut off debate to get to the bill. On both of those occasions we fell one vote short of invoking cloture on the motion to proceed to consider the bill. So this Senate has agreed to take up this legislation without objection. This is progress, and we are very proud to see this momentum to address this issue that is so important for the national security interests of the United States.

For the information of Senators, the operative part of this legislation is simply a statement of policy as follows:

> It is the policy of the United States to deploy as soon as is technologically possible an effective National Missile Defense system capable of defending the territory of the United States against limited ballistic missile attack (whether accidental, unauthorized, or deliberate).

I look forward to discussing questions that Senators might pose about this bill when we reconvene on Monday. The Armed Services Committee has considered it and reported it out without amendment, and we are ready to proceed to consider the bill. We look forward to discussing this important issue.

MORNING BUSINESS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate now have 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.

ASSAULT ON WASHINGTON STATE'S CROWN JEWELS

Mr. GORTON. Mr. President, over the past few years, Vice President AL GORE has made a series of trips to my home State of Washington. His goals on these trips are simple: to raise money for his political campaigns; to recruit supporters for his Presidential endeavors; and to distract Washington State voters from the administration's true agenda for the Pacific Northwest.

The Vice President's visits to Washington State are nothing new, but recently the administration, of which he is a vital leader, has chosen to adopt policies that pose a threat to the continued vitality of our economy. Those policies are aimed at the destruction of two of Washington State's economic crown jewels: our hydropower system and Microsoft.

During the past year, I have welcomed the Vice President to Washington State by repeatedly asking him two questions: The first, Will you commit to the preservation of each of the dams on the Columbia and Snake Rivers unless Congress or the people of the Northwest agree to the removal of each or all of them? The second question: Mr. Vice President, if you are elected President, will you end the Justice Department's suit against Microsoft?

At first, these questions were answered with silence. Now the Vice President answers them with personal attacks. Whether it is silence or personal attacks, the Vice President makes clear that he does not intend to answer these two questions so fundamental to every family and community in the Northwest. These questions deserve and should receive straight answers from the Vice President, and I will continue to ask them until the Vice President does so.

His silence, of course, is eloquent. Vice President GORE's administration is responsible for the Microsoft lawsuit and for a flatout refusal to subject dam removal either to congressional authority or to the consent of the people of the Northwest. What is most illuminating is that the Vice President's silence and personal attacks in response to these questions about dams and Microsoft run counter to positions taken by top Democratic officeholders in Washington State. When it comes to protecting dams on the Columbia River, our Democratic Governor and Democratic U.S. Senator, two of the most powerful Democrats in Washington State, have already publicly opposed efforts by national environmental organizations to take out dams. But the Vice President is silent.

Last week I suggested that he had a political motive. That is my opinion, but, frankly, it doesn't matter why he pursues policies to dismantle our hydro system without being willing to say so openly. What matters is whether he will make his position clear. So who loses out on the equation? The people of Washington State, of course. And then there is Microsoft.

The good news is that most Democrats in Washington State have come forward to defend Microsoft's freedom to innovate, but the Vice President won't stand with his fellow Democrats in Washington State in support of the company. When he answers this one, he is either silent or he attacks and then attempts to evade the question.

Here is a recent example of the Vice President's verbal dance when it comes to the issue of protecting Microsoft: Last week, I admonished the administration for its assault on that company. In responding to my statement, the Vice President's spokeswoman said that I am ''suffering from a Y2K bug'' and have forgotten all the wonderful things AL GORE has done for Washington State. Specifically, the spokeswoman cited hundreds of thousands of new jobs, higher home ownership rates and lower welfare rolls, as if he were responsible for them.

There was no answer to the central question—will you work to end the suit against Microsoft?

There was another troubling side to this statement. The Vice President, of course, was attempting to take credit for the booming economy in the State that I represent. He should understand that that success comes from the hundreds of thousands of hard-working Washingtonians, plus Microsoft and the amazing group of entrepreneurs who have developed new and better systems, plus our natural resources, not the least of which is our low-cost electricity, or all of the smaller high-tech companies that have sprung up overnight. This success does not come from the Vice President.

As to the specifics of the Justice Department's case against Microsoft, the so-called high-tech Vice President says he will not comment on or involve himself in the Justice Department's case against the company. Can we believe that as the administration's point man on high-tech issues, he has no opinion whatsoever on the highest profile high-tech issue before his administration—the future of Microsoft? I do not believe it, nor does anyone else.

To claim that he is not involved in an action spearheaded by his own administration is unbelievable. When the Vice President continually refuses to answer the question of whether or not he supports this attack, he has not been straight with the people of the State of Washington.

There is a simple answer to the Microsoft question. The answer is for the Vice President to tell us that if he is elected President, he will stop the Justice Department's pursuit of Microsoft. We Washingtonians are 3,000 miles away from the center of AL GORE's universe, but we know only too well that the actions of this administration can have a long and detrimental impact on our economy, our way of life and on our future. We deserve more from the Vice President than silence, distraction and personal attacks.

We will remember his silence on what are perhaps the most important Federal public policy questions to face our State in years. We will remember his

evasive comments. We will remember his refusal to denounce or even comment on the antitrust case against Microsoft and his unwillingness to make clear his position on protecting Columbia and Snake River dams. I challenge the Vice President again today to tell us plainly whether he supports this administration's assault on two of Washington State's economic crown jewels.

Do you, Mr. Vice President, support the Justice Department's antitrust action against Microsoft or not? And do you, Mr. Vice President, support the efforts by national environmental groups to destroy dams on the Columbia and Snake Rivers or not?

We in the Northwest await the Vice President's answers, and you can be sure that so long as silence and evasiveness carry the day, I will continue to ask these questions.

RETIREMENT OF WILLIAM D. LACKEY, JR.

Mr. LOTT. Mr. President, on February 28, 1999, the Senate said farewell to a valuable employee. William D. ''Bill'' Lackey, Jr., Journal Clerk of the Senate, retired after 34½ years of service to the Senate.

Bill arrived at the Senate's doorstep on September 1, 1964, from North Carolina. He served the Senate in a number of important capacities, including Assistant Executive Clerk, Bill Clerk, Assistant Parliamentarian, Assistant Journal Clerk, and from 1987 to 1999, as Senate Journal Clerk. During the last 12 years, Bill was responsible for the production of the Senate Journal. This role required that he sit at the dias here on the Senate floor to record the minutes of the Senate's legislative proceedings. His became a very familiar face to us all.

Bill Lackey has been the source of wise and good counsel to many over the years. We commend him for his outstanding service to the Senate and the Nation, and wish him Godspeed as he returns to the beloved foothills of his native Shelby, NC.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, March 10, 1999, the federal debt stood at $5,652,343,384,711.69 (Five trillion, six hundred fifty-two billion, three hundred forty-three million, three hundred eighty-four thousand, seven hundred eleven dollars and sixty-nine cents).

One year ago, March 10, 1998, the federal debt stood at $5,525,631,000,000 (Five trillion, five hundred twenty-five billion, six hundred thirty-one million).

Five years ago, March 10, 1994, the federal debt stood at $4,546,801,000,000 (Four trillion, five hundred forty-six billion, eight hundred one million).

Ten years ago, March 10, 1989, the federal debt stood at $2,737,909,000,000 (Two trillion, seven hundred thirty-seven billion, nine hundred nine million) which reflects a debt increase of almost $3 trillion—$2,914,434,384,711.69 (Two trillion, nine hundred fourteen billion, four hundred thirty-four million, three hundred eighty-four thousand, seven hundred eleven dollars and sixty-nine cents) during the past 10 years.

MESSAGES FROM THE HOUSE

At 12:41 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. 540. An act to amend title XIX of the Social Security Act to prohibit transfers or discharges of residents of nursing facilities as a result of a voluntary withdrawal from participation in the Medicaid Program.

H.R. 800. An act to provide for education flexibility partnerships.

The message also announced that the House had passed the following bill, without amendment:

S. 447. An act to deem as timely filed, and process for payment, the applications submitted by the Dodson Districts for certain Impact Aid payments for fiscal year 1999.

ENROLLED BILL SIGNED

The message further announced that the Speaker has signed the following enrolled bill:

H.R. 882. An act to nullify any reservation of funds during fiscal year 1999 for guaranteed loans under the Consolidated Farm and Rural Development Act for qualified begging farmers or ranchers, and for other purposes.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 540. An act to amend title XIX of the Social Security Act to prohibit transfers or discharges of residents of nursing facilities as a result of a voluntary withdrawal from participation in the Medicaid Program; to the Committee on Finance.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times and placed on the calendar:

H.R. 540. An act to amend title XIX of the Social Security Act to prohibit transfers or discharges of residents of nursing facilities as a result of a voluntary withdrawal from participation in the Medicaid Program.

H.R. 800. An act to provide for education flexibility partnerships.

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 Mrs. FEINSTEIN:

S. 585. A bill to require health insurance coverage for certain reconstructive surgery; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KOHL (for himself and Mr. SESSIONS):

S. 586. A bill to amend title 11, United States Code, to limit the value of certain real property that a debtor may elect to exempt under State or local law, and for other purposes; to the Committee on the Judiciary.

By Mr. ASHCROFT:

S. 587. A bill to provide for the mandatory suspension of Federal benefits to convicted drug traffickers, and for other purposes; to the Committee on the Judiciary.

By Mr. BUNNING:

S. 588. A bill to amend title II of the Social Security Act to provide for retirement security amounts funded by employee social security payroll deductions, to establish the Protect Social Security Account into which the Secretary of the Treasury shall deposit budget surpluses until a reform measure is enacted to ensure the long-term solvency of the OASDI trust funds, and for other purposes; to the Committee on Finance.

By Mr. HARKIN:

S. 589. A bill to require the National Park Service to undertake a study of the Loess Hills area in western Iowa to review options for the protection and interpretation of the area's natural, cultural, and historical resources; to the Committee on Energy and Natural Resources.

By Mr. FEINGOLD (for himself and Mr. LEAHY):

S. 590. A bill to amend the Internal Revenue Code of 1986 to repeal the percentage depletion allowance for certain hardrock mines, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY:

S. 591. A bill to authorize a feasibility study for the preservation of the Loess Hills in western Iowa; to the Committee on Energy and Natural Resources.

By Mr. BOND:

S. 592. A bill to improve the health of children; to the Committee on Finance.

By Mr. COVERDELL (for himself, Mr. TORRICELLI, and Mr. ABRAHAM):

S. 593. A bill to amend the Internal Revenue Code of 1986 to increase maximum taxable income for the 15 percent rate bracket, to provide a partial exclusion from gross income for dividends and interest received by individuals, to provide a long-term capital gains deduction for individuals, to increase the traditional IRA contribution limit, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 594. A bill to ban the importation of large capacity ammunition feeding devices; to the Committee on the Judiciary.

By Mr. DOMENICI (for himself and Mr. INHOFE):

S. 595. A bill to amend the Internal Revenue Code of 1986 to establish a graduated response to shrinking domestic oil and gas production and surging foreign oil imports, and for other purposes; to the Committee on Finance.

By Mrs. BOXER (for herself, Mr. DODD, and Mr. GRAMM):

S. 596. A bill to provide that the annual drug certification procedures under the Foreign Assistance Act of 1961 not apply to certain countries with which the United States

has bilateral agreements and other plans relating to counterdrug activities, and for other purposes; to the Committee on Foreign Relations.

By Mr. SMITH of New Hampshire (for himself, Mr. INHOFE, Mr. BURNS, Mr. ENZI, and Mr. MURKOWSKI):

S. 597. A bill to amend section 922 of chapter 44 of title 28, United States Code, to protect the right of citizens under the Second Amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. SANTORUM;

S, 598. A bill to amend the Federal Agriculture Improvement and Reform Act of 1996 to improve the farmland protection program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CHAFEE (for himself, Mr. HATCH, Mr. COCHRAN, Ms. SNOWE, Mr. ROBERTS, Mr. SPECTER, and Ms. COLLINS):

S. 599. A bill to amend the Internal Revenue Code of 1986 to provide additional tax relief to families to increase the affordability of child care, and for other purposes; to the Committee on Finance.

By Mr. WELLSTONE:

S. 600. A bill to combat the crime of international trafficking and to protect the rights of victims; to the Committee on Foreign Relations.

By Mr. COCHRAN:

S. 601. A bill to improve the foreign language assistance program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SHELBY (for himself, Mr. BOND, Mr. COVERDELL, Mr. HAGEL, Mr. KYL, Mr. BURNS, Mr. GRAMM, Mr. ASHCROFT, Mr. THOMAS, Mr. ABRAHAM, Mr. GRASSLEY, Mr. HELMS, Mr. INHOFE, Mr. SESSIONS, Mr. GRAMS, Mr. COCHRAN, Mr. HUTCHINSON, and Ms. SNOWE):

S. 602. A bill to amend chapter 8 of title 5, United States Code, to provide for congressional review of any rule promulgated by the Internal Revenue Service that increases Federal Revenue, and for other purposes; to the Committee on Governmental Affairs.

By Mr. SHELBY:

S. 603. A bill to promote competition and greater efficiency of airlines to ensure the rights of airline passengers, to provide for full disclosure to those passengers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MURKOWSKI (for himself, Mr. TORRICELLI, Mr. LOTT, Mr. HELMS, Mr. THOMAS, Mr. BURNS, Mr. KYL, and Mr. ROCKEFELLER):

S. Con. Res. 17. A concurrent resolution concerning the 20th Anniversary of the Taiwan Relations Act; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 585. A bill to require health insurance coverage for certain reconstructive surgery; to the Committee on Health, Education, Labor, and Pensions.

RECONSTRUCTIVE SURGERY ACT OF 1999

● Mrs. FEINSTEIN. Mr. President, today, I am introducing a bill to require health insurance plans to cover medically necessary reconstructive surgery for congenital defects, developmental abnormalities, trauma, infection, tumors, or disease.

This bill is modeled on a new California law and responds to the growing incidence of denials of coverage by insurance, often managed care. Despite physicians' judgment that surgery is often medically necessary, too many plans are labeling it ''cosmetic surgery.'' The American Medical News calls the HMO's response that these surgeries are cosmetic as, ''a classic health plan word game. . . .''

Testifying before the California Assembly Committee on Insurance, Dr. Henry Kawamoto put it well. He said:

> It used to be that if you were born with something deforming, or were in an accident and had bad scars, the surgery performed to fix the problem was considered reconstructive surgery. Now, insurers of many kinds are calling it cosmetic surgery and refusing to pay for it.

The Los Angeles Times reported on July 9, 1997, ''There has been a virtual wipeout of coverage to repair the appearance of children whose looks are affected by illness, congenital abnormalities or trauma.''

Similarly, the New York University Physician reported in their spring 1998 issue:

> Before the advent of managed care, repairing abnormalites was considered reconstructive surgery and insurance companies reimbursed for the medical, hospital and surgical costs of their rehabilitation. But in today's reconfigured medical reimbursement system, many insurance companies and managed care organizations will not pay for reconstruction of facial deformities because it is deemed a ''cosmetic'' and not a ''functional'' repair.

This bill is endorsed by the March of Dimes, the American Academy of Pediatrics, the National Organization for Rare Disorders, the American Society of Plastic and Reconstructive Surgeons, the American College of Surgeons, the American Association of Pediatric Plastic Surgeons, the American Society of Craniofacial Surgery, the American Society of Maxillofacial Surgeons, the American Society of Plastic and Reconstructive Surgeons and the National Foundation for Facial Reconstruction.

The children who face refusals to pay for surgery are the true evidence that this bill is needed.

Hanna Gremp, a 6-year old from my own state of California, was born with a congenital birth defect, called bilateral microtia, the absence of an inner ear. Once the first stage of the surgery was complete, the Gremp's HMO denied the next surgery for Hanna. They called the other surgeries ''cosmetic'' and not medically necessary.

Michael Hatfield, a 19-year old from Texas, who has gone through similar struggles. He was born with a congenital birth defect, that is known as a midline facial cleft. The self-insured plan his parents had only paid for a small portion of the surgery which reconstructed his nose. The HMO also refused to pay any part of the surgery that reconstructed his cheekbones and eye sockets. The HMO considered some of these surgeries to be ''cosmetic.''

Cigna Health Care denied coverage for surgery to construct an ear for a little California girl born without an ear and only after adverse press coverage reversed its position saying that, ''It was determined that studies have show some functional improvement following surgery.''

Qual-Med, another California HMO, denied coverage for reconstructive surgery for a little boy without an ear, a condition called microtia, and after only many appeals and two years delay, authorized it.

The bill uses medically-recognized terms to distinguish between medically necessary surgery and cosmetic surgery. It defines medically necessary reconstructive surgery as surgery ''performed to correct or repair abnormal structures of the body caused by congenital defects, developmental abnormalities, trauma, infection, tumors, or disease to (1) improve functions; or (2) give the patient a normal appearance, to the extent possible, in the judgment of the physician performing the surgery.'' The bill specifically excludes cosmetic surgery, defined as ''surgery that is performed to alter or reshape normal structures of the body in order to improve appearance.''

Examples of conditions for which surgery might be medically necessary are the following: cleft lips and palates, burns, skull deformities, benign tumors, vascular lesions, missing pectoral muscles that cause chest deformities, Crouson's syndrome (failure of the mid-face to develop normally), and injuries from accidents.

The American Society of Plastic and Reconstructive Surgeons has released a survey on reconstructive surgery, concluding that 53.5 percent of surgeons surveyed have had pediatric patients who in the last two years were denied coverage for reconstructive surgery. Of those same surgeons surveyed whose pediatric patients were totally or partially denied coverage, 74 percent had patients denied for initial procedures and 53 percent denied for subsequent procedures.

Another reason for this bill is that only 17 out of 50 states have state legislation which requires insurance coverage for children's deformities and congenital defects. My own state, California, passed legislation in 1998 requiring insurance plans to cover medically necessary reconstructive surgery, and on September 23, 1998 it was signed by former Governor Pete Wilson. This bill was enacted after many sad personal

stories, and hours of testimony were presented to the state legislators.

This bill is an effort to address yet one more development in the health insurance industry that almost daily is creating new hassles when people try to get coverage for the plan they pay for every month.

We need our body parts to function and fortunately modern medicine today often make that happen. We can restore, repair and make whole parts which by fate, accident, genes, or whatever, do not perform as they should. I hope this bill can make that happen.●

By Mr. KOHL (for himself, and Mr. SESSIONS):

S. 586. A bill to amend title 11, United States Code, to limit the value of certain real property that a debtor may elect to exempt under State or local law, and for other purposes to the Committee on the Judiciary.

BANKRUPTCY ABUSE REFORM ACT OF 1999

Mr. KOHL. Mr. President, I rise today, with Senator SESSIONS, to introduce the bipartisan Bankruptcy Abuse Reform Act of 1999, legislation which addresses a serious problem that threatens Americans' confidence in our bankruptcy laws. The measure would cap at $100,000 the State homestead exemption that an individual filing for personal bankruptcy can claim. It passed the Senate last year when it was included in the Consumer Bankruptcy Reform Act of 1998 (H.R. 3150), and I hope that we can all support this measure again this year. The goal of our measure is simple but vitally important: to make sure that our Bankruptcy Code is more than just a beachball for crooked millionaires who want to hide their assets.

Let me tell you why this legislation is critically needed. In chapter 7 Federal personal bankruptcy proceedings, the debtor is allowed to exempt certain possessions and interests from being used to satisfy his outstanding debts. One of the chief things that a debtor seeks to protect is his home, and I agree with that in principle. Few question that debtors should be able to keep a roof over their heads. But, in practice, this homestead exemption has become a source of great abuse.

Under section 522 of the Code, a debtor may opt to exempt his home according to local, State, or Federal bankruptcy provisions. The Federal exemption allows the debtor to shield up to $15,000 of value in his house. The State exemptions vary tremendously: some States do not allow the debtor to exempt any of his home's value, while a handful of states set no ceiling and allow an unlimited exemption. The vast majority of states have exemptions under $40,000.

Our proposal would amend Section 522 to cap State exemptions so that no debtor could ever exempt more than $100,000 of the value of his home.

Mr. President, in the past few years, the ability of debtors to use State homestead exemptions has led to flagrant abuses of the Bankruptcy Code. Multimillionaire debtors have moved to one of the states with unlimited exemptions—most often Florida or Texas—bought multi-million-dollar houses, and continued to live like kings even after declaring bankruptcy. This shameless manipulation of the Bankruptcy Code cheats honest creditors out of compensation and rewards only those who can ''game'' the system. Oftentimes, the creditor who is robbed is the American taxpayer. In recent years, S&L swindlers, convicted insider trader convicts, and others have managed to protect their ill-gotten gains through this loophole.

The owner of a failed Ohio S&L, who was convicted of securities fraud, wrote off most of $300 million in bankruptcy claims, but still held on to the multimillion dollar ranch he bought in Florida. A convicted Wall Street financier filed bankruptcy while owing at least $50 million in debts and fines, but still kept his $5 million Florida mansion with 11 bedrooms and 21 bathrooms. And just last year, movie star Burt Reynolds wrote off over $8 million in debt through bankruptcy, but still held onto his $2.5 million Florida estate. These deadbeats stay wealthy while legitimate creditors—including the U.S. Government—get the short end of the stick.

Simply put, the current practice is grossly unfair and contravenes the intent of our laws: People are supposed to get a fresh start, not a head start, under the Bankruptcy Code.

Mr. President, the legislation that I have introduced today is simple, effective and straightforward. It caps the homestead exemption at $100,000, which is far more than estimated median home equity of people in bankruptcy. It is endorsed by the National Bankruptcy Review Commission. And it will protect middle class Americans while preventing the abuses that are making the middle class question the integrity of our laws—the abuses the average American taxpayer is paying for out of pocket.

Indeed, it is even generous to debtors. Less than ten states have a homestead exemption that exceeds $100,000. More than two-thirds of states cap the exemption at $40,000 or less. My own home state of Wisconsin has a $40,000 exemption and that, in my opinion, is more than sufficient.

Mr. President, this proposal is an effort to make our bankruptcy laws more equitable. I urge my colleagues to support this important measure.

By Mr. ASHCROFT:

S. 587. A bill to provide for the mandatory suspension of Federal benefits to convicted drug traffickers, and for other purposes; to the Committee on the Judiciary.

NO FEDERAL BENEFITS FOR DRUG TRAFFICKERS ACT OF 1999

Mr. ASHCROFT. Mr. President, the time for mixed messages in our war against drugs has passed. There was a time when our message on illegal drugs was crystal clear. ''Just say no.'' The results of that simple message were also clear: The decade of the 1980's saw substantial and persistent decreases in the level of drug use, and in the level of teenage drug use in particular. Sadly, however, the current Administration has offered America and its children a mixed message on drugs.

The President himself has shifted the message from ''just say no'' to ''just don't inhale.'' Even the head of the Drug Enforcement Agency candidly has admitted that in the current climate we lack the will to win the war against drugs. This is intolerable. We must return to a clear message in the war against drugs—a message of zero tolerance for those who would attempt to ruin our children's lives through the scourge of illegal drugs. The government must speak clearly and unequivocally. Trafficking in illegal drugs will not be tolerated.

However, we will not succeed in convincing either drug dealers or our children that we are serious about the war on drugs if we send them mixed messages. One mixed message sent by current law is that convicted drug dealers remain eligible for federal government benefits. We need to change that practice.

Mr. President, the bill I introduce today, the ''No Federal Benefits for Drug Traffickers Act'' requires the suspension of federal benefits to convicted drug traffickers. This bill will send a clear message that we mean what we say in the war against drugs. Current federal law provides for the denial of federal benefits (excluding certain programs like food stamps, aid to families with dependent children, and approved drug treatment programs) for individuals convicted of drug trafficking offenses. Unfortunately, however, the law gives judges unlimited discretion to decide whether or not to suspend a convicted drug trafficker's federal benefits. For example, under current law a repeat offender could retain his full federal benefits.

The ''No Federal Benefits for Drug Traffickers Act'' addresses this loophole in the current law by mandating the suspension of a convicted drug trafficker's federal benefits for at least a minimum period of time. Specifically, the bill requires the suspension of a convicted drug offender's federal benefits for a minimum of one year. The bill also mandates suspension of benefits for at least three years upon a second conviction.

In addition, the bill closes a loophole that allowed drug trafficker who were supposed to be barred from receiving federal benefits for life because of three

separate drug trafficking convictions to regain their eligibility for federal benefits. Once again we need to make our message clear and unmistakable. Under the bill I introduce today, life means life and it is truly three strikes and you're out.

This is what we need in the war against drugs—a clear message. Those who choose to traffic in drugs have no legitimate claim to federal benefits. This is common sense. There is no need for exceptions or discretion. There is a need for clarity, and this bill provides that clarity.

By Mr. HARKIN:

S. 589. A bill to require the National Park Service to undertake a study of the Loess Hills area in western Iowa to review options for the protection and interpretation of the area's natural, cultural, and historical resources; to the Committee on Energy and Natural Resources.

LOESS HILLS PRESERVATION ACT OF 1999

Mr. HARKIN. Mr. President, today, I am introducing legislation calling upon the National Park Service to conduct a study of the Loess Hills in western Iowa. This study would be the first official step towards possible national protection for the Loess Hills.

Specifically, this legislation would require the National Park Service to monitor the area between Waubansie State Park and Stone Park to study the possibility of a portion of this area to receive National Park status.

Loess Hills is a unique national treasure that was formed by ancient glaciers and hundreds of centuries of westerly winds. Only the loess soil in China has accumulated as high as Iowa's. Although these hills have survived for hundreds of centuries, today they are beginning to crumble. Urban sprawl is unfortunately beginning to take its toll on Loess Hills. Protecting this area must be given a high priority.

In 1986, the Loess Hills area was designated as a National Natural Landmark by the National Park Service. This gives recognition to this area as an area of national significance. Although this designation encourages landowners to use conservation practices in use of the area, this designation does nothing to control land ownership or to restrict land use.

The only thing holding the loess in place is the roots of the vegetation. Today, however, as the human exploitation of the hills continues to increase the destruction of the vegetation, loess is left once again blowing in the winds as the fragile hills begins to flatten.

This is of great concern to me. This area which marks one of the only remaining natural ecosystems in the state is one of the few areas where Iowans can experience nature. Iowa presently ranks 49th among the 50 states in National Park and Forest space. Iowa is also 400 miles away from a sizable national recreation area (the Boundary Waters Canoe Area). The Loess Hills, however, is an area of national significance and has the potential to be a much needed National Park for the Plains States.

Mr. President, since 1992, I have secured funding through the United States Department of Agriculture to design better bridges and other structures in the Loess Hills area to reduce soil erosion. But more needs to be done.

One thing I would like to make clear—this study can only be successfully implemented with the participation of local governments in western Iowa and private property owners.

The Loess Hills are an Iowa treasure. This legislation would begin the process of making Loess Hills a national treasure.

I invite my colleagues to join me as co-sponsors of this much needed legislation. 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. 589

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 ''Loess Hills Preservation Act of 1999''.

SEC. 2. FINDINGS.

The Congress finds that—

(1) The Loess Hills area in western Iowa, formed by ancient glaciers and hundreds of centuries of westerly winds blowing across the Missouri River, has resulted in the largest loess formation in the United States, and one of the two largest in the world;

(2) portions of the Loess Hills remain undeveloped and provide an important opportunity to protect an historic and unique natural resource;

(3) a program to study the Loess Hills can only be successfully implemented with the cooperation and participation of affected local governments and landowners;

(4) in 1986, the Loess Hills area was designated as a National Natural Landmark in recognition of the area's nationally significant natural resources;

(5) although significant natural resources remain in the area, increasing development in the area has threatened the future stability and integrity of the Loess Hills area; and

(6) the Loess Hills area merits further study by the National Park Service, in cooperation with the State of Iowa, local governments, and affected landowners, to determine appropriate means to better protect, preserve, and interpret the significant resources in the area.

SEC. 3. DEFINITIONS.

As used in this Act—

(1) the term ''Loess Hills'' means the area in the State of Iowa located between Waubansie State Park and Stone Park, and which includes Plymouth, Woodbury, Monona, Harrison, Pottawattamie, Mills, and Fremont counties.

(2) the term ''Secretary'' means the Secretary of the Interior.

(3) the term ''State'' means the State of Iowa.

SEC. 4. LOESS HILLS STUDY.

(a) The Secretary shall undertake a study of the Loess Hills area to review options for the protection and interpretation of the area's natural, cultural, and historical resources. The study shall include, but need not be limited to an analysis of the suitability and feasibility of designating the area as—

(1) a unit of the National Park System;

(2) a National Heritage Area or Heritage Corridor; or

(3) such other designation as may be appropriate.

(b) The study shall examine the appropriateness and feasibility of cooperative protection and interpretive efforts between the United States, the State, and its political subdivisions.

(c) The Secretary shall consult in the preparation of the study with State and local governmental entities, affected landowners, and other interested public and private organizations and individuals.

(d) The study shall be completed within one year after the date funds are made available. Upon its completion, the Secretary shall transmit a report of the study, along with any recommendations, to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

By Mr. FEINGOLD (for himself and Mr. LEAHY):

S. 590. A bill to amend the Internal Revenue Code of 1986 to repeal the percentage depletion allowance for certain hardrock mines, and for other purposes; to the Committee on Finance.

ELIMINATION OF DOUBLE SUBSIDIES FOR THE HARDROCK MINING INDUSTRY ACT OF 1999

Mr. FEINGOLD. Mr. President, I am pleased to introduce legislation to eliminate from the federal tax code percentage depletion allowances for hardrock minerals mined on federal public lands. I am joined in introducing this legislation by my colleague from Vermont, Mr. LEAHY.

The President proposes the elimination of the percentage depletion allowance on public lands in his FY 2000 budget. The President's FY 2000 budget estimates that, under this legislation, income to the federal treasury from the elimination of percentage depletion allowances for hardrock mining on public lands would total $478 million over five years, more than $95 million in this year alone. These savings are calculated as the excess amount of federal revenues above what would be collected if depletion allowances were limited to ''sunk costs'' in capital investments. Percentage depletion allowances are contained in the tax code for extracted fuel, minerals, metal and other mined commodities. These allowances have a combined value, according to 1994 estimates by the Joint Committee on Taxation, of $4.8 billion.

Mr. President, these percentage depletion allowances were initiated by the Corporation Excise Act of 1909. That's right, 1909. Provisions for a depletion allowance based on the value of the mine were made under a 1912 Treasury Department regulation, but difficulty in applying this accounting principle to mineral production led to the initial codification of the mineral depletion allowance in the Tariff Act of 1913. The Revenue Act of 1926 established percentage depletion much in its present form for oil and gas. The percentage depletion allowance was then extended to metal mines, coal, and other hardrock minerals by the Revenue Act of 1932, and has been adjusted several times since.

Percentage depletion allowances were historically placed in the tax code to reduce the effective tax rates in the mineral and extraction industries far below tax rates on other industries, providing incentives to increase investment, exploration and output. However, percentage depletion also makes it possible to recover many times the amount of the original investment.

There are two methods of calculating a deduction to allow a firm to recover the costs of their capital investment: cost depletion, and percentage depletion. Cost depletion allows for the recovery of the actual capital investment—the costs of discovering, purchasing, and developing a mineral reserve—over the period during which the reserve produces income. Using cost depletion, a company would deduct a portion of its original capital investment minus any previous deductions, in an amount that is equal to the fraction of the remaining recoverable reserves. Under this method, the total deductions cannot exceed the original capital investment.

However, under percentage depletion, the deduction for recovery of a company's investment is a fixed percentage of ''gross income''—namely, sales revenue—from the sale of the mineral. Under this method, total deductions typically exceed, let me be clear on that point, Mr. President, exceed the capital that the company invested.

The rates for percentage depletion are quite significant. Section 613 of the U.S. Code contains depletion allowances for more than 70 metals and minerals, at rates ranging from 10 percent to 22 percent.

In addition to repealing the percentage depletion allowances for minerals mined on public lands, Mr. President, my bill also creates a new fund, called the Abandoned Mine Reclamation Fund. One fourth of the revenue raised by the bill, or approximately $120 million dollars, will be deposited into an interest bearing fund in the Treasury to be used to clean up abandoned hardrock mines in states that are subject to the 1872 Mining Law. Mineral Policy Center estimates that there are 557,650 hardrock abandoned mine sites nationwide and the cost of cleaning them up will range from $32.7 billion to $71.5 billion.

There are currently no comprehensive federal or state programs to address the need to clean up old mine sites. Reclaiming these sites requires the enactment of a program with explicit authority to clean up abandoned mine sites and the resources to do it. My legislation is a first step toward providing the needed authority and resources.

Mr. President, in today's budget climate we are faced with the question of who should bear the costs of exploration, development, and production of natural resources: all taxpayers, or the users and producers of the resource? For more than a century, the mining industry has been paying next to nothing for the privilege of extracting minerals from public lands and then abandoning its mines. Now those mines are adding to the nation's environmental and financial burdens. We face serious budget choices this fiscal year, yet these subsidies remain a persistent tax expenditure that raise the deficit for all citizens or shift a greater tax burden to other taxpayers to compensate for the special tax breaks provided to the mining industry.

Mr. President, the measure I am introducing is fairly straightforward. It eliminates the percentage depletion allowance for hardrock minerals mined on public lands while continuing to allow companies to recover reasonable cost depletion.

Though at one time there may have been an appropriate role for a government-driven incentive for enhanced mineral production, there is now sufficient reason to adopt a more reasonable depletion allowance that is consistent with those given to other businesses.

Mr. President, the time has come for the Federal Government to get out of the business of subsidizing business. We can no longer afford its costs in dollars or its cost to the health of our citizens. This legislation is one step toward the goal of ending these corporate welfare subsidies.

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

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

S. 590

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 ''Elimination of Double Subsidies for the Hardrock Mining Industry Act of 1999''.

SEC. 2. REPEAL OF PERCENTAGE DEPLETION ALLOWANCE FOR CERTAIN HARDROCK MINES.

(a) IN GENERAL.—Section 613(a) of the Internal Revenue Code of 1986 (relating to percentage depletion) is amended by inserting ''(other than hardrock mines located on lands subject to the general mining laws or on land patented under the general mining laws)'' after ''In the case of the mines''.

(b) GENERAL MINING LAWS DEFINED.—Section 613 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(f) GENERAL MINING LAWS.—For purposes of subsection (a), the term 'general mining laws' means those Acts which generally comprise chapters 2, 12A, and 16, and sections 161 and 162 of title 30 of the United States Code.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1998.

SEC. 3. ABANDONED MINE RECLAMATION FUND.

(a) IN GENERAL.—Subchapter A of chapter 98 of the Internal Revenue Code of 1986 (relating to establishment of trust funds) is amended by adding at the end the following:

''SEC. 9511. ABANDONED MINE RECLAMATION FUND.

''(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the 'Abandoned Mine Reclamation Trust Fund' (in this section referred to as 'Trust Fund'), consisting of such amounts as may be appropriated or credited to the Trust Fund as provided in this section or section 9602(b).

''(b) TRANSFERS TO TRUST FUND.—There are hereby appropriated to the Trust Fund amounts equivalent to 25 percent of the additional revenues received in the Treasury by reason of the amendments made by section 2 of the Elimination of Double Subsidies for the Hardrock Mining Industry Act of 1999.

''(c) EXPENDITURES FROM TRUST FUND.—

''(1) IN GENERAL.—Amounts in the Trust Fund shall be available, as provided in appropriation Acts, to the Secretary of the Interior for—

''(A) the reclamation and restoration of lands and water resources described in paragraph (2) adversely affected by mineral (other than coal and fluid minerals) and mineral material mining, including—

''(i) reclamation and restoration of abandoned surface mine areas and abandoned milling and processing areas,

''(ii) sealing, filling, and grading abandoned deep mine entries,

''(iii) planting on lands adversely affected by mining to prevent erosion and sedimentation,

''(iv) prevention, abatement, treatment, and control of water pollution created by abandoned mine drainage, and

''(v) control of surface subsidence due to abandoned deep mines, and

''(B) the expenses necessary to accomplish the purposes of this section.

''(2) LANDS AND WATER RESOURCES.—

''(A) IN GENERAL.—The lands and water resources described in this paragraph are lands within States that have land and water resources subject to the general mining laws or lands patented under the general mining laws—

''(i) which were mined or processed for minerals and mineral materials or which were affected by such mining or processing, and abandoned or left in an inadequate reclamation status before the date of the enactment of this section,

''(ii) for which the Secretary of the Interior makes a determination that there is no continuing reclamation responsibility under State or Federal law, and

''(iii) for which it can be established to the satisfaction of the Secretary of the Interior that such lands or resources do not contain

minerals which could economically be extracted through remining of such lands or resources.

''(B) CERTAIN SITES AND AREAS EXCLUDED.—The lands and water resources described in this paragraph shall not include sites and areas which are designated for remedial action under the Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C. 7901 et seq.) or which are listed for remedial action under the Comprehensive Environmental Response Compensation and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

''(3) GENERAL MINING LAWS.—For purposes of paragraph (2), the term 'general mining laws' means those Acts which generally comprise chapters 2, 12A, and 16, and sections 161 and 162 of title 30 of the United States Code.''

(b) CONFORMING AMENDMENT.—The table of sections for subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''Sec. 9511. Abandoned Mine Reclamation Trust Fund.''

By Mr. BOND:

S. 592. A bill to improve the health of children; to the Committee on Finance.

HEALTHY KIDS 2000 ACT

Mr. BOND. Mr. President, one year ago today, the Birth Defects Prevention Act passed the House of Representatives, clearing its way for the President's signature.

With this new funding, the Centers for Disease Control has implemented a national strategy, in conjunction with the States and local organizations such as the March of Dimes, to prevent the devastating incidence of birth defects.

Building upon that success, today I rise to introduce the Healthy Kids 2000 Act—comprehensive approach which addresses the broad spectrum of health issues affecting our nation's children.

And I want to thank the March of Dimes and the National Association of Children's Hospitals for supporting me in this effort to improve the health of our nation's children and pregnant women as we move into the new millennium.

I also want to thank my colleague from Ohio, MIKE DEWINE, for his work on children's health issues, and for allowing me to adopt some of his ideas for inclusion in this bill. Senator DEWINE has been a dedicated leader on children's health, and has been essential to the development of the sections of this bill that focus on poison control centers and pediatric research within the National Institutes of Health.

I am struck, every time I go into the neonatal wards across my home state of Missouri, at the tiny one and two pound babies, hooked up to monitors and tubes and looking so helpless. Many of them will survive; a few may not. My first thought is always one of thanks that I have been blessed with a very healthy son.

The good news is that we are making progress in preventing diseases and in making sick and injured children well. Healing never thought possible a few years ago for those who are burn victims, or born with birth defects, or trauma victims, or even cancer patients, now occurs on a daily basis around our country.

The question about how to finance health care and how to improve access to and the quality of health care, however, are the hottest challenges we face as a nation.

There are some things we can all agree on: that the care and well-being of our children should come first, particularly those who are ill. Prenatal care is also paramount, because a great deal of child health is determined in the womb.

Thus as a nation, we must stand up and speak for those who cannot speak for themselves.

That is why I am introducing the ''Healthy Kids 2000 Act.'' The idea behind it is simple: we want pregnant women to be healthy, and we want children to be healthy. So we are going to remove some of the barriers they encounter in receiving good, appropriate health care.

This bill will give States the flexibility to enroll eligible pregnant women in the State Children's Health Insurance Program (CHIP) and to coordinate essential outreach efforts to enroll qualified children. This program has already been funded by Congress to assist 10 million children whose families lack health insurance. These children are eligible to receive basic health care services like immunizations and antibiotics for ear infections, but pregnant women are not now eligible. Since so much of a child's health is determined in the womb, it is imperative that low-income pregnant women receive quality prenatal care.

Similarly, we need to ensure that the National Institutes of Health research machine is focusing on diseases and conditions which afflict our nation's children, such as birth defects, SIDS, cystic fibrosis, juvenile diabetes, and arthritis, just to name a few. A simple statistic will highlight this need: 80% of prescription medications marketed in the U.S. today are not approved by the FDA for use by children under 12 because studies have not been conducted to document their safety or whether or not they work for children. That is a terrible disservice to the young people of our country who may need the relief of a particular prescription drug.

This bill will also consolidate programs and provide more funds for local initiatives to prevent birth defects and maternal mortality.

150,000 infants are born each year with a serious birth defect, and birth defects are still the leading cause of infant death. During the 1990s we have witnessed an increase in maternal death during pregnancy and childbirth. There is no question that we need better approaches to ensure that women have healthier, safe pregnancies, and healthier babies. And my bill will help fund these vital prevention strategies.

This bill will also ensure direct access to obstetric care, and direct access to pediatric care. Children have health needs that are very different than those of the adult population. Diseases and medications behave differently than in adults, and when children are treated, it should be by those who understand those differences.

Finally, this initiative will assist children's hospitals in educating the next generation of pediatricians. Even with strapped budgets, teaching children's hospitals offer the more egalitarian health care in this country. These hospitals turn no one away. And it is essential that we support this noble mission by equipping children's hospitals with the tools to continue their educational and research efforts.

So much of the most important work in our society goes unnoticed, and unrewarded. Saving the lives of our children, improving the health of our children, even caring for our children on a daily basis is not glamorous work, or sometimes even all that much fun. Doctors, nurses, mothers, fathers, child-care workers and teachers are performing the most difficult, and the most important, work of our society: raising up the next generation to be happy, healthy, and productive citizens.

We must assist them in their efforts, and we can take a positive step by debating and enacting Healthy Kids 2000.

Mr. President, I ask unanimous consent that letters of support be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF CHILDREN'S HOSPITALS,
Alexandria, VA, March 9, 1999.

Hon. CHRISTOPHER ''KIT'' BOND,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR BOND: The National Association of Children's Hospitals (N.A.C.H.), which represents more than 100 children's hospitals across the country, strongly supports your efforts to address the full spectrum of children's health care needs through your new ''Healthy Kids 200 Act,'' legislation that knits together several important individual initiatives to improve the health and well-being of our nation's children.

This legislation takes a comprehensive approach to addressing barriers and obstacles, both health system and governmental, that families and pediatric providers encounter in improving the health care of children. Its focus on strengthening health coverage, graduate medical education, research, and public health protections for children clearly reflects the children's hospitals' own fourfold missions of clinical care, education, research, and public health advocacy for child health. Together, they are essential to the ability of communities to meet the unique health care needs of their children.

CHILDREN'S HEALTH COVERAGE

This legislation recognizes that the prescription for good, comprehensive health

care for children is not only health insurance coverage but also quality and access to care. The ''Healthy Kids 200 Act'' would provide important health care protections for children as well as enable providers, professionals, systems, and workers to assure improved quality of health care for children.

By providing families access to providers that specialize in pediatrics for the care delivered to their children, the legislation takes the important step of ensuring that children receive health care in the most appropriate setting and condition possible.

The legislation recognizes that, as the President's Advisory Commission on Consumer Protection and Quality in the Health Care Industry writes, ''[c]hildren have health and development needs that are markedly different from adults and require age-appropriate care. Developmental changes, dependency on others, and different patterns of illness, disability and injury require that attention be paid to the unique needs of children in the health system.''

In addition, the legislation improves upon the State Children's Health Insurance Program (SCHIP) by allowing states the option to use SCHIP to provide health insurance coverage for pregnant women. The linkages between prenatal care and healthy children have long been understood in American social policy, including Medicaid, the Maternal and Child Health Block Grant and WIC. As the GAO found in its report Health Insurance; Coverage Leads to Increased Health Care Access for Children, Medicaid coverage of maternal and child health improves health care access but also decreases infant and child mortality.

For these reasons, N.A.C.H. supports giving states the option of covering low income, uninsured pregnant women through SCHIP, as well as the bill's provision to establish automatic enrollment of their infants upon birth through that critical first year of life.

PEDIATRIC EDUCATION

N.A.C.H. applauds you for including in the ''Healthy Kids 2000 Act'' the commitment to commensurate federal graduate medical education support for independent children's hospitals proposed by the ''Children's Hospitals Education and Research Act,'' which you have twice co-sponsored with Senator Bob Kerrey (D–MO). Through the establishment of a capped time-limited fund, the legislation would go a long way toward providing a more equitable competitive playing field for independent children's hospitals.

Like all teaching hospitals, children's hospitals receive less and less support for their graduate medical education (GME) programs from most insurers. Unlike other teaching hospitals, independent children's hospitals receive virtually no support for GME from the one remaining, stable source of GME support—the Medicare program—because they serve children, not the elderly. Yet, these hospitals play a critical role in training the next generation of health care providers for children. Although they represent less than one percent of all hospitals, they train nearly 30 percent of all pediatricians and nearly half of all pediatric subspecialists.

PEDIATRIC RESEARCH

As centers of research devoted to improving the prevention, diagnosis, treatment, and evaluation of children's illnesses and conditions, children's hospitals very much appreciate your efforts to bring new visibility the need for increased NIH investment in pediatric biomedical research overall and in pediatric research training in particular. While there are a variety of ways to structure this increased investment in NIH, we know that you share our conviction that in the end, the result must be a real increase in total support for pediatric research. Its purpose should be to stimulate significant additional pediatric research investment and growth in the number of researchers focusing on children's health, not to cause a shift in funding that comes at the expense of any current NIH research efforts for children.

PEDIATRIC PUBLIC HEALTH PROMOTION

With so many children's hospitals serving as their states' or regions' poison control centers, N.A.C.H. especially appreciates the provisions of your legislation to stabilize and improve our nation's poison control system. Over half of the two million poisonings reported in 1996 were by parents of children under age 6. Almost 2 out of 3 poison calls are on behalf of children under age 18. Legislation that serves to improve and stabilize this critical system will undoubtedly improve the lives and health of children as well.

N.A.C.H. also supports the bill's provisions to improve prenatal care and birth defects research through the Centers for Disease Control and Prevention, which are important to reduce morbidity and mortality from birth, improving health, and preventing lifelong health care costs for children and adults.

In conclusion, Senator Bond, we commend you for the breadth and depth that this bill undertakes to improve the health of our nation's children. This legislation certainly sets the standard for what the 106th Congress should consider and pass with respect to child health.

If you have any questions or need additional information, call Peters Willson or Bruce Lesley at 703–684–1355.

Sincerely,

LAWRENCE A. MCANDREWS.

MARCH OF DIMES,
BIRTH DEFECTS FOUNDATION,
Washington, DC, March 8, 1999.

Hon. CHRISTOPHER BOND,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR BOND: On behalf of more than 3 million volunteers and 1500 staff members of the March of Dimes, I want to commend you for introducing the ''Healthy Kids 2000 Act.'' We are particularly pleased that you have included in this legislation three specific initiatives important to the Foundation and to the health of mothers, infants and children.

The first section of the bill, ''Health Care Accessibility and Accountability for Mothers and Newborns,'' includes a much needed initiative to improve access to health care for pregnant women. Numerous studies have shown that prenatal care improves the likelihood that a child will be born healthy. Your proposal that states be given the flexibility to cover prenatal care for income-eligible pregnant women through the new State Children's Health Insurance Program (S–CHIP) is an important step to take. If enacted, this provision would help provide women the prenatal and maternity care they need to have healthy, full term babies. The March of Dimes strongly supports access to prenatal care. Because of the Foundation's concern that more than 350,000 women do not have access to these needed services, the Foundation has identified the expansion of S–CHIP to cover pregnant women as one of its highest federal legislative priorities for 1999.

The Foundation is also pleased to support the ''Pediatric Public Health Promotion'' provision that would establish a National Center for Birth Defects Research and Prevention at the Centers for Disease Control and Prevention. This change in law would elevate the visibility of the birth defects activities of the CDC, authorized by the Birth Defects Prevention Act (P.L. 105–168), which you guided to enactment in 1998. As you know, for many years the March of Dimes has been a strong supporter of federal birth defects research and prevention activities. We applaud you for proposing to integrate the activities of various programs to further promote the prevention of birth defects.

In addition, the March of Dimes commends you on including the ''Pediatric Research Initiative'' in the ''Healthy Kids 2000 Act.'' If enacted, this initiative would establish the authorization needed to obtain additional funding for pediatric biomedical research within the National Institutes of Health. The Foundation believes that a partnership between the public and private sectors is the more effective way to raise the level of investment in clinical research pertaining to children. The March of Dimes urges Congress to strengthen the national commitment to all children.

We thank you for your leadership and are eager to work with you on this and other legislative initiatives important to the health of the nation's mothers, infants and children.

Sincerely,

DR. JENNIFER L. HOWSE,
President.

By Mr. COVERDELL (for himself, Mr. TORRICELLI, and Mr. ABRAHAM):

S. 593. A bill to amend the Internal Revenue Code of 1986 to increase maximum taxable income for the 15 percent rate bracket, to provide a partial exclusion from gross income for dividends and interest received by individuals, to provide a long-term capital gains deduction for individuals, to increase the traditional IRA contribution limit, and for other purposes; to the Committee on Finance.

THE SMALL SAVERS ACT

Mr. COVERDELL. Mr. President, I rise today, joined by my good friends Senator TORRICELLI and Senator ABRAHAM, to introduce legislation whose time I believe has clearly come. We are faced with a real crisis. That crisis is the state of personal savings, savings by families that let them prepare for the bumps in the road.

Families are not saving, and I believe it is not happening because our government takes too much from them. A recent report by the Congressional Budget Office showed that taxes on the American public are at their highest level since World War II. Too many middle-class families have been squeezed to the point where they live paycheck to paycheck without the option of saving for the future.

Today, the Nation's economy remains the envy of the world. The United States has the first federal budget surplus in thirty years, unemployment is down and the stock market is up, but there are troubling signs

on the horizon. Manufacturing activity slowed in December for the seventh straight month, dropping to its lowest level in almost eight years as global economic problems continued to hinder exports. At the same time, personal savings are at Depression-era lows.

In 1982, families saved nine percent of their personal income. In 1992, it was between five and six percent. Last year, it was one-half of one percent and headed into the red. Personal savings is so important because it helps prepare families for any crisis that could occur, such as a health emergency or job loss.

Having said that, I believe we would all do well to remember the lessons from the biblical parable of Joseph. Recall that Joseph warned Pharaoh his kingdom would experience seven years of plenty followed by seven years of famine. His message to Pharaoh was to build reserves during the years of plenty in preparation for the years of famine, so that his people would not suffer. To ensure the longevity of our recent economic gains, it is important to remember the lessons of Joseph and heed the words of President Kennedy who, in his second State of the Union address said: ''Pleasant as it is to bask in the warmth of recovery . . . the time to repair the roof is when the sun is shining.''

One-third of Americans have no savings at all, and the next third have less than $3,000 in savings. Although the baby-boom generation has contributed to the explosion of people investing in the equities, only two in five baby boomers will have enough savings to maintain their current standard of living when they begin to retire in 2011.

The Small Savers Act would help to reverse these troubling trends. First, our proposal returns middle class taxpayers to the lowest Federal income tax bracket. Under our legislation, 7 million taxpayers would no longer find themselves taxed at 28%. Instead, they would be taxed at the 15% bracket.

Second, it would encourage modest savings and investment. We propose to enable savers to earn $500, or $250 for singles, in interest and dividends without paying a tax. According to the Joint Economic Committee, 30 million low and middle income taxpayers would be able to save tax free. Our proposal also would wipe out capital gains taxes for 10 million low and middle income investors by exempting the first $5,000 of long-term capital gains. For those committed to ending the taxation of capital gains, this would be an opportunity to take that first step while encouraging lower and middle class workers to invest for their future.

Finally, we provide for a modest $1,000 increase in the contribution limit for deductible IRA contributions, from $2,000 to $3,000, and index for inflation after 2009. These contribution limits have not been raised since 1981.

The Nation faces many challenges in the years ahead. None is more important than sustaining economic growth and ensuring our retirement security. The Small Savers Act is a modest and progressive step to begin shoring up personal savings and to keep the Nation on the path to long-term economic health.

By Mrs. FEINSTEIN:

S. 594. A bill to ban the importation of large capacity ammunition feeding devices; to the Committee on the Judiciary.

LARGE-CAPACITY AMMUNITION MAGAZINE IMPORT BAN OF 1999

Mr. FEINSTEIN. Mr. President, I rise today to introduce legislation that will plug a gaping loophole in our gun laws and protect us all from the deadly, tragic violence of assault weapons.

This bill is not about gun control. This bill is not about politics. And this bill is not about partisanship. But this bill is about stopping foreign manufacturers from skirting the laws that already apply to companies within our borders.

The bill we introduce today will address, finally, the loophole in the law that allows foreign manufacturers to flood our shores with high capacity ammunition clips, while domestic manufacturers are prohibited from selling those very clips.

Our bill bans future importation of all ammunition clips with a capacity of greater than 10 rounds.

Mr. President, this legislation would not ban the sale or possession of clips already in circulation. And the domestic manufacture of these clips is already illegal for most purposes. Under current law, U.S. manufacturers are already prohibited from manufacturing large capacity clips for sale to the general public, but foreign companies continue to do so.

As the author of the 1994 provision, I can assure you that this was not our intent. We intended to ban the future manufacture of all high capacity clips, leaving only a narrow clause allowing for the importation of clips already on their way to this country. Instead, the Bureau of Alcohol, Tobacco and Firearms has allowed millions of foreign clips into this country, with no true method of determining date of manufacture.

In fact, between March and August of last year alone, BATF approved more than 8 million large-capacity clips for importation into America.

Many of these clips were surely manufactured after 1994, but ATF has no way to determining whether or not this is true. As a result, they simply must take the word of the exporting company or country.

The clips come from at least 20 different countries, from Austria to Zimbabwe.

The clips approved during this one short period accounted for almost 128 million rounds of ammunition—and every round represents the potential for taking one human life.

These clips come in sizes ranging from 15 rounds per clip to 30, 75, 90, or even 250 rounds per clip.

Twenty thousand clips of 250-rounds came from England;

Two million 15-round magazines came from Italy;

Five thousand clips of 70-rounds came from the Czech Republic.

And the list goes on, and on.

Mr. President, 250-round clips have no sporting purpose. They are not used for self defense. They have only one use—the purposeful killing of other men, women and children.

It is both illogical and irresponsible to permit foreign companies to sell items to the American public—particularly items that are so often used for deadly purposes—that U.S. companies are prohibited from selling. It is time to plug this loophole and close our borders to these tools of death and destruction. Our domestic manufacturers are complying with the law, and we must now force foreign manufacturers to comply as well.

In April of last year, President Clinton and Treasury Secretary Rubin closed one loophole in the 1994 ban on assault weapons by blocking further imports of modified semiautomatic assault weapons. However, the Department of Justice advises me that the President lacks the legal authority to take the same action regarding large-capacity clips. As a result, we must take legislative action to stop further imports of these killer clips.

In closing our borders to these high capacity clips, we will not put an end to all incidents of gun violence. But we will limit the destructive power of that violence. We will not stop every troubled child who decides to commit an act of violence from doing so, but we can limit the tools that a child can find to carry out the act.

Each of us has been touched in some way by the devastating effects of gun violence. Each of our states has faced unnecessary tragedy and senseless destruction as a result of the high-powered, high-capacity weapons falling into the hands of gangs, drive-by shooters, cop killers, grievance killers, and yes, even children. My own state of California has too often been the subject of national attention due to incidents of gun violence.

Just a few short months ago in Oakland, California, officer James Williams became yet another example of what can happen when a troubled teenager gets hold of a high-capacity weapon. Soon after midnight on a Sunday early this New Year, Officer Williams and two colleagues found themselves searching the side of the road for a gun that had reportedly been thrown by suspects involved in a recent chase. Officer Williams had been out of the police academy for only eleven weeks,

and was undoubtedly looking forward to getting home to see his three children.

But tragically, James Williams never made it home that night. While Williams searched for the lost gun, a 19-year-old man stood on the freeway overpass above and fired the shots that would change Williams' family forever. Using a Hungarian made AK–47 with a Chinese made high-capacity ammunition clip, the teenager fired many shots—too many.

One Telfon-coated bullet from this high capacity clip fatally wounded officer Williams, tearing through his bulletproof vest and leaving his three children without a father. And that lone bullet tore through more than just James Williams' body armor. It tore through the very fabric of his entire family, and its damage cannot be repaired.

To many, Officer Williams has now become just another statistic in the fight against gun violence. But he is more than that to his family, and he must mean more than that to us, as well. We must fight to end the tragedies faced by so many families across this nation. We must fight to give meaning to the countless lives that have been extinguished before their time.

One phenomenon which has most tragically revealed the problems presented by these high capacity clips has been the use of these clips by youngsters to kill other youngsters.

In Springfield, Oregon, a 15-year-old boy used a 30-round clip to kill two of his fellow students and wound 22 others.

In Jonesboro, Arkansas, one of two boys carried a Universal carbine equipped with a 15-round killer clip. Firing every one of those 15 bullets, the boy helped his partner kill five people and wound 10 more.

And just last December in Los Angeles, 27 year old LAPD officer Bryan Brown was shot and killed by an assailant with a rifle and double magazine. Following the tragic shooting, Officer Brown's 7 year old son asked, ''Why did my daddy have to die?''

Mr. President, Officer Brown and Officer Williams gave their lives to protect the lives of so many others, and their children have now been left without a father. We must do what we can to make the lives of our law enforcement officers more safe.

And we must also do what we can to bring foreign companies into compliance with the same laws we impose on companies here at home. The only way we can accomplish these goals is to pass this simple bill.

In 1994, we fired a first shot in the fight against assault weapons and killer clips by banning the assault weapons most commonly used in crime and to kill police officers. I am proud to have authored that legislation, and many of my colleagues who joined me in that fight remember how hard we worked to make a difference. Our opponents told us our efforts would accomplish nothing—but they were wrong. They told us our efforts would infringe upon the rights of innocent gun owners—again, they were wrong.

In fact, recent statistics prove that the assault weapons ban is working to reduce crime and to save the lives of law enforcement officers and countless others.

A recent study by the Bureau of Alcohol, Tobacco and Firearms showed that compared to other guns, the use of assault weapons in crimes is rapidly falling. In fact, while assault weapons accounted for more than 6% of the guns traced in crimes before the 1994 crime bill went into effect, these guns now account for less than 2.4% of those traces.

But it has now become apparent that the 1994 ban on assault weapons left open certain loopholes. Through those loopholes fall the lives of courageous police officers like Officer James Williams.

There is no convincing reason to allow foreign manufacturers to circumvent the ban on assault weapons while domestic manufacturers comply. And there is no convincing reason to keep an unlimited supply of these clips flowing onto our shores and into the hands of American criminals.

The ban on assault weapons is working to save lives and to keep us safe. But we must act to fix those loopholes which still remain. Last year we came close—we offered this bill as an amendment on short notice and lost by only a few votes. I am confident that once my colleagues understand what this bill does—and more importantly what it does not do—we will win our fight.

I urge my colleagues to support this bill, and I look forward to voting on this issue in the near future.

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. 594

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 ''Large Capacity Ammunition Magazine Import Ban Act of 1999''.

SEC. 2. BAN ON IMPORTING LARGE CAPACITY AMMUNITION FEEDING DEVICES.

Section 922(w) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking ''(1) Except as provided in paragraph (2)'' and inserting ''(1)(A) Except as provided in subparagraph (B)'';

(2) in paragraph (2), by striking ''(2) Paragraph (1)'' and inserting ''(B) Subparagraph (A)'';

(3) by inserting before paragraph (3) the following:

''(2) It shall be unlawful for any person to import a large capacity ammunition feeding device.''; and

(4) in paragraph (4)—

(A) by striking ''(1)'' each place it appears and inserting ''(1)(A)''; and

(B) by striking ''(2)'' and inserting ''(1)(B)''.

SEC. 3. CONFORMING AMENDMENT.

Section 921(a)(31) of title 18, United States Code, is amended by striking ''manufactured after the date of enactment of the Violent Crime Control and Law Enforcement Act of 1994''.

By Mr. DOMENICI (for himself and Mr. INHOFE):

S. 595. A bill to amend the Internal Revenue Code of 1986 to establish a graduated response to shrinking domestic oil and gas production and surging foreign oil imports, and for other purposes; to the Committee on Finance.

THE DOMESTIC OIL AND GAS CRISIS TAX RELIEF AND FOREIGN OIL RELIANCE REVERSAL ACT OF 1999

Mr. DOMENICI. Mr. President, I rise today to introduce the Domestic Oil and Gas Crisis Tax Relief and Foreign Oil Reliance Reversal Act of 1999.

It is a comprehensive, graduated approach to ensure that the United States retains control of its foreign policy and its economic destiny.

I believe that oil is essential to our way of life. Oil is power.

It has been pointed out by numerous commentators that major oil reserves and political volatility go together. The Middle East has the world's most abundant and cheapest oil, unfortunately, the U.S. does not.

Saudi Arabia, United Arab Emirates and Kuwait are our current allies, but Iran and Iraq are not. Russia is a major natural gas producer, but reliable Russia is not.

Our dependence on foreign oil is reaching 57 percent, projected to reach 68 percent by 2010 if current prices prevail.

This isn't the usual boom and bust that the oil and gas industry goes through. The price has dropped by half in the past two years. In real terms, oil now costs roughly what it did before 1973. And prices could stay low or drop lower according to the March 6th, Economist magazine.

Chairman Greenspan, thus, far has been more cautious.

At a Budget Committee hearing recently, I asked Chairman Greenspan about the oil and gas depressed prices. For the first time that I can remember, Greenspan blessed Independent Petroleum Association of America (IPAA) numbers.

Greenspan said, ''In the short term, profits for the oil and gas industry are likely to come under pressure. According to industry surveys, exploration and production spending in the U.S. is projected to decline 21 percent this year to $22.6 billion from $28.2 billion in 1998. A recent survey by the Independent Petroleum Association of

America (IPAA) estimates that over 36 thousand crude oil wells and more than 56 thousand natural gas wells have been shut down since November 1997. During the same period, the IPAA estimates that 24 thousand jobs in the industry have been eliminated * * * The financial pressures are most serious among small producers in the United States.''

Let me describe the financial pressures facing New Mexico.

One of the city officials told me that oil and gas revenues were so low that the town of Eunice has to decide which it will keep open—the school or the hospital. There isn't enough tax revenue in the coffers to do both! In New Mexico, the oil and gas industry is a major source of revenue. For some communities it is the only significant source.

The bill I am introducing today is a comprehensive, graduated response to the problem of the shrinking domestic oil and gas industry. It builds upon, and includes all of the provisions included in S. 325 introduced by Senator KAY BAILEY HUTCHISON and cosponsored by Senators NICKLES, MURKOWSKI, BREAUX and LANDREU and myself.

The Hutchison bill focuses on helping our independent producers and maintaining marginal wells. These are wells that produce less than 15 barrels a day by IRS definition, but in reality, on average produce about 2.2 barrels of oil a day. There are a lot of marginal wells in the United States, and together they produce as much oil as the United States imports from Saudi Arabia.

I am also told if prices stay where they are the state could lose half of those wells by the end of the year.

Title I of the bill I am introducing today is part of S. 325. It includes a marginal well tax credit designed to prolong marginal domestic oil and gas well production. The credit is equal to $3.00 a barrel.

The bill also provides a Federal income tax exclusion for income earned from inactive wells. It is an incentive for producers to keep pumping and not to plug the wells because low prices make them uneconomic. Once a well is plugged, the oil from that well is lost for ever.

The bill expands the Enhanced Oil Recovery credit (EOR) that was enacted in 1990.

Enhanced oil recovery techniques can recover the other seventy-five percent of the oil left behind when regular techniques have pumped as much oil as they can from a well. The EOR credit is expanded to cover additional techniques and to be used by AMT taxpayers.

The oil and gas industry is a capital intensive industry.

When the price of oil drops, the cash flow for small producers dries up. There are countless producers who haven't been able to make an interest payment on their operating loans in months and as loans come due, the banks haven't been willing to renew them.

The world is feasting on cheap oil, and yet the oil patch is starving for capital. This credit crunch is made all the more painful because producers know that they have accumulated tax benefits and credits that they have not been able to use, first, because they were Alternative Minimum Tax (AMT) taxpayers, and more recently, because low prices have devastated their bottomline.

The AMT was intended to make sure that profitable companies paid their fair share of taxes. It has not worked as it was intended. In practice, the AMT imposes four penalties on investments made by U.S.-based taxpayers who explore for and produce oil and natural gas. Penalties are imposed on drilling investment and asset depreciation. These penalties significantly increase the after-tax costs and the business risks of drilling new wells. This is a very imprudent policy at a time when the U.S. is experiencing historically low drilling activity and growing import dependency.

The AMT increases the cost of capital of AMT taxpayers by approximately 15 to 20 percent over what it would be under the regular corporate income tax according to testimony given before the Senate Finance Committee.

TITLE II of the bill tries to correct the past imprudence of the AMT and other tax cod provisions by providing domestic oil and gas industry crisis tax relief triggered when the price of oil is below $15 a barrel.

This title of the bill creates what I call a ''credits to cash'' program.

The purpose is to transform earned tax credits and other accumulated tax benefits into working capital for the cash-strapped domestic oil and gas producers and service companies.

This is accomplished by creating a ten year carry-back for unused AMT credits, and unused percentage depletion for oil and gas producers. The bill would also eliminate one of the most restrictive limitations on an oil and gas producer's ability to claim his intangible drilling costs—the so-called 65 percent net income limitation. The bill repeals it so that producers can finally recover their out of pocket costs.

The bill also includes a provision similar to a bill introduced by Congressman THOMAS. My bill allows both producers and the oil and gas service industry to go back ten years and use up their Net operating losses (NOL)s.

HARD TIMES TAX RELIEF WHEN PRICE OF OIL IS LESS THAN $14 A BARREL

The National Energy Policy Act partially eliminated Intangible Drilling Costs as a preference item under the AMT. This bill finishes the job for any year when the price of oil is less than $14 a barrel (phased out when oil prices hit $17)

IDCs are up front, out of pocket costs that have to be paid before a producer even knows whether there will be any oil produced.

IDCs are one of the principal ordinary and necessary business costs of the oil and gas industry. IDCs can comprise up to 80 percent of the total costs incurred in developing a well.

IDCs are comparable to research and development costs because they are incurred before a capital asset is known to exist. Examples of IDCs include amounts paid to negotiate and finalize drilling contracts; costs to prepare the drill site, costs of transporting and setting up the rigs and costs of cementing casing in place; costs for wages, fuel, repairs, supplies, and other costs in the drilling, shooting and cleaning of wells, onsite preparation for the drilling of wells, and the construction of the physical structures that are necessary for the drilling of wells. IDCs are funded with cold, hard cash and typically cannot be financed by a bank or financial institution, and must be paid through an operator's internal cash flow or outside equity money supplied by an investor.

Under the regular corporate tax, IDCs are generally allowed to be expensed.

If they were the expenses of any other business they would not be included as add-back preference items for purposes of the AMT. We took the first step to correcting this injustice in the National Energy Policy Act. It is time to finish the job now.

Percentage depletion is also an ordinary and necessary business cost. It recognizes that the economic profit from successful wells must compensate for economic losses from dry holes and marginal wells that do not recover their investment. Percentage depletion also recognizes that oil and gas properties are wasting assets with no residual value. These expenses correspond to ordinary business expenses that are deductible for every other business without limitations.

The bill would also eliminate the depreciation adjustment under the AMT for oil and gas assets so that the depreciation schedules for the regular tax are also used for AMT.

The oil and gas industry must spend significant amounts of capital to acquire, find, develop and produce oil and gas resources The regular tax system's modified accelerated cost recovery system (MACRS) is designed to encourage such investments. The incentive of accelerated tax depreciation is especially important in periods when oil is cheap and companies are under economic pressure to reduce capital investment and jobs. Yet, the depreciation adjustment required under the AMT results in removing much of the regular tax

incentive precisely when it is needed most. This occurs because companies in the industry are more likely to be subject to AMT in periods of low commodity prices.

While the AMT is the second tax system imbedded in our Internal Revenue code, the Accumulated Current Earnings (ACE) effectively acts as a third system of taxation, in addition to the regular tax system and the AMT. ACE generally acts to measure income in the same manner ''earnings and profits'' which is a measure of income used by ''C'' corporations to determine whether their dividends will be taxable. Under ACE, a corporate taxpayer must compute the deductions for equipment depreciation (pre-1994), and intangible drilling cost recovery in a third manner in addition to that mandated under the regular tax system and the AMT.

Congress has nibbled at fixing the ACE several times in the 1990's. It is time to get rid of it and its complexity. The bill eliminates the Adjusted Current Earnings adjustment (ACE) as it applies to IDCs.

The bill would also permit the EOR credit and the Section 29 credit to reduce the Alternative Minimum Tax.

The Alternative Minimum Tax (AMT) imposes tax penalties on the oil and gas industry. It taxes investment, not income, and it is more punitive the less profitable a company is. The longer prices are low and profits thin, the harsher is the AMT's impact.

The bill recognizes that the Oil for Food program is contributing to the depressed oil and gas prices and is causing economic hardship for our domestic oil and gas producers. To compensate our domestic industry for the economic loss that is being caused by this UN policy, the bill would restore percentage depletion to 27.5 percent. It also would include the remaining tax provisions included in S. 325 e.g., Allows expensing geological and geophysical expenditures Allows producers to make an election to Expense Delay Rentals payments; and provides an Extension of Spudding rule

Title III of the bill would be triggered whenever foreign oil reliance exceeds 50 percent. The purpose of this title is to reverse the trend of increased foreign dependence of oil and gas by encouraging exploration and development of oil and gas reserves here at home in the U.S. Our goal should be to double current domestic oil and gas production.

The bill provides a 20 percent exploration and development credit.

Title IV recognizes that 60 percent foreign oil dependence is a national security risk and provides for an emergency procedure. When foreign imports exceed 60 percent the President is required to implement an energy security strategic plan designed to prevent crude oil and product imports from exceeding 60 percent. I will remind my colleagues that when we experienced the economic disruption of the 1973 oil embargo our dependence on foreign oil was only 36 percent.

Mr. President, we need a comprehensive response to foreign oil dependence. We need to have a healthy domestic oil and gas industry. This bill along with measures to help the industry through the current credit crunch are essential. I ask that my colleagues join me in developing a comprehensive plan to insure our energy and foreign policy independence.

Mr. President, I ask unanimous consent that the text of the bill and a summary be printed in the RECORD.

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

S. 595

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

SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE.

(a) SHORT TITLE.—This Act may be cited as the ''Domestic Oil and Gas Crisis Tax Relief and Foreign Oil Reliance Reversal Act of 1999.''

(b) AMENDMENT OF 1986 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 the Internal Revenue Code of 1986.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to establish a graduated response to shrinking domestic oil and gas production and surging foreign oil imports;

(2) to prevent the abandonment of marginal oil and gas wells responsible for half of the domestic oil and gas production of the United States;

(3) to transform earned tax credits and other tax benefits into working capital for the cash-strapped domestic oil and gas producers and service companies;

(4) to reverse the trend of increased dependence on foreign oil and gas by encouraging exploration and development of oil and gas reserves in the United States to achieve the goal of doubling current domestic oil and gas production; and

(5) to provide an emergency procedure for times when foreign imports exceed 60 percent of the total United States crude and oil product consumption, thereby recognizing that when imports exceed a statutory level a national security threat exists that demands Presidential action.

SEC. 3. FINDINGS.

Congress finds the following:

(1) Foreign oil consumption in the United States is estimated to be equal to 56 percent of total oil consumption and could reach 68 percent by the year 2010 if current prices prevail.

(2) The number of oil and gas rigs operating in the United States is at the lowest count since 1944, when records of this number began to be recorded.

(3) If oil prices do not increase soon, the United States could lose at least half of its marginal wells which, in the aggregate, produce as much oil as the amount of oil the United States imports from Saudi Arabia.

(4) Oil and gas prices are unlikely to increase for the next several years.

(5) Declining production, well abandonment, and the lack of exploration and development are shrinking the domestic oil and gas industry.

(6) It is essential in order for the United States to have a vibrant economy to have a healthy domestic oil and gas industry.

(7) The world's richest oil producing regions in the Middle East are experiencing great political stability.

(8) The policy of the United Nations may make Iraq the swing oil producing nation, thereby granting an enemy of the United States a tremendous amount of power.

(9) Reliance on foreign oil for more than 60 percent of the daily oil and gas consumption in the United States is a national security threat.

(10) The United States is the leader of the free world and has a worldwide responsibility to promote economic and political security.

(11) The exercise of traditional responsibilities in the United States and abroad in foreign policy requires that the United States be free of the risk of energy blackmail in times of gas and oil shortages.

(12) The level of the United States security is directly related to the level of domestic production of oil, natural gas liquids, and natural gas.

(13) A national energy policy should be developed which ensures that adequate supplies of oil are available at all times free of the threat of embargo or other foreign hostile acts.

SEC. 4. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title; amendment of 1986 Code.
Sec. 2. Purposes.
Sec. 3. Findings.
Sec. 4. Table of contents.
TITLE I—DOMESTIC OIL AND GAS PRODUCTION PRESERVATION PROVISIONS
Sec. 101. Tax credit for marginal domestic oil and natural gas well production.
Sec. 102. Exclusion of certain amounts received from recovered inactive wells.
Sec. 103. Enhanced oil recovery credit extended to certain nontertiary recovery methods.
TITLE II—DOMESTIC OIL AND GAS INDUSTRY CRISIS TAX RELIEF
Sec. 200. Purpose.
Subtitle A—Credits to Cash Provisions
Sec. 201. 10-year carryback for unused minimum tax credit.
Sec. 202. 10-year carryback for percentage depletion for oil and gas property.
Sec. 203. 10-year net operating loss carryback for losses attributable to oil servicing companies and mineral interests of oil and gas producers.
Sec. 204. Waiver of limitations.
Subtitle B—Hard Times Tax Relief
Sec. 211. Phase-out of certain minimum tax preferences relating to energy production.
Sec. 212. Depreciation adjustment not to apply to oil and gas assets.
Sec. 213. Repeal certain adjustments based on adjusted current earnings relating to oil and gas assets.
Sec. 214. Enhanced oil recovery credit and credit for producing fuel from a nonconventional source allowed against minimum tax.
Subtitle C—Oil-for-Food Program Compensating Tax Benefits
Sec. 220. Purpose.

Sec. 221. Increase in percentage depletion for stripper wells.
Sec. 222. Net income limitation on percentage depletion repealed for oil and gas properties.
Sec. 223. Election to expense geological and geophysical expenditures and delay rental payments.
Sec. 224. Extension of Spudding rule.

TITLE II—FOREIGN OIL RELIANCE REVERSAL PROVISIONS

Sec. 300. Purpose.
Sec. 301. Crude oil and natural gas exploration and development credit.

TITLE IV—NATIONAL EMERGENCY PROVISIONS

Sec. 400. Purpose.
Sec. 401. Duties of the President.
Sec. 402. Congressional review.
Sec. 403. National security and oil production actions.

TITLE I—DOMESTIC OIL AND GAS PRODUCTION PRESERVATION PROVISIONS

SEC. 101. TAX CREDIT FOR MARGINAL DOMESTIC OIL AND NATURAL GAS WELL PRODUCTION.

(a) PURPOSE.—The purpose of this section is to prevent the abandonment of marginal oil and gas wells responsible for half of the domestic production of oil and gas in the United States.

(b) CREDIT FOR PRODUCING OIL AND GAS FROM MARGINAL WELLS.—Subpart D of part IV of subchapter A of chapter 1 (relating to business credits) is amended by adding at the end the following new section:

"SEC. 45D. CREDIT FOR PRODUCING OIL AND GAS FROM MARGINAL WELLS.

''(a) GENERAL RULE.—For purposes of section 38, the marginal well production credit for any taxable year is an amount equal to the product of—

''(1) the credit amount, and

''(2) the qualified crude oil production and the qualified natural gas production which is attributable to the taxpayer.

''(b) CREDIT AMOUNT.—For purposes of this section—

''(1) IN GENERAL.—The credit amount is—

''(A) $3 per barrel of qualified crude oil production, and

''(B) 50 cents per 1,000 cubic feet of qualified natural gas production.

''(2) REDUCTION AS OIL AND GAS PRICES INCREASE.—

''(A) IN GENERAL.—The $3 and 50 cents amounts under paragraph (1) shall each be reduced (but not below zero) by an amount which bears the same ratio to such amount (determined without regard to this paragraph) as—

''(i) the excess (if any) of the applicable reference price over $14 ($1.56 for qualified natural gas production), bears to

''(ii) $3 ($0.33 for qualified natural gas production).

The applicable reference price for a taxable year is the reference price for the calendar year preceding the calendar year in which the taxable year begins.

''(B) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2000, each of the dollar amounts contained in subparagraph (A) shall be increased to an amount equal to such dollar amount multiplied by the inflation adjustment factor for such calendar year (determined under section 43(b)(3)(B) by substituting '1999' for '1990').

''(C) REFERENCE PRICE.—For purposes of this paragraph, the term 'reference price' means, with respect to any calendar year—

''(i) in the case of qualified crude oil production, the reference price determined under section 29(d)(2)(C), and

''(ii) in the case of qualified natural gas production, the Secretary's estimate of the annual average wellhead price per 1,000 cubic feet for all domestic natural gas.

''(c) QUALIFIED CRUDE OIL AND NATURAL GAS PRODUCTION.—For purposes of this section—

''(1) IN GENERAL.—The terms 'qualified crude oil production' and 'qualified natural gas production' mean domestic crude oil or natural gas which is produced from a marginal well.

''(2) LIMITATION ON AMOUNT OF PRODUCTION WHICH MAY QUALIFY.—

''(A) IN GENERAL.—Crude oil or natural gas produced during any taxable year from any well shall not be treated as qualified crude oil production or qualified natural gas production to the extent production from the well during the taxable year exceeds 1,095 barrels or barrel equivalents.

''(B) PROPORTIONATE REDUCTIONS.—

''(i) SHORT TAXABLE YEARS.—In the case of a short taxable year, the limitations under this paragraph shall be proportionately reduced to reflect the ratio which the number of days in such taxable year bears to 365.

''(ii) WELLS NOT IN PRODUCTION ENTIRE YEAR.—In the case of a well which is not capable of production during each day of a taxable year, the limitations under this paragraph applicable to the well shall be proportionately reduced to reflect the ratio which the number of days of production bears to the total number of days in the taxable year.

''(3) DEFINITIONS.—

''(A) MARGINAL WELL.—The term 'marginal well' means a domestic well—

''(i) the production from which during the taxable year is treated as marginal production under section 613A(c)(6), or

''(ii) which, during the taxable year—

''(I) has average daily production of not more than 25 barrel equivalents, and

''(II) produces water at a rate not less than 95 percent of total well effluent.

''(B) CRUDE OIL, ETC.—The terms 'crude oil', 'natural gas', 'domestic', and 'barrel' have the meanings given such terms by section 613A(e).

''(C) BARREL EQUIVALENT.—The term 'barrel equivalent' means, with respect to natural gas, a conversion ratio of 6,000 cubic feet of natural gas to 1 barrel of crude oil.

''(d) OTHER RULES.—

''(1) PRODUCTION ATTRIBUTABLE TO THE TAXPAYER.—In the case of a marginal well in which there is more than one owner of operating interests in the well and the crude oil or natural gas production exceeds the limitation under subsection (c)(2), qualifying crude oil production or qualifying natural gas production attributable to the taxpayer shall be determined on the basis of the ratio which taxpayer's revenue interest in the production bears to the aggregate of the revenue interests of all operating interest owners in the production.

''(2) OPERATING INTEREST REQUIRED.—Any credit under this section may be claimed only on production which is attributable to the holder of an operating interest.

''(3) PRODUCTION FROM NONCONVENTIONAL SOURCES EXCLUDED.—In the case of production from a marginal well which is eligible for the credit allowed under section 29 for the taxable year, no credit shall be allowable under this section unless the taxpayer elects not to claim the credit under section 29 with respect to the well.''.

''(c) CREDIT TREATED AS BUSINESS CREDIT.—Section 38(b) is amended by striking ''plus'' at the end of paragraph (11), by striking the period at the end of paragraph (12) and inserting '', plus'', and by adding at the end the following new paragraph:

''(13) the marginal oil and gas well production credit determined under section 45D(a).''.

(d) CREDIT ALLOWED AGAINST REGULAR AND MINIMUM TAX.—

(1) IN GENERAL.—Subsection (c) of section 38 (relating to limitation based on amount of tax) is amended by redesignating paragraph (3) as paragraph (4) and by inserting after paragraph (2) the following new paragraph:

''(3) SPECIAL RULES FOR MARGINAL OIL AND GAS WELL PRODUCTION CREDIT.—

''(A) IN GENERAL.—In the case of the marginal oil and gas well production credit—

''(i) this section and section 39 shall be applied separately with respect to the credit, and

''(ii) in applying paragraph (1) to the credit—

''(I) subparagraphs (A) and (B) thereof shall not apply, and

''(II) the limitation under paragraph (1) (as modified by subclause (I)) shall be reduced by the credit allowed under subsection (a) for the taxable year (other than the marginal oil and gas well production credit).

''(B) MARGINAL OIL AND GAS WELL PRODUCTION CREDIT.—For purposes of this subsection, the term 'marginal oil and gas well production credit' means the credit allowable under subsection (a) by reason of section 45D(a).''.

(2) CONFORMING AMENDMENT.—Subclause (II) of section 38(c)(2)(A)(ii) is amended by inserting ''or the marginal oil and gas well production credit'' after ''employment credit''.

(e) CARRYBACK.—Subsection (a) of section 39 (relating to carryback and carryforward of unused credits generally) is amended by adding at the end the following new paragraph:

''(3) 10-YEAR CARRYBACK FOR MARGINAL OIL AND GAS WELL PRODUCTION CREDIT.—In the case of the marginal oil and gas well production credit—

''(A) this section shall be applied separately from the business credit (other than the marginal oil and gas well production credit),

''(B) paragraph (1) shall be applied by substituting '10 taxable years' for '1 taxable years' in subparagraph (A) thereof, and

''(C) paragraph (2) shall be applied—

''(i) by substituting '31 taxable years' for '21 taxable years' in subparagraph (A) thereof, and

''(ii) by substituting '30 taxable years' for '20 taxable years' in subparagraph (B) thereof.''

(f) COORDINATION WITH SECTION 29.—Section 29(a) is amended by striking ''There'' and inserting ''At the election of the taxpayer, there''.

(g) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 is amended by adding at the end the following item:

''45D. Credit for producing oil and gas from marginal wells.''

(h) EFFECTIVE DATE.—The amendments made by this section shall apply to production after the date of the enactment of this Act.

SEC. 102. EXCLUSION OF CERTAIN AMOUNTS RECEIVED FROM RECOVERED INACTIVE WELLS.

(a) PURPOSE.—The purpose of this section is to encourage producers to reopen wells that have not been producing oil and gas because the wells have been plugged or abandoned.

(b) IN GENERAL.—Part III of subchapter B of chapter 1 (relating to items specifically

excluded from gross income) is amended by redesignating section 139 as section 140 and by inserting after section 138 the following new section:

"SEC. 139. OIL OR GAS PRODUCED FROM A RECOVERED INACTIVE WELL.

''(a) IN GENERAL.—Gross income does not include income attributable to independent producer oil from a recovered inactive well.

''(b) DEFINITIONS.—For purposes of this section—

''(1) INDEPENDENT PRODUCER OIL.—The term 'independent producer oil' means crude oil or natural gas in which the economic interest of the independent producer is attributable to an operating mineral interest (within the meaning of section 614(d)), overriding royalty interest, production payment, net profits interest, or similar interest.

''(2) CRUDE OIL AND NATURAL GAS.—The terms 'crude oil' and 'natural gas' have the meanings given such terms by section 613A(e).

''(3) RECOVERED INACTIVE WELL.—The term 'recovered inactive well' means a well if—

''(A) throughout the time period beginning any time prior to January 15, 1999, and ending on such date, such well is inactive or has been plugged and abandoned, as determined by the agency of the State in which such well is located that is responsible for regulating such wells, and

''(B) during the 5-year period beginning on the date of the enactment of this section, such well resumes producing crude oil or natural gas.

''(4) INDEPENDENT PRODUCER.—The term 'independent producer' means a producer of crude oil or natural gas whose allowance for depletion is determined under section 613A(c).

''(c) DEDUCTIONS.—No deductions directly connected with amounts excluded from gross income by subsection (a) shall be allowed.

''(d) ELECTION.—

''(1) IN GENERAL.—This section shall apply for any taxable year only at the election of the taxpayer.

''(2) MANNER.—Such election shall be made, in accordance with regulations prescribed by the Secretary, not later than the time prescribed for filing the return (including extensions thereof) and shall be made annually on a property-by-property basis.''

(c) MINIMUM TAX.—Section 56(g)(4)(B) is amended by adding at the end the following new clause:

''(iii) INACTIVE WELLS.—In the case of income attributable to independent producers of oil recovered from an inactive well, clause (i) shall not apply to any amount allowable as an exclusion under section 139.''

(d) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 is amended by striking the item relating to section 139 and inserting the following:

''Sec. 139. Oil or gas produced from a recovered inactive well.

''Sec. 140. Cross references to other Acts.;;

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SEC. 103. ENHANCED OIL RECOVERY CREDIT EXTENDED TO CERTAIN NONTERTIARY RECOVERY METHODS.

(A) PURPOSE.—The propose of section is to extend the productive lives of existing domestic oil and gas wells in order to recover the 75 percent of the oil and gas that is not recoverable using primary oil and gas recovery techniques.

(b) IN GENERAL.—Clause (i) of section 43(c)(2)(A) (defining qualified enhanced oil recovery project) is amended to read as follows:

''(i) which involves the application (in accordance with sound engineering principles) of—

''(I) one or more tertiary recovery methods (as defined in section 193(b)(3)) which can reasonably be expected to result in more than an insignificant increase in the amount of crude oil which will ultimately be recovered, or

''(II) one or more qualified nontertiary recovery methods which are required to recover oil with traditionally immobile characteristics or from formations which have proven to be uneconomical or noncommercial under conventional recovery methods,''

(c) QUALIFIED NONTERTIARY RECOVERY METHODS.—Section 43(c)(2) is amended by adding at the end the following new subparagraphs:

''(C) QUALIFIED NONTERTIARY RECOVERY METHOD.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'qualified nontertiary recovery method' means any recovery method described in clause (ii), (iii), or (iv), or any combination there of.

''(ii) ENHANCED GRAVITY DRAINAGE (EGD) METHODS.—The methods described in this clause are as follows:

''(I) HORIZONTAL DRILLING.—The drilling of horizontal, rather than vertical, wells to penetrate any hydrocarbon-bearing formation which has an average in situ calculated permeability to fluid flow of less than or equal to 12 or less millidarcies and which has been demonstrated by use of a vertical wellbore to be uneconomical unless drilled with lateral horizontal lengths in excess of 1,000 feet.

''(II) GRAVITY DRAINAGE.—The production of oil by gravity flow from drainholes that are drilled from a shaft or tunnel dug within or below the oil-bearing zone.

''(iii) MARGINALLY ECONOMIC RESERVOIR REPRESSURIZATION (MERR) METHODS.—The methods described in this clause are as follows, except that this clause shall only apply to the first 1,000,000 barrels produced in any project:

''(I) CYCLIC GAS INJECTION.—The increase or maintenance of pressure by injection of hydrocarbon gas into the reservoir from which it was originally produced.

''(II) FLOODING.—The injection of water into an oil reservoir to displace oil from the reservoir rock and into the bore of a producing well.

''(iv) OTHER METHODS.—Any method used to recover oil having an average laboratory measured air permeability less than or equal to 100 millidarcies when averaged over the productive interval being completed, or an in situ calculated permeability to fluid flow less than or equal to 12 millidarcies or oil defined by the Department of Energy as being immobile.

''(D) AUTHORITY TO ADD OTHER NONTERTIARY RECOVERY METHODS.—The Secretary shall provide procedures under which—

''(i) the Secretary may treat methods not described in clause (ii), (iii), or (iv) of subparagraph (C) as qualified nontertiary recovery methods, and

''(ii) a taxpayer may request the Secretary to treat any method not so described as a qualified nontertiary recovery method.

The Secretary may only specify methods as qualified nontertiary recovery methods under this subparagraph if the Secretary determines that such specification is consistent with the purposes of subparagraph (C) and will result in greater production of oil and natural gas.''

(d) CONFORMING AMENDMENT.—Clause (iii) of section 43(c)(2)(A) is amended to read as follows:

''(iii) with respect to which—

''(I) in the case of a tertiary recovery method, the first injection of liquids, gases, or other matter commences after December 31, 1990, and

''(II) in the case of a qualified nontertiary recovery method, the implementation of the method begins after December 31, 1998.''

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after December 31, 1998.

TITLE II—DOMESTIC OIL AND GAS INDUSTRY CRISIS TAX RELIEF

SEC. 200. PURPOSE.

The purpose of this title is to transform earned tax credits and other accumulated tax benefits into working capital for the cash-strapped domestic oil and gas producers and service companies.

Subtitle A—Credits to Cash Provisions

SEC. 201. 10-YEAR CARRYBACK FOR UNUSED MINIMUM TAX CREDIT.

(a) IN GENERAL.—Section 53(c) of the Internal Revenue Code of 1986 (relating to limitation) is amended by adding at the end the following new paragraph:

''(2) SPECIAL RULE FOR TAXPAYERS WITH UNUSED ENERGY MINIMUM TAX CREDITS.—

''(A) IN GENERAL.—If, during the 10-taxable year period ending with the current taxable year, a taxpayer has an unused energy minimum tax credit for any taxable year in such period (determined without regard to the application of this paragraph to the current taxable year)—

''(i) paragraph (1) shall not apply to each of the taxable years in such period for which the taxpayer has an unused energy minimum tax credit (as so determined), and

''(ii) the credit allowable under subsection (a) for each of such taxable years shall be equal to the excess (if any) of—

''(II) the sum of the regular tax liability and the net minimum tax for such taxable year, over

''(II) the sum of the credits allowable under subparts A, B, D, E, and F of this part.

''(B) ENERGY MINIMUM TAX CREDIT.—For purposes of this paragraph, the term 'energy minimum tax credit' means the minimum tax credit which would be computed with respect to any taxable year if the adjusted net minimum tax were computed by only taking into account items attributable to—

''(i) the taxpayer's mineral interests in oil and gas property, and

''(ii) the taxpayer's active conduct of a trade or business of providing tools, products, personnel, and technical solutions on a contractural basis to persons engaged in oil and gas exploration and production.''

(b) CONFORMING AMENDMENTS.—Section 53(c) of such Code (as in effect before the amendment made by subsection (a)) is amended—

(1) by striking ''The'' and inserting:

''(1) IN GENERAL.—Except as provided in paragraph (2), the '', and

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1998, and to any taxable year beginning on or before such date to the extent necessary to apply section 53(c)(2) of the Internal Revenue Code of 1986 (as added by subsection (a)).

SEC. 202. 10-YEAR CARRYBACK FOR PERCENTAGE DEPLETION FOR OIL AND GAS PROPERTY.

(a) IN GENERAL.—Subsection (d)(1) of section 613A (relating to limitations on percentage depletion in case of oil and gas wells) is amended to read as follows:

''(1) LIMITATION BASED ON TAXABLE INCOME.—

''(A) IN GENERAL.—The deduction for the taxable year attributable to the application of subsection (c) shall not exceed the taxpayer's taxable income for the year computed without regard to—

''(i) any depletion on production from an oil or gas property which is subject to the provisions of subsection (c),

''(ii) any net operating loss carryback to the taxable year under section 172,

''(iii) any capital loss carryback to the taxable year under section 1212, and

''(iv) in the case of a trust, any distributions to its beneficiary, except in the case of any trust where any beneficiary of such trust is a member of the family (as defined in section 267(c)(4)) of a settlor who created inter vivos and testamentary trusts for members of the family and such settlor died within the last six days of the fifth month in 1970, and the law in the jurisdiction in which such trust was created requires all or a portion of the gross or net proceeds of any royalty or other interest in oil, gas, or other mineral representing any percentage depletion allowance to be allocated to the principal of the trust.

''(B) CARRYBACKS AND CARRYFORWARDS.—

''(i) IN GENERAL.—If any amount is disallowed as a deduction for the taxable year (in this subparagraph referred to as the 'unused depletion year') by reason of application of subparagraph (A), the disallowed amount shall be treated as an amount allowable as a deduction under subsection (c) for—

''(I) each of the 10 taxable years preceding the unused depletion year, and

''(II) the taxable year following the unused depletion year,

subject to the application of subparagraph (A) to such taxable year.

''(ii) APPLICABLE RULES.—Rules similar to the rules of section 39 shall apply for purposes of this subparagraph.

''(C) ALLOCATION OF DISALLOWED AMOUNTS.—For purposes of basis adjustments and determining whether cost depletion exceeds percentage depletion with respect to the production from a property, any amount disallowed as a deduction on the application of this paragraph shall be allocated to the respective properties from which the oil or gas was produced in proportion to the percentage depletion otherwise allowable to such properties under subsection (c).''

''(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 1998, and to any taxable year beginning on or before such date to the extent necessary to apply section 613A(d)(1)(B) of the Internal Revenue Code of 1986 (as added by subsection (a)).

SEC. 203. 10-YEAR NET OPERATING LOSS CARRYBACK FOR LOSSES ATTRIBUTABLE TO OIL SERVICING COMPANIES AND MINERAL INTERESTS OF OIL AND GAS PRODUCERS.

''(a) IN GENERAL.—Paragraph (1) of section 172(b) (relating to years to which loss may be carried) is amended by adding at the end the following new subparagraph:

''(H) LOSSES ON OPERATING MINERAL INTERESTS OF OIL AND GAS PRODUCERS AND OILFIELD SERVICING COMPANIES.—In the case of a taxpayer which has an eligible oil and gas loss (as defined in subsection (j)) for a taxable year, such eligible oil and gas loss shall be a net operating loss carryback to each of the 10 taxable years preceding the taxable year of such loss.''

(b) ELIGIBLE OIL AND GAS LOSS.—Section 172 is amended by redesignating subsection (j) as subsection (k) and by inserting after subsection (i) the following new subsection:

''(j) ELIGIBLE OIL AND GAS LOSS.—For purposes of this section—

''(1) IN GENERAL.—The term 'eligible oil and gas loss' means the lesser of—

''(A) the amount which would be the net operating loss for the taxable year if only income and deductions attributable to—

''(i) mineral interests in oil and gas wells, and

''(ii) the active conduct of a trade or business of providing tools, products, personnel, and technical solutions on a contractual basis to persons engaged in oil and gas exploration and production,

are taken into account, and

''(B) the amount of the net operating loss for such taxable year.

''(2) COORDINATION WITH SUBSECTION (b)(2).—For purposes of applying subsection (b)(2), an eligible oil and gas loss for any taxable year shall be treated in a manner similar to the manner in which a specified liability loss is treated.

''(3) ELECTION.—Any taxpayer entitled to a 10-year carryback under subsection (b)(1)(H) from any loss year may elect to have the carryback period with respect to such loss year determined without regard to subsection (b)(1)(H). Such election shall be made in such manner as may be prescribed by the Secretary and shall be made by the due date (including extensions of time) for filing the taxpayer's return for the taxable year of the net operating loss. Such election, once made for any taxable year, shall be irrevocable for such taxable year.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to net operating losses for taxable years beginning after December 31, 1998, and to any taxable year beginning on or before such date to the extent necessary to apply section 172(b)(1)(H) of the Internal Revenue Code of 1986 (as added by subsection (a)).

SEC. 204. WAIVER OF LIMITATIONS.

If refund or credit of any overpayment of tax resulting from the application of the amendments made by this subtitle is prevented at any time before the close of the 1-year period beginning on the date of the enactment of this Act by the operation of any law or rule of law (including res judicata), such refund or credit may nevertheless be made or allowed if claim therefor is filed before the close of such period.

Subtitle B—Hard Times Tax Relief

SEC. 211. PHASE-OUT OF CERTAIN MINIMUM TAX PREFERENCES RELATING TO ENERGY PRODUCTION.

(a) ENERGY PREFERENCES FOR INTEGRATED OIL COMPANIES.—Section 56 (relating to alternative minimum taxable income) is amended by adding at the end the following new subsection:

''(h) ADJUSTMENT BASED ON ENERGY PREFERENCE.—

''(1) IN GENERAL.—In computing the alternative minimum taxable income of any taxpayer which is an integrated oil company (as defined in section 291(b)(4)) for any taxable year beginning after 1998, there shall be allowed as a deduction an amount equal to the alternative tax energy preference deduction.

''(2) PHASE-OUT OF DEDUCTION AS OIL PRICES INCREASES.—The amount of the deduction under paragraph (1) (determined without regard to this paragraph) shall be reduced (but not below zero) by the amount which bears the same ratio to such amount as—

''(A) the amount by which the reference price for the calendar year preceding the calendar year in which the taxable year begins exceeds $14, bears to

''(B) $3.

For purposes of this paragraph, the reference price for any calendar year shall be determined under section 29(d)(2)(C) and the $14 amount under subparagraph (A) shall be adjusted at the same time and in the same manner as under section 43(b)(3).

''(3) ALTERNATIVE TAX ENERGY PREFERENCE DEDUCTION.—For purposes of paragraph (1), the term 'alternative tax energy preference deduction' means an amount equal to the sum of—

''(A) the intangible drilling cost preference, and

''(B) the depletion preference.

''(4) INTANGIBLE DRILLING COST PREFERENCE.—For purposes of this subsection, the term 'intangible drilling cost preference' means the amount by which alternative minimum taxable income would be reduced if it were computed without regard to section 57(a)(2).

''(5) DEPLETION PREFERENCE.—For purposes of this subsection, the term 'depletion preference' means the amount by which alternative minimum taxable income would be reduced if it were computed without regard to section 57(a)(1).

''(6) ALTERNATIVE MINIMUM TAXABLE INCOME.—For purposes of paragraphs (1), (4), and (5), alternative minimum taxable income shall be determined without regard to the deduction allowable under this subsection and the alternative tax net operating loss deduction under subsection (a)(4).

''(7) REGULATIONS.—The Secretary may by regulation provide for appropriate adjustments in computing alternative minimum taxable income or adjusted current earnings for any taxable year following a taxable year for which a deduction was allowed under this subsection to ensure that no double benefit is allowed by reason of such deduction.''

(b) REPEAL OF LIMIT ON REDUCTION FOR INDEPENDENT PRODUCERS.—Subparagraphs (E) of section 57(a)(2) (relating to exception for independent producers) is amended to read as follows:

''(E) EXCEPTION FOR INDEPENDENT PRODUCERS.—In the case of any oil or gas well, this paragraph shall not apply to any taxpayer which is not an integrated oil company (as defined in section 291(b)(4)).''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after, and amounts paid or incurred in taxable years after, December 31, 1998.

SEC. 212. DEPRECIATION ADJUSTMENT NOT TO APPLY TO OIL AND GAS ASSETS.

(a) IN GENERAL.—Subparagraph (B) of section 56(a)(1) (relating to depreciation adjustments) is amended to read as follows:

''(B) EXCEPTIONS.—This paragraph shall not apply to—

''(i) property described in paragraph (1), (2), (3), or (4) of section 168(f), or

''(ii) property used in the active conduct of the trade or business of exploring for, extracting, developing, or gathering crude oil or natural gas.''

(b) CONFORMING AMENDMENT.—Paragraph (4)(A) of section 56(g) (relating to adjustments based on adjusted current earnings) is amended by adding at the end the following new clause:

''(vi) OIL AND GAS PROPERTY.—In the case of property used in the active conduct of the

trade or business of exploring for, extracting, developing, or gathering crude oil or natural gas, the amount allowable as depreciation or amortization with respect to such property shall be determined in the same manner as for purposes of computing the regular tax.''

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service in taxable years beginning after December 31, 1998.

SEC. 213. REPEAL CERTAIN ADJUSTMENTS BASED ON ADJUSTED CURRENT EARNINGS RELATING TO OIL AND GAS ASSETS.

(a) DEPRECIATION.—Clause (vi) of section 56(g)(4)(A), as added by section 212(b), is amended to read as follows:

''(vi) OIL AND GAS PROPERTY.—This subparagraph shall not apply to property used in the active conduct of the trade or business of exploring for, extracting, developing, or gathering crude oil or natural gas.''

(b) INTANGIBLE DRILLING COSTS.—Clause (i) of section 56(g)(4)(D) is amended by striking the second sentence and inserting ''In the case of any oil or gas well, this clause shall not apply in the case of amounts paid or incurred in taxable years beginning after December 31, 1998.''.

(c) DEPLETION.—Clause (ii) of section 56(g)(4)(F) is amended to read as follows:

''(ii) EXCEPTION FOR OIL AND GAS WELLS.—In the case of any taxable year beginning after December 31, 1998, clause (i) (and subparagraph (C)(i)) shall not apply to any deduction for depletion computed in accordance with section 613A.''

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1998.

SEC. 214. ENHANCED OIL RECOVERY CREDIT AND CREDIT FOR PRODUCING FUEL FROM A NONCONVENTIONAL SOURCE ALLOWED AGAINST MINIMUM TAX.

(a) ENHANCED OIL RECOVERY CREDIT ALLOWED AGAINST REGULAR AND MINIMUM TAX.—

(1) ALLOWING CREDIT AGAINST MINIMUM TAX.—Subsection (c) of section 38 (relating to limitation based on amount of tax), as amended by section 101(d), is amended by redesignating paragraph (4) as paragraph (5) and by inserting after paragraph (3) the following new paragraph:

''(4) SPECIAL RULES FOR ENHANCED OIL RECOVERY CREDIT.—

''(A) IN GENERAL.—In the case of the enhanced oil recovery credit—

''(i) this section and section 39 shall be applied separately with respect to the credit, and

''(ii) in applying paragraph (1) to the credit—

''(I) subparagraphs (A) and (B) thereof shall not apply, and

''(II) the limitation under paragraph (1) (as modified by subclause (I)) shall be reduced by the credit allowed under subsection (a) for the taxable year (other than the enhanced oil recovery credit).

''(B) ENHANCED OIL RECOVERY CREDIT.—For purposes of this subsection, the term 'enhanced oil recovery credit' means the credit allowable under subsection (a) by reason of section 43(a).''.

(2) CONFORMING AMENDMENTS.—

(A) Subclause (II) of section 38(c)(2)(A)(ii), as amended by section 101(d), is amended by striking ''or the marginal oil and gas well production credit'' and inserting '', the marginal oil and gas well production credit, or the enhanced oil recovery credit''.

(B) Subclause (II) of section 38(c)(3)(A)(ii), as added by section 101(d), is amended by inserting ''or the enhanced oil recovery credit'' after ''recovery credit''.

(b) CREDIT FOR PRODUCING FUEL FROM A NON-CONVENTIONAL SOURCE.—

(1) ALLOWING CREDIT AGAINST MINIMUM TAX.—Section 29(b)(6) is amended to read as follows:

''(6) APPLICATION WITH OTHER CREDITS.—The credit allowed by subsection (a) for any taxable year shall not exceed—

''(A) the regular tax for the taxable year and the tax imposed by section 55, reduced by

''(B) the sum of the credits allowable under subpart A and section 27.''

(2) CONFORMING AMENDMENTS.—

(A) Section 53(d)(1)(B)(iii) is amended by inserting ''as in effect on the date of the enactment of the Domestic Oil and Gas Crisis Tax Reliance Reversal Act of 1999,'' after ''29(b)(6)(B),''.

(B) Section 55(c)(2) is amended by striking ''29(b)(6),''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1998.

Subtitle C—Oil-for-Food Program Compensating Tax Benefits

SEC. 220. PURPOSE.

The purpose of this subtitle is to provide compensation to the domestic oil and gas industry in the form of tax benefits to offset the depressing impact that the Oil-for-Food Program is having on the world market.

SEC. 221. INCREASE IN PERCENTAGE DEPLETION FOR STRIPPER WELLS.

(a) IN GENERAL.—Subparagraph (C) of section 613A(c)(6) (relating to oil and natural gas produced from marginal properties) is amended—

(1) by striking ''25 percent'' and inserting ''27.5 percent'' in the matter preceding clause (i); and

(2) by striking ''$20'' and inserting ''$28'' in clause (ii).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1998.

SEC. 222. NET INCOME LIMITATION ON PERCENTAGE DEPLETION REPEALED FOR OIL AND GAS PROPERTIES.

(a) IN GENERAL.—Section 613(a) (relating to percentage depletion) is amended by striking the second sentence and inserting: ''Except in the case of oil and gas properties, such allowance shall not exceed 50 percent of the taxpayer's taxable income from the property (computed without allowances for depletion).''

(b) CONFORMING AMENDMENTS.—

(1) Section 613A(c)(7) (relating to special rules) is amended by striking subparagraph (C) and redesignating subparagraph (D) as subparagraph (C).

(2) Section 613A(c)(6) (relating to oil and natural gas produced from marginal properties) is amended by striking subparagraph (H).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1998.

SEC. 223. ELECTION TO EXPENSE GEOLOGICAL AND GEOPHYSICAL EXPENDITURES AND DELAY RENTAL PAYMENTS.

(a) PURPOSE.—The purpose of this section is to recognize that geological and geophysical expenditures and delay rentals are ordinary and necessary business expenses that should be deducted in the year the expense is incurred.

(b) ELECTION TO EXPENSE GEOLOGICAL AND GEOPHYSICAL EXPENDITURES.—

(1) IN GENERAL.—Section 263 (relating to capital expenditures) is amended by adding at the end the following new subsection:

''(j) GEOLOGICAL AND GEOPHYSICAL EXPENDITURES FOR DOMESTIC OIL AND GAS WELLS.—Notwithstanding subsection (a), a taxpayer may elect to treat geological and geophysical expenses incurred in connection with the exploration for, or development of, oil or gas within the United States (as defined in section 638) as expenses which are not chargeable to capital account. Any expenses so treated shall be allowed as a deduction in the taxable year in which paid or incurred.''

(2) CONFORMING AMENDMENT.—Section 263A(c)(3) is amended by inserting by inserting ''263(j),'' after ''263(i),''.

(3) EFFECTIVE DATE.—

(A) IN GENERAL.—The amendments made by this subsection shall apply to expenses paid or incurred after the date of the enactment of this Act.

(B) TRANSITION RULE.—In the case of any expenses described in section 263(j) of the Internal Revenue Code of 1986, as added by this subsection, which were paid or incurred on or before the date of the enactment of this Act, the taxpayer may elect, at such time and in such manner as the Secretary of the Treasury may prescribe, to amortize the unamortized portion of such expenses over the 36-month period beginning with the month in which the date of the enactment of this Act occurs. For purposes of this subparagraph, the unamortized portion of any expense is the amount remaining unamortized as of the first day of the 36-month period.

(c) ELECTION TO EXPENSE DELAY RENTAL PAYMENTS.—

(1) IN GENERAL.—Section 263 (relating to capital expenditures), as amended by subsection (b)(1), is amended by adding at the end the following new subsection:

''(k) DELAY RENTAL PAYMENTS FOR DOMESTIC OIL AND GAS WELLS.—

''(1) IN GENERAL.—Notwithstanding subsection (a), a taxpayer may elect to treat delay rental payments incurred in connection with the development of oil or gas within the United States (as defined in section 638) as payments which are not chargeable to capital account. Any payments so treated shall be allowed as a deduction in the taxable year in which paid or incurred.

''(2) DELAY RENTAL PAYMENTS.—For purposes of paragraph (1), the term 'delay rental payment' means an amount paid for the privilege of deferring development of an oil or gas well.''

(2) CONFORMING AMENDMENT.—Section 263A(c)(3), as amended by subsection (b)(2), is amended by inserting ''263(k),'' after ''263(j),''.

(3) EFFECTIVE DATE.—

(A) IN GENERAL.—The amendments made by this subsection shall apply to payments made or incurred after the date of the enactment of this Act.

(B) TRANSITION RULE.—In the case of any payments described in section 263(k) of the Internal Revenue Code of 1986, as added by this subsection, which were made or incurred on or before the date of the enactment of this Act, the taxpayer may elect, at such time and in such manner as the Secretary of the Treasury may prescribe, to amortize the unamortized portion of such payments over the 36-month period beginning with the month in which the date of the enactment of this Act occurs. For purposes of this subparagraph, the unamortized portion of any payment is the amount remaining unamortized as of the first day of the 36-month period.

SEC. 224. EXTENSION OF SPUDDING RULE.

(a) IN GENERAL.—Section 461(i)(2)(A) (relating to special rule for spudding of oil or gas

wells) is amended by striking ''90th day'' and inserting ''180th day''.

(b) EFFECTIVE DATE—The amendment made by this section shall apply to taxable years beginning after December 31, 1998.

TITLE III—FOREIGN OIL RELIANCE REVERSAL PROVISIONS

SEC. 300. PURPOSE.

The purpose of this title is to reverse the trend of increased foreign dependence of oil and gas by encouraging exploration and development of oil and gas reserves in the United States to achieve the goal of doubling current domestic oil and gas production.

''SEC. 301. CRUDE OIL AND NATURAL GAS EXPLORATION AND DEVELOPMENT CREDIT.

(a) CRUDE OIL AND NATURAL GAS EXPLORATION AND DEVELOPMENT CREDIT.—Subpart B of part IV of subchapter A of chapter 1 is amended by adding at the end the following new section:

''SEC. 30B. CRUDE OIL AND NATURAL GAS EXPLORATION AND DEVELOPMENT CREDIT.

''(a) GENERAL RULE.—The crude oil and natural gas exploration and development credit determined under this section for any applicable taxable year shall be an amount equal to the sum of—

''(1) 20 percent of so much of the taxpayer's qualified investment for the taxable year as does not exceed $1,000,000, plus

''(2) 10 percent of so much of such qualified investment for the taxable year as exceeds $1,000,000.

''(b) APPLICALE TAXABLE YEAR.—For purposes of subsection (a)—

''(1) IN GENERAL.—The term 'applicable taxable year' means any taxable year beginning in a calendar year during which the imports of foreign crude and oil product are determined by the Secretary of Energy to exceed 50 percent of the amount of United States crude and oil product consumption for such year.

''(2) DETERMINATION.—A determination under paragraph (1) shall be made not later than March 1 of each year with respect to the preceding calendar year.

''(c) QUALIFIED INVESTMENT.—For purposes of this section, the term 'qualified investment' means amounts paid or incurred by a taxpayer—

''(1) for the purpose of ascertaining the existence, location, extent, or quality of any crude oil or natural gas deposit, including core testing and drilling test wells located in the United States or in a possession of the United States as defined in section 638, or

''(2) for the purpose of developing a property (located in the United States or in a possession of the United States as defined in section 638) on which there is a reservoir capable of commercial production and such amounts are paid or incurred in connection with activities which are intended to result in the recovery of crude oil or natural gas on such property.

''(d) LIMITATION BASED ON AMOUNT OF TAX.—

''(1) LIABILITY FOR TAX.—The credit allowable under subsection (a) for any taxable year shall not exceed the excess (if any) of—

''(A) the sum of—

''(i) the taxpayer's tentative minimum tax liability under section 55(b) for such taxable year determined without regard to this section, plus

''(ii) the taxpayer's regular tax liability for such taxable year (as defined in section 26(b)), over

''(B) the sum of the credits allowable against the taxpayer's regular tax liability under part IV (other than section 43 of this section).

''(2) APPLICATION OF THE CREDIT.—Each of the following amounts shall be reduced by the full amount of the credit determined under paragraph (1):

''(A) the taxpayer's tentative minimum tax under section 55(b) for the taxable year, and

''(B) the taxpayer's regular tax liability (as defined in section 26(b)) reduced by the sum of the credits allowable under part IV (other than section 43 of this section).

If the amount of the credit determined under paragraph (1) exceeds the amount described in subparagraph (B) of paragraph (2), then the excess shall be deemed to be the adjusted net minimum tax for such taxable year for purposes of section 53.

''(3) CARRYBACK AND CARRYFORWARD OF UNUSED CREDIT.—

''(A) IN GENERAL.—If the amount of the credit allowed under subsection (a) for any taxable year exceeds the limitation under paragraph (1) for such taxable year (hereafter in this paragraph referred to as the 'unused credit year'), such excess shall be—

''(i) an oil and gas exploration and development credit carryback to each of the 3 taxable years preceding the unused credit year, and

''(ii) an oil and gas exploration and development credit carryforward to each of the 15 taxable years following the unused credit year,

and shall be added to the amount allowable as a credit under subsection (a) for such years, except that no portion of the unused oil and gas exploration and development credit for any taxable year may be carried to a taxable year ending before the date of the enactment of this section.

''(B) LIMITATIONS.—The amount of the unused credit which may be taken into account under subparagraph (A) for any succeeding taxable year shall not exceed the amount by which the limitation provided by paragraph (1) for such taxable year exceeds the sum of—

''(i) the credit allowable under subsection (a) for such taxable year, and

''(ii) the amounts which, by reason of this paragraph, are added to the amount allowable for such taxable year and which are attributable to taxable years preceding the unused credit year.

''(e) SPECIAL RULES.—For purposes of this section—

''(1) AGGREGATION OF QUALIFIED INVESTMENT EXPENSES.—

''(A) CONTROLLED GROUPS; COMMON CONTROL.—In determining the amount of the credit under this section, all members of the same controlled group of corporations (within the meaning of section 52(a)) and all persons under common control (within the meaning of section 52(b)) shall be treated as a single taxpayer for purposes of this section.

''(B) APPORTIONMENT OF CREDIT.—The credit (if any) allowable by this section to members of any group (or to any person) described in subparagraph (A) shall be such member's or person's proportionate share of the qualified investment expenses giving rise to the credit determined under regulations prescribed by the Secretary.

''(2) PARTNERSHIPS, S CORPORATIONS, ESTATES AND TRUSTS.—

''(A) PARTNERSHIPS AND S CORPORATIONS.—In the case of a partnership, the credit shall be allocated among partners under regulations prescribed by the Secretary. A similar rule shall apply in the case of an S corporation and its shareholders.

''(B) PASS-THRU IN THE CASE OF ESTATES AND TRUSTS.—Under regulations prescribed by the Secretary, rules similar to the rules of subsection (d) of section 52 shall apply.

''(3) ADJUSTMENTS FOR CERTAIN ACQUISITIONS AND DISPOSITIONS.—Under regulations prescribed by the Secretary, rules similar to the rules contained in section 41(f)(3) shall apply with respect to the acquisition or disposition of a taxpayer.

''(4) SHORT TAXABLE YEARS.—In the case of any short taxable year, qualified investment expenses shall be annualized in such circumstances and under such methods as the Secretary may prescribe by regulation.

''(5) DENIAL OF DOUBLE BENEFIT.—

''(A) DISALLOWANCE OF DEDUCTION.—Any deduction allowable under this chapter for any costs taken into account in computing the amount of the credit determined under subsection (a) shall be reduced by the amount of such credit attributable to such costs.

''(B) BASIS ADJUSTMENTS.—For purposes of this subtitle, if a credit is determined under this section for any expenditure with respect to any property, the increase in the basis of such property which would (but for this subsection) result from such expenditures shall be reduced by the amount of the credit so allowed.''

(b) CLERICAL AMENDMENT.—The table of sections for subpart B of part IV of subchapter A of chapter 1 is amended by adding at the end thereof the following new item:

''Sec. 30B. Crude oil and natural gas exploration and development credit.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to expenses paid or incurred in taxable years beginning after December 31, 1998.

TITLE IV—NATIONAL SECURITY EMERGENCY PROVISIONS

SEC. 400. PURPOSE.

The purpose of this title is to recognize that a national security threat exists when foreign crude oil, oil product, and natural gas imports exceed 60 percent of United States oil and gas consumption and to create an emergency procedure to address that threat.

SEC. 401. DUTIES OF THE PRESIDENT.

(a) ESTABLISHMENT OF CEILING.—The President shall establish a National Security Energy Independence Ceiling (Referred to in this title as the ''ceiling level'') which shall represent a ceiling level beyond which foreign crude oil, oil product, and natural gas imports as a share of United States crude and oil product consumption shall not rise.

(b) LEVEL OF CEILING.—The ceiling level established under subsection (a) shall not exceed 60 percent of United States crude oil, oil product, and natural gas consumption for any annual period.

(c) REPORT.—

(1) CONTENTS.—

(A) IN GENERAL.—The President shall prepare and submit an annual report to Congress containing a national security projection for energy independence (in this title referred to as the ''projection''), which shall contain a forecast of domestic oil and liquid natural gas (commonly known as ''NGL'') demand and production, and imports of crude oil, oil product, and natural gas, for the subsequent 3 years.

(B) REQUIRED ADJUSTMENTS.—The projection shall contain appropriate adjustments for expected price and production changes.

(2) PRESENTATION.—The projection prepared under paragraph (1) shall be presented to Congress with the Budget.

(3) CERTIFICATION.—The President shall certify in the report whether foreign crude

oil, oil product, and natural gas imports will exceed the ceiling level for any year during the 3 years succeeding the date of the report.

SEC. 402. CONGRESSIONAL REVIEW.

(a) REVIEW.—Congress shall have 10 continuous session days after submission of each projection under section 401 to review the projection and make a determination whether the ceiling level will be violated within 3 years.

(b) CERTIFICATION BINDING.—Unless disapproved or modified by joint resolution, the Presidential certification shall be binding 10 session days after submitted to Congress.

SEC. 403. NATIONAL SECURITY AND OIL AND GAS PRODUCTION ACTIONS.

(a) NATIONAL SECURITY AND OIL AND GAS PRODUCTION POLICY.—

(1) SUBMISSION.—Upon certification under section 401(c)(3) that the ceiling level will be exceeded, the President shall, within 90 days, submit a National Security and Oil and Gas Production Policy (in this section referred to as the ''policy'') to Congress. The policy shall prevent crude oil, oil product, and natural gas imports from exceeding the ceiling level.

(2) APPROVAL.—Unless disapproved or modified by joint resolution, the policy shall be effective 90 session days after submitted to Congress.

(b) CONTENTS OF POLICY.—The National Security and Oil Production Policy may include—

(1) energy conservation actions, including improved fuel efficiency for automobiles;

(2) expansion of the Strategic Petroleum Reserves to maintain a larger cushion against projected oil import blockages;

(3) additional production incentives for domestic oil and gas, including tax and other incentives for stripper well production, offshore, frontier, and other oil produced with tertiary recovery techniques;

(4) regulatory burden relief; and

(5) other policy initiatives designed to lower foreign import reliance.

DOMESTIC OIL AND GAS CRISIS TAX RELIEF AND FOREIGN OIL RELIANCE REVERSAL ACT OF 1999

SEC. 2. PURPOSES.

To establish a graduated response to shrinking domestic oil and gas production and surging foreign oil imports;

To prevent the abandonment of marginal oil and gas wells responsible for half of U.S. domestic production;

To transform earned tax credits and other benefits into working capital for the cash-strapped domestic oil and gas producers and service companies;

To compensate U.S. producers for the hardship the Oil for Food program is causing them;

To reverse the trend of increased foreign oil and gas dependence by encouraging exploration and development of oil and gas reserves in the U.S. to achieve the goal of doubling current domestic oil and gas production;

To provide an emergency procedure when foreign imports exceed 60 percent, thereby recognizing that when imports exceed a Congressionally legislated peril point, a national security threat exists that demands Presidential action.

SEC. 3. FINDINGS.

(a) FINDINGS.—The Congress finds that—

(1) U.S. foreign oil consumption is estimated at 56 percent and could reach 68 percent by 2010 if current prices prevail.

(2) The number of oil and gas rigs operating in the United States is at the lowest count since 1944, when records of this tally began.

(3) If prices do not increase soon, the U.S. could lose at least half of its marginal wells which in aggregate produce as much oil as we import from Saudi Arabia;

(4) Oil and gas prices are unlikely to increase for at least several years;

(5) Declining production, well abandonment and greatly reduced exploration and development are shrinking the domestic oil and gas industry;

(6) The world's richest oil producing regions in the Middle East are experiencing greater political instability;

(7) U.N. policy may make Iraq the swing oil producing nation, thereby granting Saddem Hussein a tremendous amount of power;

(8) Reliance on foreign oil for more than 60 percent of our daily oil and gas consumption is a national security threat;

(9) the level of the United States energy security is directly related to the level of domestic production of oil, natural gas liquids, and natural gas; and

(10) a national security policy should be developed which ensures that adequate supplies of oil shall be available at all times free of the threat of embargo or other foreign hostile acts.

SEC. 4. TABLE OF CONTENTS.

TITLE I—DOMESTIC OIL AND GAS PRODUCTION PRESERVATION PROVISIONS

(101(a)) Purpose: To prevent the abandonment of marginal oil and gas wells responsible for half of U.S. Domestic production

(101) Tax credit to prolong marginal domestic oil and gas well production.

( ) Expand definition of marginal well to include high water content wells.

(102) Exclusion of certain amounts received from the production of wells reopened after they have been plugged or abandoned.

(103) Tax credits to prolong domestic oil and gas well production through secondary and other nontertiary recovery methods in order to produce the remaining 75 percent of oil and gas that is not recoverable using primary methods.

TITLE II—DOMESTIC OIL AND GAS INDUSTRY CRISIS TAX RELIEF TRIGGERED WHEN PRICE OF OIL IS BELOW $15 A BARREL

A. Credits to cash provisions

(200) Purpose: To transform earned tax credits and other accumulated tax benefits into working capital for the cash-strapped domestic oil and gas producers and service companies.

(201) Ten year carry-back for unused AMT credits for oil and gas producers and servicing firms.

(202) Ten year carry-back for unused percentage depletion for oil and gas producers.

( ) Repeal 65 percent of net rule.

(203) Ten year carry-back for NOLs for producers and servicing firms.

B. Hard times tax relief when price of oil is less than $14 a barrel

(211) Remove IDCs as AMT tax preference in any year when price of oil is less than $14 a barrel (Phased out when oil prices hit $17).

(212) Eliminate the depreciation adjustment under the AMT for oil and gas assets so that the depreciation schedules for the regular tax is also used for AMT.

(213) Eliminate the Adjusted Current Earnings adjustment (ACE) as it applies to IDCs.

(214) Permit EOR credit and Section 29 credit to reduce the Alternative Minimum Tax.

C. Tax benefits to offset the depressing impact on oil prices that the Food for Oil Program is having

(221) Restore percentage depletion to 27.5 percent.

(222) Repeal net income limitation on percentage depletion.

(223) Allow Expensing geological and geophysical expenditures.

(223) Allow Election to Expense Delay Rentals payments.

(224) Extension of Spudding rule.

TITLE III—FOREIGN OIL RELIANCE REVERSAL PROVISIONS TRIGGERED WHEN IMPORTS EXCEED 50 PERCENT

(300) Purpose: To reverse the trend of increased foreign dependence of oil and gas by encouraging exploration and development of oil and gas reserves in the U.S. to achieve the goal of doubling current domestic oil and gas production.

(301) 20 percent exploration and development credit when imports exceed 50 percent.

TITLE IV—NATIONAL SECURITY EMERGENCY WHEN IMPORTS EXCEED 60 PERCENT

(400) Purpose: To provide an emergency procedure when foreign imports exceed 60 percent to require the President to implement an energy security strategic plan to designed to prevent crude and product imports from exceeding 60 percent.

(401) Duties of the President.

(402) Congressional Review of the Strategic plan proposed by the President.

(403) Energy Security strategic plan and course of action.

By Mr. SMITH of New Hampshire (for himself, Mr. INHOFE, Mr. BURNS, Mr. ENZI, and Mr. MURKOWSKI):

S. 597. A bill to amend section 922 of chapter 44 of title 28, United States Code, to protect the right of citizens under the Second Amendment to the Constitution of the United States; to the Committee on the Judiciary.

SECOND AMENDMENT RIGHTS PROTECTION ACT OF 1999

Mr. SMITH of New Hampshire. Mr. President, I rise to introduce the ''Second Anendment Rights Protection Act of 1999.'' I am pleased and honored that Senators INHOFE, BURNS, ENZI, and MURKOWSKI are joining me as original cosponsors.

Mr. President, the Second Amendment Rights Protection Act of 1999 encompasses all of the provisions of the Smith Amendment, which passed the Senate by a vote of 69–31 on July 21, 1998, during consideration of the Commerce, Justice, State appropriations bill for fiscal year 1999. Only a substantially modified version of the Smith amendment was included in the final omnibus appropriations measure.

The National Instant Criminal Background Check System (NICS) went into effect on December 1, 1998. My bill would require the immediate destruction of all information submitted by any person who has been cleared by the NICS to purchase a firearm. There is no reason why such private information on law-abiding gun owners should be retained. I continue to be troubled

by the Clinton administration's insistence upon doing so.

In addition, Mr. President, my bill would prohibit the imposition of any tax or fee in connection with the NICS. Once again, in his budget submission for fiscal year 2000, President Clinton is seeking to fund NICS with a gun tax.

With the Smith amendment last year, we told President Clinton ''no'' to the gun tax. Let us tell him ''no'' again, once and for all, by enacting the Second Amendment Rights Protection Act.

Finally, Mr. President, my bill would create a private cause of action for any individual who is aggrieved by a violation of its provisions.

Mr. President, I ask unanimous consent for the printing of the text of my bill, the Second Amendment Rights Protection Act of 1999, in the RECORD.

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

S. 597

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 ''Second Amendment Rights Protection Act of 1999.''

SEC. 2. PROTECTION OF SECOND AMENDMENT RIGHTS.

Subsection (t) of section 922 of chapter 44 of Title 18, United States Code, is amended by inserting at the end thereof the following new paragraph:

''(7) None of the funds appropriated pursuant to any provision of law may be used for (1) any system to implement this subsection that does not require and result in the immediate destruction of all information, in any form whatsoever, submitted by or on behalf of any person who has been determined not be prohibited from owning a firearm; (2) the implementation or collection of any tax or fee by any officer, agent, or employee of the United States, or by any state or local officer or agent acting on behalf of the United States, in connection with the implementation of this subsection, provided, that any person aggrieved by a violation of this provision may bring an action in the Federal district court for the district in which the person resides; provided further, that any person who is successful with respect to any such action shall receive damages, punitive damages, and such other remedies as the court may determine to be appropriate, including a reasonable attorney's fee.''

By Mr. SANTORUM:

S. 598. A bill to amend the Federal Agriculture Improvement and Reform Act of 1996 to improve the farmland protection program; to the Committee on Agriculture, Nutrition, and Forestry.

FARMLAND PROTECTION ACT OF 1999

Mr. SANTORUM. Mr. President, I rise today to introduce legislation that would reauthorize the Farmland Protection Program that was originally authorized with passage of the 1996 Farm Bill.

Every year more than one million acres of our nation's most productive farmland is lost to urbanization. This is land that produces three-quarters of America's fruits and vegetables, and more than half of our dairy products. While state and local governments have taken the lead in preservation efforts, the demand for assistance continues to grow.

Considering the importance of agriculture to our nation, and to generations of families throughout our country, I was proud to take a lead role in the United States Senate to assist farmers and communities in confronting the obstacle of growing pressure on the use of farmland. As such, I, with the support of many Senate colleagues, established the Federal Farmland Protection Program to stem the loss of valuable farmland, and to provide states with adequate tools to accomplish that goal. Those efforts resulted in a $35 million authorization in the 1996 Farm Bill.

This money has been used to help states leverage dollars in order to purchase development rights, and keep productive farmland in use—all through voluntary efforts. In just three short years, the funds were exhausted due to the overwhelming response by farmers and state governments. In fact, by the end of fiscal year 1997 the original $35 million authorization had been spent, and the demand outstripped funding availability by 900 percent.

The legislation that I'm introducing today, the Farmland Protection Act of 1999, would provide a $50 million per year authorization for the much-needed funds to carry out the important work of farmland preservation. In addition, my bill would allow non-profit organizations to participate in the program—where there is no established government program—as they are currently precluded from doing so in certain states.

Mr. President, I am proud to introduce this legislation that will enable us to take another giant step forward in protecting a valuable resource to many Americans. To date, nineteen states have capitalized on this opportunity to augment their preservation efforts, and hopefully, the Farmland Protection Act of 1999 will give more states the tools to assist their local farming community.

Mr. President, I ask unanimous consent that a copy 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. 598

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 ''Farmland Protection Act of 1999''.

SEC. 2. FARMLAND PROTECTION PROGRAM.

Section 388 of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 3830 note; Public Law 104–127) is amended to read as follows:

''SEC. 388. FARMLAND PROTECTION PROGRAM.

''(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means—

''(1) any agency of any State or local government, or federally recognized Indian tribe; and

''(2) any organization that—

''(A) is organized for, and at all times since its formation has been operated principally for, 1 or more of the conservation purposes specified in clause (i), (ii), or (iii) of section 170(h)(4)(A) of the Internal Revenue Code of 1986;

''(B) is an organization described in section 501(c)(3) of the Code that is exempt from taxation under section 501(a) of the Code; and

''(C)(i) is described in section 509(a)(2) of the Code; or

''(ii) is described in section 509(a)(3) of the Code and is controlled by an organization described in section 509(a)(2) of the Code.

''(b) AUTHORITY.—The Secretary of Agriculture shall establish and carry out a farmland protection program under which the Secretary shall provide grants to eligible entities, to provide the Federal share of the cost of purchasing conservation easements or other interests in land with prime, unique, or other productive soil for the purpose of protecting topsoil by limiting nonagricultural uses of the land.

''(c) ELIGIBLE ENTITIES.—The Secretary may provide a grant to an eligible entity described in subsection (a)(2) for the purchase of a conservation easement or other interest in land within the jurisdiction of a State or local government or federally recognized Indian tribe only if the appropriate agency of the State or local government or the federally recognized Indian tribe does not operate a farmland protection program.

''(d) FEDERAL SHARE.—The Federal share of the cost of purchasing a conservation easement or other interest described in subsection (b) shall be not more than 50 percent.

''(e) CONSERVATION PLAN.—Any land for which a conservation easement or other interest is purchased under this section shall be subject to the requirements of a conservation plan that requires, at the option of the Secretary, the conversion of the land to less intensive uses.

''(f) RANKING CRITERIA.—The Secretary shall consult with appropriate agencies of States and local governments and federally recognized Indian tribes in developing criteria for ranking applications for grants under this section.

''(g) FUNDING.—For each fiscal year, the Secretary shall use not more than $50,000,000 of the funds of the Commodity Credit Corporation to carry out this section.''.

By Mr. CHAFEE (for himself, Mr. HATCH, Mr. COCHRAN, Ms. SNOWE, Mr. ROBERTS, Mr. SPECTER, and Ms. COLLINS):

S. 599. A bill to amend the Internal Revenue Code of 1986 to provide additional tax relief to families to increase the affordability of child care, and for other purposes; to the Committee on Finance.

THE CARING FOR CHILDREN ACT

Mr. CHAFEE. Mr. President, I am pleased today to introduce the Caring for Children Act, legislation to help all families with their child care needs.

I want to thank my colleagues who have worked so hard to put this bill together. Senator HATCH, who was a leader in the development of the child care block grant, and is always a stalwart supporter of children. Senator SNOWE, who has worked on this issue for many years. Senator ROBERTS, who has taken an active interest in this issue. Senator SPECTER, who made an enormous contribution to the development of this bill. And Senators SUSAN COLLINS and THAD COCHRAN, who we are very fortunate to have on our child care proposal.

Our proposal is straightforward and far-reaching. It makes the current child care credit more equitable for lower and middle income families. And, for the first time, makes the credit available to families where one parent stays at home to care for the children. That is a critical step and an important change for families across America.

Raising children in today's world is a true challenge. In many families, both parents must work in order to support the family. Often, the child care expenses consume all or most of one parent's income. How often do we hear the refrain, particularly from women, that after they pay for day care, there is little or nothing left of their wages.

Another common complaint is from parents who desperately want to stay home and raise their children themselves—especially in those very critical, early years of childhood—but who simply cannot afford to forgo that second income.

The legislation we are introducing today responds to both of these concerns. We believe that parents should make their own decisions about who is going to care for their children. The government and the Tax Code should not be promoting one choice over another.

By making more of the existing child care tax credit available to lower and middle income families, and making it available also to families where one parent stays at home, we are sending the message that the choice is yours, and we support your choice.

Our bill makes several changes to the existing dependent care tax credit. First, the maximum credit percentage is increased from 30 percent to 50 percent to provide more benefits to those most in need. Second, the income level at which the maximum credit begins to be reduced is moved from $10,000 to $30,000, so that more lower-income families will qualify for the maximum amount of assistance. Third, we propose to completely phase out the credit for wealthier families. Finally, families where one spouse stays at home to care for the children will be eligible for a credit similar to the one they would receive if both parents were working outside the home and the child was in daycare.

We also acknowledge that we cannot solve the entire child care problem through the Tax Code alone. Many low-income families do not have taxable income, and therefore cannot benefit from a tax credit. The Child Care and Development Block Grant (CCDBG) provides critical funding to help these lower-income families—and I have been a strong supporter of the program. Recognizing the critical role CCDBG plays in subsidizing daycare for low-income families in the states, our proposal doubles the block grant over a five-year period.

Of course, the problem with child care is not limited to just affordability. Many parents cannot find an available child care slot. Our proposal addresses this issue of accessibility by providing a tax credit to businesses to build or renovate on or near-site child care centers for their employees.

Finally, there is the issue of quality daycare. Parents cannot be productive in the workplace if they are constantly worrying about the health and safety of their children in daycare. We have all read the horrifying stories in the newspapers about daycare facilities that are unsafe or unsanitary, about the poor record of enforcement of standards in many states.

While we acknowledge that the federal government should not be setting standards for daycare providers, we do believe the states should set at least minimum health and safety standards and enforce them rigorously. Our legislation beefs up this enforcement by rewarding states with a good enforcement record and penalizing those with poor records.

I am very proud of this legislation, and proud that this group was able to come together and produce this initiative. Child care is a problem that must be solved, and we are committed to doing that. I look forward to working with my colleagues in the Congress to find workable, affordable solutions for all families. I ask unanimous consent that the legislation be printed in the RECORD.

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

S. 599

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 ''Caring for Children Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—TAX RELIEF TO INCREASE CHILD CARE AFFORDABILITY

Sec. 101. Expansion of dependent care tax credit.

Sec. 102. Promotion of dependent care assistance programs.

Sec. 103. Allowance of credit for employer expenses for child care assistance.

TITLE II—ENCOURAGING QUALITY CHILD CARE

Subtitle A—Dissemination of Information About Quality Child Care

Sec. 201. Collection and dissemination of information.

Sec. 202. Grants for the development of a child care training infrastructure.

Sec. 203. Authorization of appropriations.

Subtitle B—Increased Enforcement of State Health and Safety Standards

Sec. 211. Enforcement of State health and safety standards.

Subtitle C—Removal of Barriers to Increasing the Supply of Quality Child Care

Sec. 221. Increased authorization of appropriations for the Child Care and Development Block Grant Act.

Sec. 222. Small business child care grant program.

Sec. 223. GAO report regarding the relationship between legal liability concerns and the availability and affordability of child care.

Subtitle D—Quality Child Care Through Federal Facilities and Programs

Sec. 231. Providing quality child care in Federal facilities.

TITLE I—TAX RELIEF TO INCREASE CHILD CARE AFFORDABILITY

SEC. 101. EXPANSION OF DEPENDENT CARE TAX CREDIT.

(a) PERCENTAGE OF EMPLOYMENT-RELATED EXPENSES DETERMINED BY TAXPAYER STATUS.—Section 21(a)(2) of the Internal Revenue Code of 1986 (defining applicable percentage) is amended to read as follows:

''(2) APPLICABLE PERCENTAGE DEFINED.—For purposes of paragraph (1), the term 'applicable percentage' means 50 percent reduced (but not below zero) by 1 percentage point for each $1,500, or fraction thereof, by which the taxpayers's adjusted gross income for the taxable year exceeds $30,000.''.

(b) MINIMUM CREDIT ALLOWED FOR STAY-AT-HOME PARENTS.—Section 21(e) of the Internal Revenue Code of 1986 (relating to special rules) is amended by adding at the end the following:

''(11) MINIMUM CREDIT ALLOWED FOR STAY-AT-HOME PARENTS.—Notwithstanding subsection (d), in the case of any taxpayer with one or more qualifying individuals described in subsection (b)(1)(A) under the age of 4 at any time during the taxable year, such taxpayer shall be deemed to have employment-related expenses with respect to such qualifying individuals in an amount equal to the greater of—

''(A) the amount of employment-related expenses incurred for such qualifying individuals for the taxable year (determined under this section without regard to this paragraph), or

''(B) $150 for each month in such taxable year during which such qualifying individual is under the age of 4.''.

(c) EFFECTIVE DATE.—The amendments made by this section apply to taxable years beginning after December 31, 1998.

SEC. 102. PROMOTION OF DEPENDENT CARE ASSISTANCE PROGRAMS.

(a) PROMOTION OF DEPENDENT CARE ASSISTANCE PROGRAMS.—The Secretary of Labor shall establish a program to promote awareness of the use of dependent care assistance programs (as described in section 129(d) of the Internal Revenue Code of 1986) by employers.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to

carry out the program under paragraph (1) $1,000,000 for each of fiscal years 2000, 2001, 2002, and 2003.

SEC. 103. ALLOWANCE OF CREDIT FOR EMPLOYER EXPENSES FOR CHILD CARE ASSISTANCE.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to business related credits) is amended by adding at the end the following:

"SEC. 45D. EMPLOYER-PROVIDED CHILD CARE CREDIT.

''(a) ALLOWANCE OF CREDIT.—For purposes of section 38, the employer-provided child care credit determined under this section for the taxable year is an amount equal to 20 percent of the qualified child care expenditures of the taxpayer for such taxable year.

''(b) DOLLAR LIMITATION.—The credit allowable under subsection (a) for any taxable year shall not exceed $100,000.

''(c) DEFINITIONS.—For purposes of this section—

''(1) QUALIFIED CHILD CARE EXPENDITURE.—

''(A) IN GENERAL.—The term 'qualified child care expenditure' means any amount paid or incurred—

''(i) to acquire, construct, rehabilitate, or expand property—

''(I) which is to be used as part of a qualified child care facility of the taxpayer,

''(II) with respect to which a deduction for depreciation (or amortization in lieu of depreciation) is allowable, and

''(III) which does not constitute part of the principal residence (within the meaning of section 1034) of the taxpayer or any employee of the taxpayer,

''(ii) for the operating costs of a qualified child care facility of the taxpayer, including costs related to the training of employees,

''(iii) under a contract with a qualified child care facility to provide child care services to employees of the taxpayer, or

''(iv) under a contract to provide child care resource and referral services to employees of the taxpayer.

''(2) EXCLUSION FOR AMOUNTS FUNDED BY GRANTS, ETC.—The term 'qualified child care expenditure' shall not include any amount to the extent such amount is funded by any grant, contract, or otherwise by another person (or any governmental entity).

''(3) QUALIFIED CHILD CARE FACILITY.—

''(A) IN GENERAL.—The term 'qualified child care facility' means a facility—

''(i) the principal use of which is to provide child care assistance, and

''(ii) which meets the requirements of all applicable laws and regulations of the State or local government in which it is located, including, but not limited to, the licensing of the facility as a child care facility.

Clause (i) shall not apply to a facility which is the principal residence (within the meaning of section 1034) of the operator of the facility.

''(B) SPECIAL RULES WITH RESPECT TO A TAXPAYER.—A facility shall not be treated as a qualified child care facility with respect to a taxpayer unless—

''(i) enrollment in the facility is open to employees of the taxpayer during the taxable year,

''(ii) the facility is not the principal trade or business of the taxpayer unless at least 30 percent of the enrollees of such facility are dependents of employees of the taxpayer, and

''(iii) the use of such facility (or the eligibility to use such facility) does not discriminate in favor of employees of the taxpayer who are highly compensated employees (within the meaning of section 414(q)).

''(d) RECAPTURE OF ACQUISITION AND CONSTRUCTION CREDIT.—

''(1) IN GENERAL.—If, as of the close of any taxable year, there is a recapture event with respect to any qualified child care facility of the taxpayer, then the tax of the taxpayer under this chapter for such taxable year shall be increased by an amount equal to the product of—

''(A) the applicable recapture percentage, and

''(B) the aggregate decrease in the credits allowed under section 38 for all prior taxable years which would have resulted if the qualified child care expenditures of the taxpayer described in subsection (c)(1)(A) with respect to such facility had been zero.

''(2) APPLICABLE RECAPTURE PERCENTAGE.—

''(A) IN GENERAL.—For purposes of this subsection, the applicable recapture percentage shall be determined from the following table:

"If the recapture event occurs in:	The applicable recapture percentage is:
Years 1–3	100
Year 4	85
Year 5	70
Year 6	55
Year 7	40
Year 8	25
Years 9 and 10	10
Years 11 and thereafter	0.

''(B) YEARS.—For purposes of subparagraph (A), year 1 shall begin on the first day of the taxable year in which the qualified child care facility is placed in service by the taxpayer.

''(3) RECAPTURE EVENT DEFINED.—For purposes of this subsection, the term 'recapture event' means—

''(A) CESSATION OF OPERATION.—The cessation of the operation of the facility as a qualified child care facility.

''(B) CHANGE IN OWNERSHIP.—

''(i) IN GENERAL.—Except as provided in clause (ii), the disposition of a taxpayer's interest in a qualified child care facility with respect to which the credit described in subsection (a) was allowable.

''(ii) AGREEMENT TO ASSUME RECAPTURE LIABILITY.—Clause (i) shall not apply if the person acquiring such interest in the facility agrees in writing to assume the recapture liability of the person disposing of such interest in effect immediately before such disposition. In the event of such an assumption, the person acquiring the interest in the facility shall be treated as the taxpayer for purposes of assessing any recapture liability (computed as if there had been no change in ownership).

''(4) SPECIAL RULES.—

''(A) TAX BENEFIT RULE.—The tax for the taxable year shall be increased under paragraph (1) only with respect to credits allowed by reason of this section which were used to reduce tax liability. In the case of credits not so used to reduce tax liability, the carryforwards and carrybacks under section 39 shall be appropriately adjusted.

''(B) NO CREDITS AGAINST TAX.—Any increase in tax under this subsection shall not be treated as a tax imposed by this chapter for purposes of determining the amount of any credit under subpart A, B, or D of this part.

''(C) NO RECAPTURE BY REASON OF CASUALTY LOSS.—The increase in tax under this subsection shall not apply to a cessation of operation of the facility as a qualified child care facility by reason of a casualty loss to the extent such loss is restored by reconstruction or replacement within a reasonable period established by the Secretary.

''(e) SPECIAL RULES.—For purposes of this section—

''(1) AGGREGATION RULES.—All persons which are treated as a single employer under subsections (a) and (b) of section 52 shall be treated as a single taxpayer.

''(2) PASS-THRU IN THE CASE OF ESTATES AND TRUSTS.—Under regulations prescribed by the Secretary, rules similar to the rules of subsection (d) of section 52 shall apply.

''(3) ALLOCATION IN THE CASE OF PARTNERSHIPS.—In the case of partnerships, the credit shall be allocated among partners under regulations prescribed by the Secretary.

''(f) NO DOUBLE BENEFIT.—

''(1) REDUCTION IN BASIS.—For purposes of this subtitle—

''(A) IN GENERAL.—If a credit is determined under this section with respect to any property by reason of expenditures described in subsection (c)(1)(A), the basis of such property shall be reduced by the amount of the credit so determined.

''(B) CERTAIN DISPOSITIONS.—If during any taxable year there is a recapture amount determined with respect to any property the basis of which was reduced under subparagraph (A), the basis of such property (immediately before the event resulting in such recapture) shall be increased by an amount equal to such recapture amount. For purposes of the preceding sentence, the term 'recapture amount' means any increase in tax (or adjustment in carrybacks or carryovers) determined under subsection (d).

''(2) OTHER DEDUCTIONS AND CREDITS.—No deduction or credit shall be allowed under any other provision of this chapter with respect to the amount of the credit determined under this section.

''(g) TERMINATION.—This section shall not apply to taxable years beginning after December 31, 2003.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 38(b) of the Internal Revenue Code of 1986 is amended—

(A) by striking out ''plus'' at the end of paragraph (11),

(B) by striking out the period at the end of paragraph (12), and inserting a comma and ''plus'', and

(C) by adding at the end the following new paragraph:

''(13) the employer-provided child care credit determined under section 45D.''.

(2) The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 45D. Employer-provided child care credit.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1998.

TITLE II—ENCOURAGING QUALITY CHILD CARE

Subtitle A—Dissemination of Information About Quality Child Care

SEC. 201. COLLECTION AND DISSEMINATION OF INFORMATION.

(a) COLLECTION AND DISSEMINATION OF INFORMATION.—The Secretary of Health and Human Services shall, directly or through a contract awarded on a competitive basis to a qualified entity, collect and disseminate—

(1) information concerning health and safety in various child care settings that would assist—

(A) the provision of safe and healthful environments by child care providers; and

(B) the evaluation of child care providers by parents; and

(2) relevant findings in the field of early childhood learning and development.

(b) INFORMATION AND FINDINGS TO BE GENERALLY AVAILABLE.—

(1) SECRETARIAL RESPONSIBILITY.—The Secretary of Health and Human Services shall make the information and findings described in subsection (a) generally available to States, units of local governments, private nonprofit child care organizations (including resource and referral agencies), employers, child care providers, and parents.

(2) DEFINITION OF GENERALLY AVAILABLE.—For purposes of paragraph (1), the term ''generally available'' means that the information and findings shall be distributed through resources that are used by, and available to, the public, including such resources as brochures, Internet web sites, toll-free telephone information lines, and public and private resource and referral organizations.

SEC. 202. GRANTS FOR THE DEVELOPMENT OF A CHILD CARE TRAINING INFRASTRUCTURE.

(a) AUTHORITY TO AWARD GRANTS.—The Secretary of Health and Human Services shall award grants to eligible entities to develop distance learning child care training technology infrastructures and to develop model technology-based training courses for child care providers and child care workers. The Secretary shall, to the maximum extent possible, ensure that grants for the development of distance learning child care training technology infrastructures are awarded in those regions of the United States with the fewest training opportunities for child care providers.

(b) ELIGIBILITY REQUIREMENTS.—To be eligible to receive a grant under subsection (a), an entity shall—

(1) develop the technological and logistical aspects of the infrastructure described in this section and have the capability of implementing and maintaining the infrastructure;

(2) to the maximum extent possible, develop partnerships with secondary schools, institutions of higher education, State and local government agencies, and private child care organizations for the purpose of sharing equipment, technical assistance, and other technological resources, including—

(A) sites from which individuals may access the training;

(B) conversion of standard child care training courses to programs for distance learning; and

(C) ongoing networking among program participants; and

(3) develop a mechanism for participants to—

(A) evaluate the effectiveness of the infrastructure, including the availability and affordability of the infrastructure, and the training offered the infrastructure; and

(B) make recommendations for improvements to the infrastructure.

(c) APPLICATION.—To be eligible to receive a grant under subsection (a), an entity shall submit an application to the Secretary at such time and in such manner as the Secretary may require, and that includes—

(1) a description of the partnership organizations through which the distance learning programs will be disseminated and made available;

(2) the capacity of the infrastructure in terms of the number and type of distance learning programs that will be made available;

(3) the expected number of individuals to participate in the distance learning programs; and

(4) such additional information as the Secretary may require.

(d) LIMITATION ON FEES.—No entity receiving a grant under this section may collect fees from an individual for participation in a distance learning child care training program funded in whole or in part by this section that exceed the pro rata share of the amount expended by the entity to provide materials for the training program and to develop, implement, and maintain the infrastructure (minus the amount of the grant awarded by this section).

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as requiring a child care provider to subscribe to or complete a distance learning child care training program made available by this section.

SEC. 203. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this subtitle $50,000,000 for each of fiscal years 2000 through 2004.

Subtitle B—Increased Enforcement of State Health and Safety Standards

SEC. 211. ENFORCEMENT OF STATE HEALTH AND SAFETY STANDARDS.

(a) IDENTIFICATION OF STATE INSPECTION RATE.—

(1) IN GENERAL.—Section 658E(c)(2)(G) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(2)(G)) is amended by striking the period and inserting '', and provide the percentage of completed child care provider inspections that were required under State law for each of the 2 preceding fiscal years.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) applies to State plans under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) on and after September 1, 1999.

(b) INCREASED OR DECREASED ALLOTMENTS.—Section 658O(b) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858m(b)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by inserting '', subject to paragraph (5),'' after ''shall''; and

(2) by adding at the end the following:

''(5) INCREASED OR DECREASED ALLOTMENT BASED ON STATE INSPECTION RATE.—

''(A) INCREASED ALLOTMENT FOR FISCAL YEARS 2000, 2001, AND 2002.—

''(i) IN GENERAL.—Subject to clause (iii), for fiscal years 2000, 2001, and 2002, the allotment determined for a State under paragraph (1) for each such fiscal year shall be increased by an amount equal to 10 percent of such allotment for the fiscal year involved with respect to any State—

''(I) that certifies to the Secretary that the State has not reduced the scope of any State child care health or safety standards or requirements that were in effect as of December 31, 1998; and

''(II) that, with respect to the preceding fiscal year, had a percentage of completed child care provider inspections (as required to be reported under section 658E(c)(2)(G)), that equaled or exceeded the target inspection and enforcement percentage specified under clause (ii) for the fiscal year for which the allotment is to be paid.

''(ii) TARGET INSPECTION AND ENFORCEMENT PERCENTAGE.—For purposes of clause (i)(II), the target inspection and enforcement percentage is—

''(I) for fiscal year 2000, 75 percent;

''(II) for fiscal year 2001, 80 percent; and

''(III) for fiscal year 2002, 100 percent.

''(iii) PRO RATA REDUCTIONS IF INSUFFICIENT APPROPRIATIONS.—The Secretary shall make pro rata reductions in the percentage increase otherwise required under clause (i) for a State allotment for a fiscal year as necessary so that the aggregate of all the allotments made under this section do not exceed the amount appropriated for that fiscal year under section 658B.

''(B) DECREASED ALLOTMENT FOR FISCAL YEARS 2001 AND 2002.—

''(i) IN GENERAL.—The allotment determined for a State under paragraph (1) for each of fiscal years 2001 and 2002 shall be decreased by an amount equal to 10 percent of such allotment for the fiscal year involved with respect to any State that, with respect to the preceding fiscal year, had a percentage of completed child care provider inspections (as required to be reported under section 658E(c)(2)(G)) that was below the minimum inspection and enforcement percentage specified under clause (ii) for the fiscal year for which the allotment is to be paid.

''(ii) MINIMUM INSPECTION AND ENFORCEMENT PERCENTAGE.—For purposes of clause (i), the minimum inspection and enforcement percentage is—

''(I) for fiscal year 2001, 50 percent; and

''(II) for fiscal year 2002, 75 percent.

''(iii) REQUIREMENT TO EXPEND STATE FUNDS TO REPLACE REDUCTION.—If the allotment determined for a State for a fiscal year is reduced by reason of clause (i), the State shall, during the immediately succeeding fiscal year, expend additional State funds under the State plan funded under this subchapter by an amount equal to the amount of such reduction.''.

Subtitle C—Removal of Barriers to Increasing the Supply of Quality Child Care

SEC. 221. INCREASED AUTHORIZATION OF APPROPRIATIONS FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT ACT.

Section 658B of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858) is amended to read as follows:

''SEC. 658B. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated to carry out this subchapter—

''(1) for fiscal year 1999, $1,182,672,000;

''(2) for fiscal year 2000, $1,500,000,000;

''(3) for fiscal year 2001, $1,750,000,000;

''(4) for fiscal year 2002, $2,000,000,000;

''(5) for fiscal year 2003, $2,250,000,000; and

''(6) for fiscal year 2004, $2,500,000,000.''.

SEC. 222. SMALL BUSINESS CHILD CARE GRANT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Health and Human Services (in this section referred to as the ''Secretary'') shall establish a program to award grants to States to assist States in providing funds to encourage the establishment and operation of employer operated child care programs.

(b) APPLICATION.—To be eligible to receive a grant under this section, a State shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including an assurance that the funds required under subsection (e) will be provided.

(c) AMOUNT OF GRANT.—The Secretary shall determine the amount of a grant to a State under this section based on the population of the State as compared to the population of all States.

(d) USE OF FUNDS.—

(1) IN GENERAL.—A State shall use amounts provided under a grant awarded under this section to provide assistance to small businesses located in the State to enable the small businesses to establish and operate child care programs. Such assistance may include—

(A) technical assistance in the establishment of a child care program;

(B) assistance for the start up costs related to a child care program;

(C) assistance for the training of child care providers;

(D) scholarships for low-income wage earners;

(E) the provision of services to care for sick children or to provide care to school aged children;

(F) the entering into of contracts with local resource and referral or local health departments;

(G) care for children with disabilities; or

(H) assistance for any other activity determined appropriate by the State.

(2) APPLICATION.—To be eligible to receive assistance from a State under this section, a small business shall prepare and submit to the State an application at such time, in such manner, and containing such information as the State may require.

(3) PREFERENCE.—

(A) IN GENERAL.—In providing assistance under this section, a State shall give priority to applicants that desire to form a consortium to provide child care in geographic areas within the State where such care is not generally available or accessible.

(B) CONSORTIUM.—For purposes of subparagraph (A), a consortium shall be made up of 2 or more entities which may include businesses, nonprofit agencies or organizations, local governments, or other appropriate entities.

(4) LIMITATION.—With respect to grant funds received under this section, a State may not provide in excess of $100,000 in assistance from such funds to any single applicant.

(e) MATCHING REQUIREMENT.—To be eligible to receive a grant under this section a State shall provide assurances to the Secretary that, with respect to the costs to be incurred by an entity receiving assistance in carrying out activities under this section, the entity will make available (directly or through donations from public or private entities) non-Federal contributions to such costs in an amount equal to—

(1) for the first fiscal year in which the entity receives such assistance, not less than 50 percent of such costs ($1 for each $1 of assistance provided to the entity under the grant);

(2) for the second fiscal year in which an entity receives such assistance, not less than 66⅔ percent of such costs ($2 for each $1 of assistance provided to the entity under the grant); and

(3) for the third fiscal year in which an entity receives such assistance, not less than 75 percent of such costs ($3 for each $1 of assistance provided to the entity under the grant).

(f) REQUIREMENTS OF PROVIDERS.—To be eligible to receive assistance under a grant awarded under this section a child care provider shall comply with all applicable State and local licensing and regulatory requirements and all applicable health and safety standards in effect in the State.

(g) ADMINISTRATION.—

(1) STATE RESPONSIBILITY.—A State shall have responsibility for administering the grant awarded under this section and for monitoring entities that receive assistance under such grant.

(2) AUDITS.—A State shall require each entity receiving assistance under a grant awarded under this section to conduct an annual audit with respect to the activities of the entity. Such audits shall be submitted to the State.

(3) MISUSE OF FUNDS.—

(A) REPAYMENT.—If the State determines, through an audit or otherwise, that an entity receiving assistance under a grant awarded under this section has misused the assistance, the State shall notify the Secretary of the misuse. The Secretary, upon such a notification, may seek from such an entity the repayment of an amount equal to the amount of any misused assistance plus interest.

(B) APPEALS PROCESS.—The Secretary shall by regulation provide for an appeals process with respect to repayments under this paragraph.

(h) REPORTING REQUIREMENTS.—

(1) 2-YEAR STUDY.—

(A) IN GENERAL.—Not later than 2 years after the date on which the Secretary first provides grants under this section, the Secretary shall conduct a study to determine—

(i) the capacity of entities to meet the child care needs of communities within a State;

(ii) the kinds of partnerships that are being formed with respect to child care at the local level; and

(iii) who is using the programs funded under this section and the income levels of such individuals.

(B) REPORT.—Not later than 28 months after the date of enactment of this Act, the Secretary shall prepare and submit to the appropriate committees of Congress a report on the results of the study conducted in accordance with subparagraph (A).

(2) 4-YEAR STUDY.—

(A) IN GENERAL.—Not later than 4 years after the date on which the Secretary first provides grants under this section, the Secretary shall conduct a study to determine the number of child care facilities funded through entities that received assistance through a grant made under this section that remain in operation and the extent to which such facilities are meeting the child care needs of the individuals served by such facilities.

(B) REPORT.—Not later than 52 months after the date of enactment of this Act, the Secretary shall prepare and submit to the appropriate committees of Congress a report on the results of the study conducted in accordance with subparagraph (A).

(i) DEFINITION.—As used in this section, the term ''small business'' means an employer who employed an average of at least 2 but not more than 50 employees on business days during the preceding calendar year.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $60,000,000 for the period of fiscal years 2000 through 2002. With respect to the total amount appropriated for such period in accordance with this subsection, not more than $5,000,000 of that amount may be used for expenditures related to conducting evaluations required under, and the administration of, this section.

(k) TERMINATION OF PROGRAM.—The program established under subsection (a) shall terminate on September 30, 2003.

SEC. 223. GAO REPORT REGARDING THE RELATIONSHIP BETWEEN LEGAL LIABILITY CONCERNS AND THE AVAILABILITY AND AFFORDABILITY OF CHILD CARE.

Not later than 6 months after the date of enactment of this Act, the Comptroller General of the United States shall report to Congress regarding whether and, if so, the extent to which, concerns regarding potential legal liability exposure inhibit the availability and affordability of child care. The report shall include an assessment of whether such concerns prevent—

(1) employers from establishing on or near-site child care for their employees;

(2) schools or community centers from allowing their facilities to be used for on-site child care; and

(3) individuals from providing professional, licensed child care services in their homes.

Subtitle D—Quality Child Care Through Federal Facilities and Programs

SEC. 231. PROVIDING QUALITY CHILD CARE IN FEDERAL FACILITIES.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of General Services.

(2) EXECUTIVE AGENCY.—The term ''Executive agency'' has the meaning given the term in section 105 of title 5, United States Code, but does not include the Department of Defense.

(3) EXECUTIVE FACILITY.—The term ''executive facility'' means a facility that is owned or leased by an Executive agency.

(4) FEDERAL AGENCY.—The term ''Federal agency'' means an Executive agency, a judicial office, or a legislative office.

(5) JUDICIAL FACILITY.—The term ''judicial facility'' means a facility that is owned or leased by a judicial office.

(6) JUDICIAL OFFICE.—The term ''judicial office'' means an entity of the judicial branch of the Federal Government.

(7) LEGISLATIVE FACILITY.—The term ''legislative facility'' means a facility that is owned or leased by a legislative office.

(8) LEGISLATIVE OFFICE.—The term ''legislative office'' means an entity of the legislative branch of the Federal Government.

(b) EXECUTIVE BRANCH STANDARDS AND ENFORCEMENT.—

(1) STATE AND LOCAL LICENSING REQUIREMENTS.—

(A) IN GENERAL.—The Administrator shall issue regulations requiring any entity operating a child care center in an executive facility to comply with applicable State and local licensing requirements related to the provision of child care.

(B) COMPLIANCE.—The regulations shall require that, not later than 6 months after the date of enactment of this Act—

(i) the entity shall comply, or make substantial progress (as determined by the Administrator) toward complying, with the requirements; and

(ii) any contract for the operation of such a child care center shall include a condition that the child care be provided in accordance with the requirements.

(2) EVALUATION AND ENFORCEMENT.—The Administrator shall evaluate the compliance of the entities described in paragraph (1) with the regulations issued under that paragraph. The Administrator may conduct the evaluation of such an entity directly, or through an agreement with another Federal agency, other than the Federal agency for which the entity is providing child care. If the Administrator determines, on the basis of such an evaluation, that the entity is not in compliance with the regulations, the Administrator shall notify the Executive agency.

(c) LEGISLATIVE BRANCH STANDARDS AND ENFORCEMENT.—

(1) STATE AND LOCAL LICENSING REQUIREMENTS AND ACCREDITATION STANDARDS.—The Architect of the Capitol shall issue regulations for entities operating child care centers in legislative facilities, which shall be the same as the regulations issued by the Administrator under subsection (b)(1), except to the extent that the Architect may determine, for good cause shown and stated together with the regulations, that a modification of such regulations would be more

effective for the implementation of the requirements and standards described in such paragraphs.

(2) EVALUATION AND ENFORCEMENT.—Subsection (b)(2) shall apply to the Architect of the Capitol, entities operating child care centers in legislative facilities, and legislative offices. For purposes of that application, references in subsection (b)(2) to regulations shall be considered to be references to regulations issued under this subsection.

(d) JUDICIAL BRANCH STANDARDS AND ENFORCEMENT.—

(1) STATE AND LOCAL LICENSING REQUIREMENTS AND ACCREDITATION STANDARDS.—The Director of the Administrative Office of the United States Courts shall issue regulations for entities operating child care centers in judicial facilities, which shall be the same as the regulations issued by the Administrator under subsection (b)(1), except to the extent that the Director may determine, for good cause shown and stated together with the regulations, that a modification of such regulations would be more effective for the implementation of the requirements and standards described in such paragraphs.

(2) EVALUATION AND ENFORCEMENT.—Subsection (b)(2) shall apply to the Director described in paragraph (1), entities operating child care centers in judicial facilities, and judicial offices. For purposes of that application, references in subsection (b)(2) to regulations shall be considered to be references to regulations issued under this subsection.

(e) APPLICATION.—Notwithstanding any other provision of this section, if 3 or more child care centers are operated in facilities owned or leased by a Federal agency, the head of the Federal agency may carry out the responsibilities assigned to the Administrator under subsection (b)(2), the Architect of the Capitol under subsection (c)(2), or the Director described in subsection (d)(2) under such subsection, as appropriate.

Mr. HATCH. Mr. President, as this decade nears a close, and as our Nation has enjoyed an unprecedented period of economic growth, there remains an issue that affects many American families. I am referring to child care.

It has been nearly 9 years since the passage of the bipartisan Child Care and Development Block Grant Act. I was proud to have been a sponsor of this legislation, and I remain committed to its goals, structure, and principles.

Though the CCDBG has led to great improvements in the child care situation facing low-income families in every State, it has become clear that more needs to be done to help the family. In my home State of Utah, an extraordinary 57 percent of mothers with children under the age of 6 are in the labor force, and 134,000 children under the age of 6 in Utah will be cared for by someone other than their parents.

I am pleased to again join my colleagues—Senators CHAFEE, SNOWE, ROBERTS, SPECTER, COLLINS, and COCHRAN—each of whom has a long record of concern and involvement in child care issues—in sponsoring this measure. The Caring for Children Act is a comprehensive, realistic child care proposal, which we believe will benefit middle- and lower-income American families who struggle to get ahead or struggle to keep up.

First, the Caring for Children Act will, by expanding the Dependent Care Tax Credit, cut taxes for many middle- and lower-income families. Under the current system, the maximum credit of 30 percent is available only to families with incomes of $10,000 or less. Our proposal increases the Dependent Care Tax Credit (DCTC) from 30 percent to 50 percent. The maximum income is also increased to $30,000. The maximum allowable expenses of $2,400 for one child and $4,800 for two or more children will remain the same.

For example, a working family in Vernal, UT, earning $30,000 with two children, could receive a tax credit of $2,400 (50 percent of $4,800), instead of $960 under the current law.

Our bill also lowers the maximum credit more gradually than current law. This provides a form of tax relief for DCTC-eligible families earning between $30,000 and $75,000. This change is intended to benefit an often forgotten group—taxpayers who earn too much for Federal breaks but not enough for child care expenses not to be a big bite out of their budget.

This proposal also breaks new ground. It recognizes, for the first time, as a matter of Federal child care policy, that many families elect to have one parent remain at home to serve as the primary are giver. We understand the value of a parent at home to care for a child, both in terms of quality of care and monetary sacrifice. Such families pay for their child care by forfeiting a second income. The Caring for Children Act would expand eligibility for the Dependent Care Tax Credit (DCTC) to families with young children in which one parent remained at home.

Our bill assumes child care expenses for such a family of $150 per month. Thus, a family earning $30,000 with two children, ages 3 and 1, in Farmington, UT, in which one parent remains at home, would receive a tax credit of $900 (50 percent of $150 × 12 months).

Some have criticized our bill for not giving the same tax benefits to families with a stay-at-home parent. Frankly, I support such parity in the DCTC. I would like our bill to be able to provide a larger credit. But, expanding eligibility for this credit is an expensive proposition. While we may not be able to propose DCTC parity in one fell swoop, we should establish the concept in this bill and increase the level of benefit as quickly as we can. But, we should not fail to do something just because we cannot do it all.

Many families across America elect to forego a second income in order to have a parent remain at home with children. Federal policy has so far failed to recognize parental care as child care, even if many people, myself included, consider it the best possible care. I happen to believe that parental care is the best care there is.

And, let me offer a word of praise and gratitude for my wife, Elaine. Elaine could have had a successful career as a professional educator. Instead, she chose to stay home with our children—all of whom are now married with children of their own.

Of course, my daughters and daughters-in-law will make their own choices about balancing career and family. Different families make different choices and face different circumstances that drive their choices. Our bill asserts that the Dependent Care Tax Credit should be available to families regardless of their choice. The DCTC should be a tax credit to help families care for children, not just a credit for employment expenses. We should not minimize the significance of this change in the federal child care paradigm.

Yet, many working but low-income families have no tax liability and will not benefit from our proposed changes to the DCTC. These families, many of which may be headed by single parents or headed by individuals moving from welfare to work, are struggling to make ends meet.

One of the family's biggest expenses is child care.

The cost of child care, like almost everything else, has increase in the 9 years since the implementation of the Child Care and Development Block Grant. When the CCDBG was enacted, the average cost of care per child was $3,000. Today, it is estimated to be more than $4,000 per child.

I invite senators to do the math: If a parent is making $10 an hour ($20,800 per year before taxes) and has just one child, child care expenses claim almost one-fifth of the family budget. It is no wonder that the Utah Child Protective Services told me some years ago about a mother who was forced to choose between groceries and child care.

The Caring for Children Act proposes to increase the authorization of appropriations for the Child Care and Development Block grant Act (CCDBG), which states use to subsidize child care for low-income parents and to develop new capacity in areas—both geographic and functional—where there are shortages.

In Utah, as in other states as well, smaller and more rural communities often have shortages of child care. And, nearly every community suffers shortages of infant care, after school care, and care for special needs children.

The CCDBG is the only federal program we have for assisting low-income working families with child care expenses. We are not proposing to create another one. We are not expanding the statutory eligibility or entitlement for this program. The Caring for Children Act merely makes it possible for states to serve more eligible people and to address more of the problem of shortages under the provisions of the CCDBG.

I have said many times in this body that I do not support federal assistance

for those who are able but do not help themselves. But, I likewise believe that some help is warranted when people are working and doing all they can to provide for their families. This is why I joined as a sponsor of the Child Care and Development Block Grant 10 years ago. I do not want Utah families to have to choose between child care and food.

We still face issues of quality of care. Our bill affirms state prerogatives to set their own standards for child care. My colleagues are well aware of my strong opposition to any federal effort to set or imply federal standards. States must be allowed discretion in this. But, our bill also recognizes that standards are worthless if they are not enforced.

To encourage states to make a stronger commitment to enforce their own standards for child care, the Caring for Children Act provides a system of bonuses for states who exceed a threshold of inspections or, conversely, penalties for those who fail to conduct a minimum number of inspections. In my view, the most stringent standards in the world do not provide any assurance of quality care if providers do not believe standards will be enforced.

I also believe that the best assurance of quality is a parent's own good judgment. The Caring for Children Act takes the very inexpensive, but potentially very productive step of providing funds for beefed up consumer information to parents.

There are other important provisions in our bill that are designed to encourage private sector initiatives in child care as well as to enhance training opportunities for child care providers.

All together, the Caring for Children Act attempts to address all three of the major issues in child care: affordability, availability, and quality. I believe the bill we are introducing today is measured and responsible.

In no way is this a government knows best model of social problem solving; rather, it builds on what we already know works and what we already know that parents want. They want resources and information to make their own decisions and to care for their own children. They want input into the plans developed by states. They want control over child care.

The bill we are introducing today endeavors to put government on the side of parents by returning resources to them through tax credits, by enabling states to do more under the CCDBG, by increasing available child care information, and, finally by respecting the choices they make.

I am again pleased to join my colleagues in this legislation and hope other Senators will support this measure as well.

Mr. ROBERTS. Mr. President, I am pleased to join with my colleagues to reintroduce legislation to help meet the child care challenges facing families in Kansas and around the nation.

Child care, in the home when possible and outside the home when parents work, goes right to the heart of keeping families strong.

Unfortunately, just being able to afford child care is a major issue for most families. Some child care can cost as much as college tuition and consume up to 40 percent of a family's income. Finding quality care is another challenge.

Welfare reforms have cut Kansas welfare rolls in half since 1996. As more and more of these families come off the rolls, child care needs grow. About half of the 11,000 families that have left welfare rolls in Kansas have young children. In order to continue the successful transition from welfare to work, parents, especially single parents, must have access to affordable, quality child care.

Only parents can and should decide what child care arrangements work best for their children. This includes the decision to stay at home.

The Caring for Children Act includes provisions to allow a parent who is able to stay at home and care for a child to receive a tax credit to help cover expenses. This credit applies during the first three years of a child's life and amounts to about $900 per year.

The Caring for Children Act takes steps to assist small businesses that want to provide child care. I am pleased that this bill includes a short-term flexible grant program to encourage these businesses to work together to provide child care services. This program, which provides $60 million to the states, allows those closer to home to make decisions necessary to improve child care in communities. This funding provides the start-up assistance necessary to create self-sustaining child care programs.

I have pledged to work to improve child care. I will continue this effort. I look forward to working with my colleagues to expand child care options and protect our nation's most valuable resource, our children.

Mr. SPECTER. Mr. President, I have sought recognition to once again join my colleagues in introducing the Caring for Children Act, which will ease the financial burden of child care for American families—for those parents who work, and for those who choose to stay home to raise their children for a period of time. This legislation is identical to the child care proposal my colleagues and I introduced during the 105th Congress, on January 28, 1998. I believe it is vital that the Congress recognize the importance of affordable, quality child care to the successful development of our children.

The Caring for Children Act is a middle-ground, targeted response to the growing child care needs facing American families. Our bill includes tax incentives for employers and parents, and an increase in funding for programs that assist the most needy families. Most importantly, our bill proposes prudent adjustments to discretionary programs rather than implementing new mandatory spending.

Our bill would expand the Dependent Care tax credit to make it more accessible to families who need it, double the authorization for the Child Care Development Block Grant, and provide grants to small businesses to create or enhance child care facilities for their employees. This bill also includes provisions from the proposal I introduced during the 105th Congress with my colleagues, Congressman JON FOX, The Affordable Child Care Act, which provides a tax credit for employers who provide on-site or site-adjacent child care to their employees in order to reduce the child care expenses of the employee.

Not all families choose the same option for child care. Many families rely on relatives, centers operated by churches and other religious organizations, centers at or near their workplace, or make other arrangements to provide care for their children while they work. In light of the diverse needs for child care in America, this bill represents a good start toward expanding the choices for American parents. And, any such legislation must recognize that there is a need to provide some relief to families where one parent stays at home.

The need for affordable and accessible day care is critical given the increasing numbers of working parents and dual-income families in the United States. According to the Bureau of the Census, in 1975, 31 percent of married mothers with a child younger than age one participated in the labor force. By 1995, that figure had risen to 59 percent. Almost 64 percent of married mothers and 53 percent of single mothers with children younger than age six participated in the labor force in 1995.

The cost of child care for families is also significant. Licensed day care centers in some urban areas cost as much as $200 per week, and the disparity in costs and availability of child care between urban and rural grows greater every day. For families which need or choose to have both parents work outside the home, the burden of making child care decisions is great. These figures serve to underscore the need for action on the part of the Federal Government to provide the necessary assistance to our Nation's working families.

As Chairman of the Labor, Health and Human Services, and Education Appropriations Subcommittee, I am pleased that this legislation would build on an existing Federal child care program by authorizing an additional $5 billion over 5 years to the Child Care Development Block Grant program, bringing total spending for this program to nearly $2.5 billion annually by

fiscal year 2003. The child care block grant works well to assist low-income families acquire child care, and helped over 93,000 Pennsylvania families last year. Fiscal year 1999 funding for this vital assistance program totaled $1.182 billion, $182 billion, $182 million above the currently authorized level. By increasing the authorization, we can help even more families without creating a new entitlement program.

Our legislation will also require States to create and enforce safety and health standards in child care facilities, and provide money for the Department of Health and Human Services to disseminate information to parents and providers about quality child care, through brochures, toll-free hotlines, the Internet, and other technological assistance.

The Caring for Children Act complements my recent efforts to assist working families in the context of welfare reform and children's health insurance. When Congress debated welfare reform in 1995 and 1996, I worked to ensure that adequate funds were provided for child care, a critical component for welfare mothers who would be required to work to receive new limited welfare benefits. I am pleased that the welfare reform bill that became law provided $20 billion in child care funding over a 6-year period. Similarly, I was pleased to participate in the bipartisan effort in 1997 to enact legislation to provide $24 billion over the next 5 years for States to establish or broaden children's health insurance programs. Utilizing these new Federal funds, over 10,000 previously uninsured children in Pennsylvania have been enrolled in this program since May of 1998.

In conclusion, Mr. President, I believe that it is critical that the 106th Congress not adjourn without enacting legislation to assist families in their ability to afford safe, quality child care for their children, either at home with a parent or another arrangement. Our legislation will provide peace of mind to millions of American families struggling to balance career and child raising. I urge my colleagues to join me in cosponsoring this important legislation, and I urge its swift adoption.

By Mr. WELLSTONE.

S. 600. A bill to combat the crime of international trafficking and to protect the rights of victims; to the Committee on Foreign Relations.

INTERNATIONAL TRAFFICKING OF WOMEN AND CHILDREN VICTIM PROTECTION ACT OF 1999

Mr. WELLSTONE. Mr. President, this week across the globe, men and women have celebrated International Women's Day, highlighting the achievements of women around the world. From Qatar to Indonesia, the day was marked by women marching, meeting, and protesting for recognition of their inherent dignity and fundamental human rights. I believe there is much work yet to be done to ensure that women and girls' human rights are protected and respected.

One of the most horrendous human rights violations of our time is trafficking in human beings, particularly among women and children, for purposes of sexual exploitation and forced labor. To curb this horrific practice, I am introducing the ''International Trafficking of Women and Children Victim Protection Act of 1999'' which will put Congress on record as opposing trafficking for forced prostitution and domestic servitude, and acting to check it before the lives of more women and girls are shattered.

One of the fastest growing international trafficking businesses is the trade in women. Women and girls seeking a better life, a good marriage, or a lucrative job abroad, unexpectedly find themselves forced to work as prostitutes, or in sweat shops. Seeking this better life, they are lured by local advertisements for good jobs in foreign countries at wages they could never imagine at home.

Every year, the trafficking of human beings for the sex trade affects hundreds of thousands of women throughout the world. Women and children whose lives have been disrupted by economic collapse, civil wars, or fundamental changes in political geography, such as the disintegration of the Soviet Union, have fallen prey to traffickers. The United States government estimates that 1–2 million women and girls are trafficked annually around the world. According to experts, between 50 and 100 thousand women are trafficked each year into the United States alone. They come from Thailand, Russia, the Ukraine and other countries in Asia and the former Soviet Union.

Upon arrival in countries far from their homes, these women are often stripped of their passports, held against their will in slave-like conditions, and sexually abused. Rape, intimidation, and violence are commonly employed by traffickers to control their victims and to prevent them from seeking help. Through physical isolation and psychological trauma, traffickers and brothel owners imprison women in a world of economic and sexual exploitation that imposes a constant fear of arrest and deportation, as well as of violent reprisals by the traffickers themselves, to whom the women must pay off ever-growing debts. Many brothel owners actually prefer women—women who are far from help and home, and who do not speak the language—precisely because of the ease of controlling them.

Most of these women never imagined that they would enter such a hellish world, having traveled abroad to find better jobs or to see the world. Many in their naivete, believed that nothing bad could happen to them in the rich and comfortable countries such as Switzerland, Germany, or the United States. Others, who are less naive but desperate for money and opportunity, are no less hurt by the trafficker's brutal grip.

Last year, First Lady Hilary Clinton spoke powerfully of this human tragedy. She said: ''I have spoken to young girls in northern Thailand whose parents were persuaded to sell them as prostitutes, and they received a great deal of money by their standards. You could often tell the homes of where the girls had been sold because they might even have a satellite dish or an addition built on their house. But I met girls who had come home after they had been used up, after they had contracted HIV or AIDS. If you've ever held the hand of a 13-year-old girl dying of AIDS, you can understand how critical it is that we take every step possible to prevent this happening to any other girl anywhere in the world. I also, in the Ukraine, heard of women who told me with tears running down their faces that young women in their communities were disappearing. They answered ads that promised a much better future in another place and they were never heard from again.''

These events are occurring not just in far off lands, but here at home in the U.S. as well. According to a report in the Washington Post in 1997, the FBI raided a massage parlor in downtown Bethesda. The massage parlor was involved in the trafficking of Russian women into the United States. The eight Russian women who worked there, lived at the massage parlor, sleeping on the massage tables at night. They were charged a $150 a week for ''housing'' and were not paid any salary, only receiving a portion of their tips.

According to recent reports by the Justice Department, teenage Mexican girls were held in slavery in Florida and the Carolinas and forced to submit to prostitution. In addition, Russian and Latvian women were forced to work in nightclubs in Chicago. According to charges filed against the traffickers, the traffickers picked the women up upon their arrival at the airport, seized their documents and return tickets, locked them in hotels and beat them. The women were told that if they refused to dance nude in various nightclubs, the Russian mafia would kill their families. Further, over three years, hundreds of women from the Czech Republic who answered advertisements in Czech newspapers for modeling were ensnared in an illegal prostitution ring.

Trafficking in women and girls is a human rights problem that requires a human rights response. Trafficking is condemned by human rights treaties as a violation of basic human rights and a slavery-like practice. Women who are trafficked are subjected to other abuses—rape, beatings, physical confinement—squarely prohibited by

human rights law. The human abuses continue in the workplace, in the forms of physical and sexual abuse, debt bondage and illegal confinement, and all are prohibited.

Fortunately, the global trade in women and children is receiving greater attention by governments and NGOs following the UN World Conference on Women in Beijing. The United Nations General Assembly has called upon all governments to criminalize trafficking, to punish its offenders, while not penalizing its victims. The President's Interagency Council on Women is working hard to mobilize a response to this problem. Churches, synagogues, and NGOs, such as Human Rights Watch and the Global Survival Network, are fighting this battle daily. But, much, much more must be done.

My legislation provides a human rights response to the problem. It has a comprehensive and integrated approach focused on prevention, protection and assistance for victims, and prosecution of traffickers.

I will highlight a few of its provisions now:

It sets an international standard for governments to meet in their efforts to fight trafficking and assist victims of this human rights abuse. It calls on the State Department and Justice Department to investigate and take action against international trafficking. In addition, it creates an Interagency Task Force to Monitor and Combat Trafficking in the Office of the Secretary of State and directs the Secretary to submit an annual report to Congress on international trafficking.

The annual report would, among other things, identify states engaged in trafficking, the efforts of these states to combat trafficking, and whether their government officials are complicit in the practice. Corrupt government or law enforcement officials sometimes directly participate and benefit in the trade of women and girls. And, corruption also prevents prosecution of traffickers. U.S. police assistance would be barred to countries found not to have taken effective action in ending the participation of their officials in trafficking, and in investigating and prosecuting meaningfully their officials involved in trafficking. A waiver is provided for the President if he finds that provision of such assistance is in the national interest.

On a national level, it ensures that our immigration laws do not encourage rapid deportation of trafficked women, a practice which effectively insulates traffickers from ever being prosecuted for their crimes. Trafficking victims are eligible for a nonimmigrant status valid for three months. If the victim pursues criminal or civil actions against her trafficker, or if she pursues an asylum claim, she is provided with an extension of time. Further, it provides that trafficked women should not be detained, but instead receive needed services, safe shelter, and the opportunity to seek justice against their abusers. Finally, my bill provides much needed resources to programs assisting trafficking victims here at home and abroad.

We must commit ourselves to ending the trafficking of women and girls and to building a world in which such exploitation is relegated to the dark past. I urge my colleagues to support the International Trafficking of Women and Children Protection Act of 1999.

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. 600

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 ''International Trafficking of Women and Children Victim Protection Act of 1999''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The worldwide trafficking of persons has a disproportionate impact on women and girls and has been and continues to be condemned by the international community as a violation of fundamental human rights.

(2) The fastest growing international trafficking business is the trade in women, whereby women and girls seeking a better life, a good marriage, or a lucrative job abroad, unexpectedly find themselves in situations of forced prostitution, sweatshop labor, exploitative domestic servitude, or battering and extreme cruelty.

(3) Trafficked women and children, girls and boys, are often subjected to rape and other forms of sexual abuse by their traffickers and often held as virtual prisoners by their exploiters, made to work in slavery-like conditions, in debt bondage without pay and against their will.

(4) The President, the First Lady, the Secretary of State, the President's Interagency Council on Women, and the Agency for International Development have all identified trafficking in women as a significant problem.

(5) The Fourth World Conference on Women (Beijing Conference) called on all governments to take measures, including legislative measures, to provide better protection of the rights of women and girls in trafficking, to address the root factors that put women and girls at risk to traffickers, and to take measures to dismantle the national, regional, and international networks on trafficking.

(6) The United Nations General Assembly, noting its concern about the increasing number of women and girls who are being victimized by traffickers, passed a resolution in 1998 calling upon all governments to criminalize trafficking in women and girls in all its forms and to penalize all those offenders involved, while ensuring that the victims of these practices are not penalized.

(7) Numerous treaties to which the United States is a party address government obligations to combat trafficking, including such treaties as the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, which calls for the complete abolition of debt bondage and servile forms of marriage, and the 1957 Abolition of Forced Labor Convention, which undertakes to suppress and requires signatories not to make use of any forced or compulsory labor.

SEC. 3. PURPOSES.

The purposes of this Act are to condemn and combat the international crime of trafficking in women and children and to assist the victims of this crime by—

(1) setting a standard by which governments are evaluated for their response to trafficking and their treatment of victims;

(2) authorizing and funding an interagency task force to carry out such evaluations and to issue an annual report of its findings to include the identification of foreign governments that tolerate or participate in trafficking and fail to cooperate with international efforts to prosecute perpetrators;

(3) assisting trafficking victims in the United States by providing humanitarian assistance and by providing them temporary nonimmigrant status in the United States;

(4) assisting trafficking victims abroad by providing humanitarian assistance; and

(5) denying certain forms of United States foreign assistance to those governments which tolerate or participate in trafficking, abuse victims, and fail to cooperate with international efforts to prosecute perpetrators.

SEC. 4. DEFINITIONS.

In this Act:

(1) POLICE ASSISTANCE.—The term ''police assistance''—

(A) means—

(i) assistance of any kind, whether in the form of grant, loan, training, or otherwise, provided to or for foreign law enforcement officials, foreign customs officials, or foreign immigration officials;

(ii) government-to-government sales of any item to or for foreign law enforcement officials, foreign customs officials, or foreign immigration officials; and

(iii) any license for the export of an item sold under contract to or for the officials described in clause (i); and

(B) does not include assistance furnished under section 534 of the Foreign Assistance Act of 1961 (22 U.S.C. 2346c; relating to the administration of justice) or any other assistance under that Act to promote respect for internationally recognized human rights.

(2) TRAFFICKING.—The term ''trafficking'' means the use of deception, coercion, debt bondage, the threat of force, or the abuse of authority to recruit, transport within or across borders, purchase, sell, transfer, receive, or harbor a person for the purpose of placing or holding such person, whether for pay or not, in involuntary servitude, or slavery or slavery-like conditions, or in forced, bonded, or coerced labor.

(3) VICTIM OF TRAFFICKING.—The term ''victim of trafficking'' means any person subjected to the treatment described in paragraph (2).

SEC. 5. INTER-AGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established within the Department of State in the Office of the Secretary of State an Inter-Agency Task Force to Monitor and Combat Trafficking (in this section referred to as the ''Task Force''). The Task Force shall be co-chaired by the Assistant Secretary of State for Democracy, Human Rights, and Labor Affairs and the Senior Coordinator on International

Women's Issues, President's Interagency Council on Women.

(2) APPOINTMENT OF MEMBERS.—The members of the Task Force shall be appointed by the Secretary of State. The Task Force shall consist of no more than twelve members.

(3) COMPOSITION.—The Task Force shall include representatives from the—

(A) Violence Against Women Office, Office of Justice Programs, Department of Justice;

(B) Office of Women in Development, United States Agency for International Development; and

(C) Bureau of International Narcotics and Law Enforcement Affairs, Department of State.

(4) STAFF.—The Task Force shall be authorized to retain up to five staff members within the Bureau of Democracy, Human Rights, and Labor Affairs, and the President's Interagency Council on Women to prepare the annual report described in subsection (b) and to carry out additional tasks which the Task Force may require. The Task Force shall regularly hold meetings on its activities with nongovernmental organizations.

(b) ANNUAL REPORT TO CONGRESS.—Not later than March 1 of each year, the Secretary of State, with the assistance of the Task Force, shall submit a report to Congress describing the status of international trafficking, including—

(1) a list of foreign states where trafficking originates, passes through, or is a destination; and

(2) an assessment of the efforts by the governments described in paragraph (1) to combat trafficking. Such an assessment shall address—

(A) whether any governmental authorities tolerate or are involved in trafficking activities;

(B) which governmental authorities are involved in anti-trafficking activities;

(C) what steps the government has taken toward ending the participation of its officials in trafficking;

(D) what steps the government has taken to prosecute and investigate those officials found to be involved in trafficking;

(E) what steps the government has taken to prohibit other individuals from participating in trafficking, including the investigation, prosecution, and conviction of individuals involved in trafficking, the criminal and civil penalties for trafficking, and the efficacy of those penalties on reducing or ending trafficking;

(F) what steps the government has taken to assist trafficking victims, including efforts to prevent victims from being further victimized by police, traffickers, or others, grants of stays of deportation, and provision of humanitarian relief, including provision of mental and physical health care and shelter;

(G) whether the government is cooperating with governments of other countries to extradite traffickers when requested;

(H) whether the government is assisting in international investigations of transnational trafficking networks; and

(I) whether the government—

(i) refrains from prosecuting trafficking victims or refrains from other discriminatory treatment towards trafficking victims due to such victims having been trafficked, or the nature of their work, or their having left the country illegally; and

(ii) recognizes the rights of victims and ensures their access to justice.

(c) REPORTING STANDARDS AND INVESTIGATIONS.—

(1) RESPONSIBILITY OF THE SECRETARY OF STATE.—The Secretary of State shall ensure that United States missions abroad maintain a consistent reporting standard and thoroughly investigate reports of trafficking.

(2) CONTACTS WITH NONGOVERNMENTAL ORGANIZATIONS.—In compiling data and assessing trafficking for the Human Rights Report and the Inter-Agency Task Force to Monitor and Combat Trafficking Annual Report, United States mission personnel shall seek out and maintain contacts with human rights and other nongovernmental organizations, including receiving reports and updates from such organizations, and, when appropriate, investigating such reports.

SEC. 6. INELIGIBILITY FOR POLICE ASSISTANCE.

(a) INELIGIBILITY.—Except as provided in subsection (b), any foreign government country identified in the latest report submitted under section 5 as a government that—

(1) has failed to take effective action towards ending the participation of its officials in trafficking; and

(2) has failed to investigate and prosecute meaningfully those officials found to be involved in trafficking,

shall not be eligible for police assistance.

(b) WAIVER OF INELIGIBILITY.—The President may waive the application of subsection (a) to a foreign country if the President determines and certifies to Congress that the provision of police assistance to the country is in the national interest of the United States.

SEC. 7. PROTECTION OF TRAFFICKING VICTIMS.

(a) NONIMMIGRANT CLASSIFICATION FOR TRAFFICKING VICTIMS.—Section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) is amended—

(1) by striking ''or'' at the end of subparagraph (R);

(2) by striking the period at the end of subparagraph (S) and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(T) an alien who the Attorney General determines—

''(i) is physically present in the United States, and

''(ii) is or has been a trafficking victim (as defined in section 4 of the International Trafficking of Women and Children Victim Protection Act of 1999),

for a stay of not to exceed 3 months in the United States, except that any such alien who has filed a petition seeking asylum or who is pursuing civil or criminal action against traffickers shall have the alien's status extended until the petition or litigation reaches its conclusion.''.

(b) WAIVER OF GROUNDS FOR INELIGIBILITY FOR ADMISSION.—Section 212(d) of the Immigration and Nationality Act (8 U.S.C. 1182(d)) is amended—

(1) by inserting ''(1)'' after ''(d)''; and

(2) by adding at the end the following:

''(2) The Attorney General shall, in the Attorney General's discretion, waive the application of subsection (a) (other than paragraph (3)(E)) in the case of a nonimmigrant described in section 101(a)(15)(T), if the Attorney General considers it to be in the national interest to do so.''.

(c) INVOLUNTARY SERVITUDE.—Section 1584 of title 18, United States Code, is amended—

(1) inserting ''(a)'' before ''Whoever'';

(2) by striking ''or'' after ''servitude'';

(3) by inserting ''transfers, receives or harbors any person into involuntary servitude, or'' after ''servitude,''; and

(4) by adding at the end the following:

''(b) In this section, the term 'involuntary servitude' includes trafficking, slavery-like practices in which persons are forced into labor through non-physical means, such as debt bondage, blackmail, fraud, deceit, isolation, and psychological pressure.''.

(d) TRAFFICKING VICTIM REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Attorney General and the Secretary of State shall jointly promulgate regulations for law enforcement personnel, immigration officials, and Foreign Service officers requiring that—

(1) Federal, State and local law enforcement, immigration officials, and Foreign Service officers shall be trained in identifying and responding to trafficking victims;

(2) trafficking victims shall not be jailed, fined, or otherwise penalized due to having been trafficked, or nature of work;

(3) trafficking victims shall have access to legal assistance, information about their rights, and translation services;

(4) trafficking victims shall be provided protection if, after an assessment of security risk, it is determined the trafficking victim is susceptible to further victimization; and

(5) prosecutors shall take into consideration the safety and integrity of trafficked persons in investigating and prosecuting traffickers.

SEC. 8. ASSISTANCE TO TRAFFICKING VICTIMS.

(a) IN THE UNITED STATES.—The Secretary of Health and Human Services is authorized to provide, through the Office of Refugee Resettlement, assistance to trafficking victims and their children in the United States, including mental and physical health services, and shelter.

(b) IN OTHER COUNTRIES.—The President, acting through the Administrator of the United States Agency for International Development, is authorized to provide programs and activities to assist trafficking victims and their children abroad, including provision of mental and physical health services, and shelter. Such assistance should give special priority to programs by nongovernmental organizations which provide direct services and resources for trafficking victims.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR THE INTER-AGENCY TASK FORCE.—To carry out the purposes of section 5, there are authorized to be appropriated to the Secretary of State $2,000,000 for fiscal year 2000 and $2,000,000 for fiscal year 2001.

(b) AUTHORIZATION OF APPROPRIATIONS TO THE SECRETARY OF HHS.—To carry out the purposes of section 8(a), there are authorized to be appropriated to the Secretary of Health and Human Services $20,000,000 for fiscal year 2000 and $20,000,000 for fiscal year 2001.

(c) AUTHORIZATION OF APPROPRIATIONS TO THE PRESIDENT.—To carry out the purposes of section 8(b), there are authorized to be appropriated to the President $20,000,000 for fiscal year 2000 and $20,000,000 for fiscal year 2001.

(d) PROHIBITION.—Funds made available to carry out this Act shall not be available for the procurement of weapons or ammunition.

By Mr. COCHRAN:

S. 601. A bill to improve the foreign language assistance program; to the Committee on Health, Education, Labor, and Pensions.

FOREIGN LANGUAGE EDUCATION IMPROVEMENT AMENDMENTS OF 1999

Mr. COCHRAN. Mr. President, today I am introducing a bill to amend the Foreign Language Assistance Program which is administered under the Elementary and Secondary Education Act.

The Foreign Language Education Improvement Amendments of 1999 make changes that encourage and make possible the teaching of a second language to students in elementary and secondary schools with limited resources—in particular, those schools heavily impacted by the unique problems of educating a high population of disadvantaged students.

My bill also provides schools an incentive to initiate foreign language programs, promotes technology, distance learning, and other innovative activities in the effective instruction of a foreign language.

Recent research about the human brain and language acquisition, which we've heard a lot about in connection to the teaching of reading and early childhood development, revealed that the ability to learn new languages is highest between birth and age six. ''Windows of opportunity'' is how a February 3, 1997, Time article described this neurological function, which effectively is open and pliable during the early years of life and closes by the age of ten.

We all know, from personal and other practical experience, that of course, people learn foreign languages beyond the age of ten. But, the enlightening fact of the research is that humans learn languages easier, and best at an early age.

The National School Boards Association publication, School Board News, printed an article in July, 1997 that describes early foreign language programs, and the benefits of learning languages early:

> According to the Center for Applied Linguistics (CAL) in Washington, D.C., the early study of a second language offers many benefits for students, including gains in academic achievement, positive attitudes toward diversity, increased flexibility in thinking, greater sensitivity to language, and a better ear for listening and pronunciation. Foreign language study also improves children's understanding of their native language, increase creativity, helps students get better SAT scores, and increase their job opportunities.

The evidence shows that children who learn foreign languages score higher in all academic subjects than those who speak only English. Most developed countries recognize this and, according to the National Foreign Language Center, the United States is alone in not teaching foreign languages routinely before the age of twelve. Congress recognized the need for foreign language study when it passed Goals 2000 in 1994, making foreign language acquisition an education priority.

In February of this year, the Center for Applied Linguistics released the results of a U.S. Department of Education funded survey of foreign language teaching in preschool through 12th grade in the United States. The results show a rising awareness and increase in the teaching of foreign languages, but in the 31 percent of elementary schools that offer foreign language instruction, only 21 percent have proficiency as the goal of the program. Among the most frequently cited problems facing foreign language programs were inadequate funding, inadequate in-service teacher training, teacher shortages and a lack of sequencing from elementary to secondary school.

This survey is a good snapshot of the state of the teaching of foreign languages K–12 in our country. It can be read as encouraging: that we know we should be teaching languages earlier; that more schools are attempting to teach foreign languages; and that more languages are being taught. It also clearly shows where we need improvement: that we need to show accomplishment in teaching our students foreign languages; that more schools need to have the resources to offer the necessary course work for attaining this skill; and, that foreign languages should be a priority.

The advantages of having foreign language ability range from greater opportunities for college admission to fulfilling national security needs. The National Council for Languages and International Studies found that the top attainable skill cited as a determining factor for likely college admission is foreign language proficiency. There are also social and cultural tolerance advantages that the National Council for Languages and International Studies and others cite, which most of us can appreciate. According to a February 1998, USA Today survey, top executives of America's businesses cited a need for and lack of foreign language skills twice as great as any other skill in demand.

The National Foreign Language Center published a 1999 report titled, Language and National Security for the 21st Century: The Federal Role in Supporting National Language Capacity. This report is very compelling in its review of the need for military and civilian personnel with foreign language capability, and the lack thereof in our current and rising workforces. Here are some quotes from that report:

> For example, the admission of a DEA official in September, 1997 that the agency lacks sufficient Russian language expertise to combat organized crime in groups from the former Soviet Union indicates a shortfall in supply of such expertise.
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> * * * * *
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> The Foreign Service reports that only 60% of its billets requiring language are at present filled, with waivers applied to the other 35%.
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> * * * * *
>
> Clearly, the academic system falls short in producing speakers minimally qualified to hold jobs requiring the use of foreign language, which is why the federal language programs exist and why the language training business in the private sector is so successful.

The same report further explains that the language training business is estimated to be $20 billion internationally. That is money spent by our government, our businesses and individuals to teach adults a skill essential in the global relationships of industry, diplomacy, defense, and higher education.

The evidence of need is great, and yet there is a lack of sufficient foreign language training at the K–12 level. We have one program in the Elementary and Secondary Education Act aimed at providing incentives and giving grants to schools for this purpose. It is a program that is currently funded at just $5 million for a few matching grants in a handful of states. However, the section of this law providing a grant for schools that offer foreign language instruction programs has never been funded. A frustrating aspect of this good program is that the schools in the most need of the assistance can't afford the ante. My amendments establish a 50 percent set aside for schools serving the most disadvantaged students, and eliminates the matching share requirement for those schools. This bill also increases the annual authorization for the program from $55,000,000 to $75,000,000.

I hope that we will give greater attention to this program when we make funding decisions, so that schools without the advantages of plentiful resources can provide their students with a high quality and competitive education.

My amendments to the ESEA Foreign Language Assistance Program will provide new opportunities and encouragement to our school children, teachers, and parents, so we can better meet our global business challenges and national security needs.

By Mr. SHELBY (for himself, Mr. BOND, Mr. COVERDELL, Mr. HAGEL, Mr. KYL, Mr. BURNS, Mr. GRAMM, Mr. ASHCROFT, Mr. THOMAS, Mr. ABRAHAM, Mr. GRASSLEY, Mr. HELMS, Mr. INHOFE, Mr. SESSIONS, Mr. GRAMS, Mr. COCHRAN, Mr. HUTCHINSON and Ms. SNOWE):

S. 602. A bill to amend chapter 8 of title 5, United States Code, to provide for congressional review of any rule promulgated by the Internal Revenue Service that increases Federal Revenue, and for other purposes; to the Committee on Government Affairs.

THE STEALTH TAX PREVENTION ACT

Mr. SHELBY. Mr. President, I rise today with my colleague Senator BOND, to introduce the Stealth Tax Prevention Act. Among the many powers given to Congress by the Constitution of the United States, the responsibility of taxation is perhaps the most important. The Founding Fathers rationale behind bestowing this power to Congress is that because, as elected representative, Congress remains accountable to the voters when they levy and

collect taxes. Politicians are rightly held responsible to the public for producing fair and prudent tax legislation.

Three years ago, Mr. President, Congress passed the Congressional Review Act, which provides that when a major agency rule takes effect, Congress has 60 days to review it. During this time period, Congress has the option to pass a disapproval resolution. If no such resolution is passed, the rule then goes into effect.

As you know, Mr. President, the Internal Revenue Service maintains an enormous amount of power over the lives and the livelihoods of the American taxpayers through their authority to interpret the Tax Code. The Stealth Tax Prevention Act, that Senator BOND and I are introducing along with Mr. COVERDELL, Mr. HAGEL, Mr. KYL, Mr. BURNS, Mr. GRAMM, Mr. ASHCROFT, Mr. THOMAS, Mr. ABRAHAM, Mr. GRASSLEY, Mr. HELMS, Mr. INHOFE, Mr. SESSIONS, Mr. GRAMS, Mr. COCHRAN, Mr. HUTCHINSON, and Ms. SNOWE, will expand the definition of a major rule to include, Mr. President, any IRS regulation which increases Federal revenue. Why? Because we need to return the authority of taxation to the United States Congress.

For example, if the Office of Management and Budget finds that the implementation and enforcement of a rule would result in an increase of Federal revenues over current practices or revenues anticipated from the rule on the date of the enactment of the statute, the Stealth Tax Prevention Act would allow Congress to review the regulations and take appropriate measures to avoid raising taxes on hard working Americans, in most cases, small businesses.

The discretionary authority of the Internal Revenue Service exposes small businesses, farmers, and others to the sometimes arbitrary actions of bureaucrats, thus creating an uncertain and, under certain cases, hostile environment in which to conduct day-to-day activities. Most of these people do not have lobbyists that work for them other than their elected Representatives. The Stealth Tax Prevention Act will be particularly helpful in lowering the tax burden on small business which suffers disproportionately, Mr. President, from IRS regulations. This burden discourages the startup of new firms and ultimately the creation of new jobs in the economy, which has really made America great today.

Americans are now paying a higher share of their income to the Federal government than at any time since the end of World War II. They, Mr. President, as you well know, pay State income taxes. They pay property taxes. On the way to work in the morning they pay a gasoline tax when they fill up their car, and a sales tax when they buy a cup of coffee.

Allowing bureaucrats to increase taxes even further, at their own discretion through interpretation of the Tax Code is unconscionable. The Stealth Tax Prevention Act will leave tax policy where it belongs, to elected Members of the Congress, not unelected and unaccountable IRS bureaucrats.

Mr. BOND. Mr. President, today I join my distinguished colleague from Alabama, Senator SHELBY, in reintroducing legislation, which we proudly offered in the 105th Congress and will work to enact during the 106th Congress. Our goal is to ensure that the Treasury Department's Internal Revenue Service does not usurp the power to tax—a power solely vested in Congress by the U.S. Constitution. ''The Stealth Tax Prevention Act'' will ensure that the duly elected representatives of the people, who are accountable to the electorate for our actions, will have discretion to exercise the power to tax. This legislation is intended to curb the ability of the Treasury Department to bypass Congress by proposing a tax increase without the authorization or consent of Congress.

The Stealth Tax Prevention Act builds on legislation passed unanimously by the Senate in the 104th Congress. As Chairman of the Committee on Small Business, I authored the Small Business Regulatory Enforcement Fairness Act—better known as the Red Tape Reduction Act—to ensure that small businesses are treated fairly in agency rulemaking and enforcement activities. Subtitle E of the Red Tape Reduction Act provides that a final rule issued by a Federal agency and deemed a ''major rule'' by the Office of Information and Regulatory Affairs of the Office of Management and Budget cannot go into effect for at least sixty days. This delay is to provide Congress with a window during which we can review the rule and its impact, allowing time for Congress to consider whether a resolution of disapproval should be enacted to strike down the regulation. To become effective, the resolution must pass both the House and Senate and be signed into law by the President or enacted as the result of a veto override.

Later this month, I will commemorate the third anniversary of the Red Tape Reduction Act's enactment by highlighting the progress made to date and the obstacles small businesses continue to face primarily due to agency noncompliance. Because of the IRS' significant impact on the activities of small businesses, the Service's implementation of the Red Tape Reduction Act and the Regulatory Flexibility Act is of utmost importance to the Committee on Small Business.

The bill Senator SHELBY and I introduce today amends this law to provide that any rule issued by the Treasury Department's Internal Revenue Service that will result in a tax increase—any increase—will be deemed a major rule by OIRA and, consequently, not go into effect for at least 60 days. This procedural safeguard will ensure that the Department of the Treasury and its Internal Revenue Service cannot make an end-run around Congress, as it attempted with the ''stealth tax'' it proposed on January 13, 1997.

In that case, the IRS issued a proposal that is tantamount to a tax increase on businesses structured as limited liability companies. The IRS proposed to disqualify a taxpayer from being considered as a limited partner if he or she ''participates in the partnership's trade or business for more than 500 hours during a taxable year'' or is involved in a ''service'' partnership, such as lawyers, accountants, engineers, architects, and health-care providers.

The IRS alleges that its proposal merely interprets section 1402(a)(13) of the Internal Revenue Code, providing clarification, when in actuality it is a tax increase regulatory fiat. Under the IRS proposal, disqualification as a limited partner will result in a tax increase on income from both capital investments as well as earnings of the partnership. The effect will be to add the self-employment tax (12.4% for social security and 2.9% for Medicare) to income from investments as well as earnings for limited partners who under current rules can exclude such income from the self employment tax.

Under the bill introduced today, this tax increase on limited partners, if later issued as a final rule, could not go into effect for at least 60 days following its publication in the Federal Register. This window, which coincides with issuance of a report by the Comptroller General, would allow Congress the opportunity to review the rule and vote on a resolution to disapprove the tax increase before it is applied to a single taxpayer.

The Stealth Tax Prevention Act strengthens the Red Tape Reduction Act and the vital procedural safeguards it provides to ensure that small businesses are not burdened unnecessarily by new Federal regulations. Congress enacted the 1996 provisions to strengthen the effectiveness of the Regulatory Flexibility Act, a law which had been ignored too often by government agencies, especially the Internal Revenue Service. Three of the top recommendations of the 1995 White House Conference on Small Business sought reforms to the way government regulations are developed and enforced, and the Red Tape Reduction Act passed the Senate without a single dissenting vote on its way to being signed into law on March 29, 1996. Despite the inclusion of language in the 1996 amendments that expressly addresses coverage of IRS interpretative rules, the IRS continues to bypass compliance with the Regulatory Flexibility Act.

As 18 of my Senate colleagues and I advised Secretary Rubin in an April 9,

1997, letter, the proposed IRS regulation on limited-partner taxation is precisely the type or rule for which a regulatory flexibility analysis should be done. Although, on its face, the rulemaking seeks merely to ''define a limited partner'' or to ''eliminate uncertainty'' in determining net earnings from self-employment, the real effect of the rule would be to raise taxes by executive fiat and expand substantially the spirit and letter of the underlying statute. The rule also seeks to impose on small businesses a burdensome new recordkeeping and collection of information requirement that would affect millions of limited partners and members of limited liability companies. The IRS proposed this ''stealth'' tax increase with the knowledge that Congress declined to adopt a similar tax increase in the Health Security Act proposed in 1994—a provision that the Congressional Joint Committee on Taxation estimated in 1994 would have resulted in a tax increase of approximately $500 million per year.

The Stealth Tax Prevention Act would remove any incentive for the Treasury Department to underestimate the cost imposed by an IRS proposed or final rule in an effort to skirt the Administration's regulatory review process or its obligations under the Regulatory Flexibility Act. By amending the definition of ''major rule'' under the Congressional Review Act, which is Subtitle E of the Red Tape Reduction Act, we ensure that an IRS rule that imposes a tax increase will be a major rule, whether or not it has an estimated annual effect on the economy of $100,000,000. Our amendment does not change the trigger for a regulatory flexibility analysis, which still will be required if a proposed rule would have ''a significant economic impact on a substantial number of small entities.'' We believe the heightened scrutiny of IRS regulations called for by this legislation will provide an additional incentive for the Treasury Department's Internal Revenue Service to meet all of its procedural obligations under the Reg Flex Act and the Red Tape Reduction Act.

I urge my colleagues to join us in supporting this important legislation to ensure that the IRS neither usurps the proper role of Congress—nor skirts its obligations to identify the impact of its proposed and final rules. When the Department of the Treasury issues a final IRS rule that increases taxes, Congress should have the ability to exercise its discretion to enact a resolution of disapproval before the rule is applicable to a single taxpayer. The Stealth Tax Prevention Act Senator SHELBY and I introduce today provides that opportunity.

By Mr. SHELBY:

S. 603. A bill to promote competition and greater efficiency of airlines to ensure the rights of airline passengers, to provide for full disclosure to those passengers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

AIRLINE DEREGULATION AND DISCLOSURE ACT OF 1999

Mr. SHELBY. Mr. President, the legislation that abolished the Civil Aeronautics Board in 1978 and deregulated the airline industry has been a huge success. Americans are flying more, and more Americans are flying; at the same time, air fares have dropped and air travel has become safer. The average price of an airline ticket has decreased approximately 33 percent in real terms since market forces replaced the whims of federal bureaucrats in setting fares. The number of passengers flying domestic routes has more than doubled to approximately 600 million annually. It is not surprising, then, that air travel is no longer an exclusive privilege of the elite and today is accessible to most Americans.

While deregulation of the airline industry overall has yielded the benefits that free markets promise, there are growing pains. As the number of air passengers increases, so has the number of consumer complaints against air carriers. Some members of Congress have concluded that competition does not work for commercial aviation. They have stepped forward with proposals to reimpose federal control over air fares and carrier routes, to offer taxpayer subsidies to fledgling air carriers to compete against industry goliaths, or to levy a variety of new fines that would add to the Department of Transportation's duty the role of meter maid. We should be wary of any such effort to reintroduce the heavy hand of government under the auspices of protecting airline passengers.

Mr. President, lets not rush to throw out the baby with the bath water and undo twenty years of unprecedented growth and consumer savings under deregulation. Now is the time to reinvigorate competition in the air passenger market, even if the air carriers do not welcome it. The best way to increase competition is to regulate less, not more. Regulations that serve as barriers to the commercial aviation market should be removed. Regulations that promote the division of the marketplace into regional cartels should be abandoned. Regulations and FAA management practices that delay the installation of new technology that facilitates competition should be streamlined.

I believe that we can also increase competition in the airline industry by providing the traveling public with more useful information and by giving consumers ownership of the commodity they have purchased—their seat on an airplane. Today, I am introducing legislation that will provide passengers with greater information about their air fare and flight and with greater flexibility over unused or partially used fares.

The price of an airline ticket is as much a mystery as the Pyramids or the Hanging Gardens. In fact, The New York Times reported that on a single flight, passengers paid 27 different fares, ranging from $87 to $728. We should not adopt any measure that discourage air carriers from discounting fares or that chill the benefits airline consumers are now receiving. Air carriers, however, should not be allowed to continue bait-and-switch advertising. If an air carrier offers a discounted fare, my bill permits all passengers to make a confirmed reservation at that same price for a twenty-four hour period.

Under my bill, consumers will get more ticket and flight information. Airlines will be required to notify passengers about flight delays, cancellations, or diversions. Air carriers must also disclose if the passenger will be traveling on a carrier other than the one from whom the consumer purchased the ticket or if the flight will require the passenger to change planes.

At the same time, my bill will ensure that air carriers are penalized for canceling flights, bumping passengers, and holding travelers hostage on board an aircraft with inpunity. Whenever an airline passenger is unable to make a flight, the passenger will have the opportunity to board a similar flight on a standby basis. Whenever an airline cancels a flight for their convenience, it will have to offer to compensate each passenger. Whenever an airline keeps passengers on board an aircraft that sits on the tarmac for more than two hours, it will have to offer to compensate each passenger.

The Airline Deregulation Act of 1978 started a revolution in the airline industry, a revolution that according to a Brookings Institution study has benefitted consumers by $18.4 billion. That revolution is unfinished. I want to take the next step and promote new competition in the passenger aviation marketplace. My bill does this by taking away much of the mystery associated with flying.

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:

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 ''Airline Deregulation and Disclosure Act of 1999''.

SEC. 2. AIRLINE PASSENGER PROTECTION.

(a) IN GENERAL.—Subchapter I of chapter 417 of title 49, United States Code, is amended by adding at the end the following:

''§ 41716. Air carrier passenger protection

''(a) DELAY, CANCELLATION, OR DIVERSION.—

''(1) EXPLANATION OF DELAY, CANCELLATION, OR DIVERSION REQUIRED.—An announcement

by an air carrier of a delay or cancellation of a flight, or a diversion of a flight to an airport other than the airport at which the flight is scheduled to land, shall include an explanation of each reason for the delay, cancellation, or diversion.

''(2) PROHIBITION ON FALSE OR MISLEADING EXPLANATIONS.—No air carrier shall provide an explanation under paragraph (1) that the air carrier knows or has reason to know is false or misleading.

''(3) DELAYS AFTER ENPLANING OR BEFORE DEPLANING.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), no air carrier may require a passenger on a flight of that air carrier to remain onboard an aircraft for a period longer than 2 hours after—

''(i) the passenger enplaned, in any case in which the aircraft has not taken flight from the airport during that period; or

''(ii) the aircraft has landed at an airport, if the aircraft remains in that airport without taking flight.

''(B) ELECTION.—A passenger described in subparagraph (A) may remain onboard an aircraft described in clause (i) or (ii) of that subparagraph for a period longer than the applicable period described in that subparagraph, if, not later than the end of that 2-hour period—

''(i) the air carrier offers the passenger an opportunity to deplane with a full refund of air fare; and

''(ii) the passenger declines that offer.''.

''(b) ECONOMIC CANCELLATIONS.—

''(1) NONSAFETY CANCELLATIONS.—If, on the date a flight of an air carrier is scheduled, the carrier cancels the flight for any reason other than safety, the carrier shall provide to each passenger that purchased air transportation on the flight a refund of the amount paid for the air transportation.

''(2) CANCELLATIONS FOR SAFETY.—A cancellation for safety is a cancellation made by reason of—

''(A) an insufficient number of crew members;

''(B) weather;

''(C) a mechanical problem; or

''(D) any other matter that prevents—

''(i) the safe operation of the flight; or

''(ii) the flight from operating in accordance with applicable regulations of the Federal Aviation Administration.

''(c) CODE SHARING.—An air carrier, foreign air carrier, or ticket agent may sell air transportation in the United States for a flight that bears a designator code of a carrier other than the carrier that will provide the air transportation, only if the carrier or ticket agent selling the air transportation first informs the person purchasing the air transportation that the carrier providing the air transportation will be a carrier other than the carrier whose designator code is used to identify the flight.

''(d) MULTIPLE FLIGHTS.—An air carrier, foreign air carrier, or ticket agent that sells air transportation in the United States that requires taking flights on more than 1 aircraft shall be required to provide notification on a ticket, receipt, or itinerary provided to the purchaser of that air transportation that the passenger shall be required to change aircraft.

''(e) AIR CARRIER PRICING POLICIES.—An air carrier may not—

''(1) prohibit a person (including a governmental entity) that purchases air transportation from only using a portion of the air transportation purchased (including using the air transportation purchased only for 1-way travel instead of round-trip travel); or

''(2) assess an additional fee or charge for using only a portion of that purchased air transportation to be paid by—

''(A) that person; or

''(B) any ticket agent that sold the air transportation to that person.

''(f) EQUITABLE FARES; FREQUENT FLYER PROGRAM AWARDS.—

''(1) REDUCED FARES.—Subject to paragraph (2), if an air carrier makes seats available on a specific date at a reduced fare, that air carrier shall be required to make available air transportation at that reduced fare for any passenger that requests a seat at that reduced fare during a 24-hour period beginning with the initial offering of that reduced fare.

''(2) LIMITATION.—

''(A) IN GENERAL.—An air carrier shall not be required under paragraph (1) to make a seat available for a route at a reduced fare, if providing that seat at that fare would result in the air carrier being unable to provide, for the 24-hour period specified in that paragraph, the applicable historic average number of seats offered at an unreduced fare for the route, as determined under subparagraph (B).

''(B) HISTORIC AVERAGE.—With respect to a route, the historic average number of seats offered at an unreduced fare for the route is the average number of seats offered at an unreduced fare per day by an air carrier for flights scheduled on that route during the 24-month period preceding the 24-hour period specified in paragraph (1).

''(3) STANDBY USE OF TICKETS.—An air carrier shall permit an individual to use a ticket (or equivalent electronic record) issued by that air carrier on a standby basis for any flight that has the same origin and destination as are indicated on that ticket (or equivalent electronic record).

''(4) FREQUENT FLYER PROGRAM AWARDS.—

''(A) IN GENERAL.—Subject to subparagraph (C), in a manner consistent with applicable requirements of a frequent flyer program, if an air carrier makes any seat available on a specific date for use by a person redeeming an award under that frequent flyer program on any route in air transportation provided by the air carrier, that air carrier shall, to the extent practicable during the 24-hour period beginning with the redemption of that award—

''(i) redeem any other award under that frequent flyer program for air transportation on that route; and

''(ii) make a seat available for the person who redeems that other award on a flight on that route.

''(B) STANDBY USE OF FREQUENT FLYER PROGRAM AWARDS.—An air carrier shall permit an individual to redeem a ticket (or equivalent electronic record) acquired through a frequent flyer award on a standby basis for any flight that has the same origin and destination as are indicated on that ticket (or equivalent electronic record).

''(C) LIMITATION.—

''(i) IN GENERAL.—An air carrier shall not be required under subparagraph (A) to make a seat available for a route for use by a person redeeming a frequent flyer award, if providing that seat to that person would result in the air carrier being unable to provide, for the 24-hour period specified in that paragraph, the applicable historic average number of seats offered at an unreduced fare for the route, as determined under clause (ii).

''(ii) HISTORIC AVERAGE.—With respect to a route, the historic average number of seats offered at an unreduced fare for the route is the average number of seats offered at an unreduced fare per day by an air carrier for flights scheduled on that route during the 24-month period preceding the 24-hour period specified in subparagraph (A).

''(g) ACCESS TO ALL FARES.—Each air carrier operating in the United States shall make information concerning all fares for air transportation charged by that air carrier available to the public, through—

''(1) computer-based technology; and

''(2) means other than computer-based technology.''.

(b) PENALTIES.—Section 46301(a)(1)(A) of title 49, United States Code, is amended by striking ''or 41715 of this title'' and inserting '', 41715, or 41716 of this title''.

(c) CONFORMING AMENDMENT.—The table of sections for chapter 417 of title 49, United States Code, is amended by inserting after the item relating to section 41715 the following:

''41716. Air carrier passenger protection.''.

ADDITIONAL COSPONSORS

S. 98

At the request of Mr. MCCAIN, the names of the Senator from Kentucky (Mr. MCCONNELL), the Senator from Missouri (Mr. ASHCROFT), the Senator from Colorado (Mr. ALLARD), and the Senator from Florida (Mr. MACK) were added as cosponsors of S. 98 a bill to authorize appropriations for the Surface Transportation Board for fiscal years 1999, 2000, 2001, and 2002, and for other purposes.

S. 172

At the request of Mr. MOYNIHAN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 172, a bill to reduce acid deposition under the Clean Air Act, and for other purposes.

S. 249

At the request of Mr. HATCH, the name of the Senator from Missouri (Mr. ASHCROFT) 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. 261

At the request of Mr. SPECTER, the names of the Senator from Utah (Mr. HATCH) and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. 261, a bill to amend the Trade Act of 1974, and for other purposes.

S. 306

At the request of Mr. FRIST, the names of the Senator from Tennessee (Mr. THOMPSON) and the Senator from North Carolina (Mr. EDWARDS) were added as cosponsors of S. 306, a bill to regulate commercial air tours overflying the Great Smokey Mountains National Park, and for other purposes.

S. 336

At the request of Mr. LEVIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 336, a bill to curb deceptive and misleading games of chance mailings, to provide Federal agencies

with additional investigative tools to police such mailings, to establish additional penalties for such mailings, and for other purposes.

S. 346

At the request of Mr. HUTCHINSON, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 346, a bill to amend title XIX of the Social Security Act to prohibit the recoupment of funds recovered by States from one or more tobacco manufacturers.

S. 499

At the request of Mr. FRIST, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 499, a bill to establish a congressional commemorative medal for organ donors and their families.

S. 537

At the request of Mr. LUGAR, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 537, a bill to amend the Internal Revenue Code of 1986 to adjust the exemption amounts used to calculate the individual alternative minimum tax for inflation since 1993.

S. 542

At the request of Mr. ABRAHAM, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 542, a bill to amend the Internal Revenue Code of 1986 to expand the deduction for computer donations to schools and allow a tax credit for donated computers.

S. 575

At the request of Mr. CLELAND, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 575, a bill to redesignate the National School Lunch Act as the ''Richard B. Russell National School Lunch Act''.

SENATE CONCURRENT RESOLUTION 5

At the request of Mr. BROWNBACK, the names of the Senator from New York (Mr. MOYNIHAN) and the Senator from Virginia (Mr. ROBB) were added as cosponsors of Senate Concurrent Resolution 5, a concurrent resolution expressing congressional opposition to the unilateral declaration of a Palestinian state and urging the President to assert clearly United States opposition to such a unilateral declaration of statehood.

SENATE RESOLUTION 19

At the request of Mr. SPECTER, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of Senate Resolution 19, a resolution to express the sense of the Senate that the Federal investment in biomedical research should be increased by $2,000,000,000 in fiscal year 2000.

SENATE RESOLUTION 47

At the request of Mr. MURKOWSKI, the names of the Senator from North Carolina (Mr. EDWARDS), the Senator from Pennsylvania (Mr. SPECTER), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Missouri (Mr. BOND), the Senator from California (Mrs. BOXER), the Senator from Louisiana (Mr. BREAUX), the Senator from Kentucky (Mr. BUNNING), the Senator from Colorado (Mr. CAMPBELL), the Senator from Maine (Ms. COLLINS), the Senator from Idaho (Mr. CRAIG), the Senator from Tennessee (Mr. FRIST), the Senator from Washington (Mr. GORTON), the Senator from Florida (Mr. GRAHAM), the Senator from Texas (Mr. GRAMM), the Senator from Nebraska (Mr. HAGEL), the Senator from Iowa (Mr. HARKIN), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Vermont (Mr. JEFFORDS), the Senator from Indiana (Mr. LUGAR), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Oklahoma (Mr. NICKLES), the Senator from Kansas (Mr. ROBERTS), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New York (Mr. SCHUMER), the Senator from Alabama (Mr. SHELBY), the Senator from Wyoming (Mr. THOMAS), the Senator from Virginia (Mr. WARNER), and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of Senate Resolution 47, a resolution designating the week of March 21 through March 27, 1999, as ''National Inhalants and Poisons Awareness Week.''

SENATE RESOLUTION 60

At the request of Mr. MACK, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of Senate Resolution 60, a resolution recognizing the plight of the Tibetan people on the fortieth anniversary of Tibet's attempt to restore its independence and calling for serious negotiations between China and the Dalai Lama to achieve a peaceful solution to the situation in Tibet.

SENATE CONCURRENT RESOLUTION 17—CONCERNING THE 20TH ANNIVERSARY OF THE TAIWAN RELATIONS ACT

Mr. MURKOWSKI (for himself, Mr. TORRICELLI, Mr. LOTT, Mr. HELMS, Mr. THOMAS, Mr. BURNS, Mr. KYL, and Mr. ROCKEFELLER) submitted the following concurrent resolution; which was referred to the Committeeon Foreign Relations:

S. CON. RES. 17

Whereas April 10, 1999, will mark the 20th anniversary of the enactment of the Taiwan Relations Act, codifying in public law the basis for continued commercial, cultural, and other relations between the United States and democratic Taiwan;

Whereas the Taiwan Relations Act was advanced by Congress and supported by the executive branch as a critical tool to preserve and promote extensive, close, and friendly commercial, cultural, and other relations between the United States and the Republic of China on Taiwan;

Whereas the Taiwan Relations Act has been instrumental in maintaining peace, security, and stability in the Taiwan Strait since its enactment in 1979;

Whereas, when the Taiwan Relations Act was enacted, it reaffirmed that the United States decision to establish diplomatic relations with the People's Republic of China is based upon the expectation that the future of Taiwan will be determined by peaceful means;

Whereas officials of the People's Republic of China refuse to renounce the use of force against democratic Taiwan;

Whereas the defense modernization and weapons procurement efforts by the People's Republic of China, as documented in the February 1, 1999, report by the Secretary of Defense on ''The Security Situation in the Taiwan Strait'', could threaten cross-strait and East Asian stability and United States interests in the East Asia region;

Whereas the Taiwan Relations Act provides explicit guarantees that the United States will make available defense articles and defense services in such quantities as may be necessary for Taiwan to maintain a sufficient self-defense capability;

Whereas the Taiwan Relations Act requires timely reviews by United States military authorities of Taiwan's defense needs in connection with recommendations to the President and Congress;

Whereas Congress and the President are committed by section 3(b) of the Taiwan Relations Act (22 U.S.C. 3302(b)) to determine the nature and quantity of what Taiwan's legitimate needs are for its self-defense;

Whereas the Republic of China on Taiwan routinely makes informal requests to United States Government officials, which are discouraged or declined informally by United States Government personnel;

Whereas it is the policy of the United States to reject any attempt to curb the provision by the United States of defense articles and defense services legitimately needed for Taiwan's self-defense;

Whereas it is the current executive branch policy to bar most high-level dialog regarding regional stability with senior military officials on Taiwan;

Whereas the Taiwan Relations Act sets forth the policy to promote extensive commercial relations between the people of the United States and the people on Taiwan, and that policy is advanced by membership in the World Trade Organization;

Whereas the human rights provisions in the Taiwan Relations Act helped stimulate the democratization of Taiwan;

Whereas Taiwan today is a full-fledged, multiparty democracy that fully respects human rights and civil liberties and, as such, serves as a successful model of democratic reform for the People's Republic of China;

Whereas it is the policy of the United States to promote extensive cultural relations between the United States and Taiwan, ties that should be further encouraged and expanded;

Whereas any attempt to determine Taiwan's future by other than peaceful means, including boycotts or embargoes, would be considered as a threat to the peace and security of the Western Pacific and of grave concern to the United States;

Whereas the Taiwan Relations Act established the American Institute in Taiwan to carry out the programs, transactions, and other relations of the United States with respect to Taiwan; and

Whereas the American Institute in Taiwan has played a successful role in sustaining

and enhancing United States relations with Taiwan: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) the United States should reaffirm its commitment to the Taiwan Relations Act and the specific guarantees of provision of legitimate defense articles to Taiwan contained therein;

(2) the Congress has grave concerns over China's growing arsenal of nuclear and conventionally armed ballistic missiles, the movement of those missiles into a closer geographic proximity to Taiwan, and the effect that the buildup may have on stability in the Taiwan Strait;

(3) the President should direct all appropriate officials to raise with officials from the People's Republic of China the grave concern of the United States over China's growing arsenal of nuclear and conventionally armed ballistic missiles, the movement of those missiles into a closer geographic proximity to Taiwan, and the effect that the buildup may have on stability in the Taiwan Strait;

(4) the President should seek from the leaders of the People's Republic of China a public renunciation of any use of force, or threat to use force, against democratic Taiwan;

(5) the President should provide annually a report detailing the military balance on both sides of the Taiwan Strait, including the impact of procurement and modernization programs underway;

(6) the Secretary of Defense should inform the appropriate committees of Congress when officials from Taiwan seek to purchase defense articles for self-defense;

(7) the United States Government should encourage a high-level dialog with officials of Taiwan and of other United States allies in East Asia, including Japan and South Korea, on the best means to ensure stability, peace, and freedom of the seas in East Asia;

(8) it should be United States policy, in conformity with the spirit of section 4(d) of the Taiwan Relations Act (22 U.S.C. 3303(d)), to publicly support Taiwan's admission to the World Trade Organization forthwith, on its own merits as well as to encourage others to adopt similar policies, without making such admission conditional on the previous or simultaneous admission of the People's Republic of China to the World Trade Organization.

Mr. MURKOWSKI. Mr. President. April 10, 1999 will mark the twentieth anniversary of the signing of the Taiwan Relations Act (''TRA''). Today, I am submitting a concurrent resolution commemorating this important piece of legislation and the commitments that the United States made to the people of Taiwan. The resolution is cosponsored by Senator LOTT, the majority leader, Senator HELMS, the chairman of the Senate Foreign Relations Committee, Senator THOMAS, the chairman of the East Asia Subcommittee of the Senate Foreign Relations Committee, Senator TORRICELLI, also on the Senate Foreign Relations Committee, Senator ROCKEFELLER, Senator BURNS, and Senator KYL. A similar resolution is being introduced today in the House of Representatives by Representative DANA ROHRABACHER.

Mr. President. I was not here when Congress passed the TRA in 1979, but I have great respect for the wisdom that those who proceeded me played in passing this enduring piece of legislation. As former Senator Dole said in commenting on the changes the Congress made to the legislation proposed by the Carter Administration:

[The changes in the bill] ''were meant only to recognize the simple reality of U.S. concerns in the Asia-Pacific region and our desire for peace for an old and faithful ally.''—March 7, 1979.

In talking to colleagues and former Administration officials who were here for the creation of the TRA, you get the sense that no one expected Taiwan to be around for very long. But Taiwan not only survived, she thrived. Taiwan turned into one of the Asian Tigers, and has managed to weather the Asian flu. She is a full-fledged multi-party democracy that respects human rights and civil liberties. She serves as a model of successful democratic reform.

The positive changes in Taiwan are a tribute to the spirit and perseverance of her people, who have achieved an almost impossible dream in the view of many. The United States cannot take credit for Taiwan's achievements, but we can be proud of East Asia. So I think it is appropriate that we take up this resolution that commemorates the anniversary of this piece of legislation.

Mr. President. The resolution praises the TRA for contributing to peace, security and stability in the Taiwan Strait. The resolution also praises the growth of democracy, human rights and civil liberties on Taiwan. And the resolution notes the successful role that the American Institute in Taiwan has played in sustaining and enhancing our relations with Taiwan.

The resolution does express concern about several issues including the process for evaluating Taiwan's legitimate defense needs, the lack of high-level dialog between senior military officials on Taiwan and American defense officials regarding regional stability. The resolution also expresses Congress's grave concern over the possible threat to security in the Taiwan Strait from China's defense modernization and procurement as documented in the February 1, 1999, report to Congress by the Secretary of Defense on ''The Security Situation in the Taiwan Strait''.

Mr. President. This resolution calls for the Congress to reaffirm our commitment to the TRA and to the specific guarantees to provide legitimate defense articles to Taiwan. The Resolution also expresses our grave concern over the threat to Taiwan from China's growing arsenal of nuclear and conventionally armed ballistic missiles, the movement to those missiles into a closer geographic proximity to Taiwan, and the effect that the buildup may have on stability in the Taiwan Strait.

The resolution also encourages a high-level dialog with officials of Taiwan and our other East Asia allies concerning the best means to ensure peace and stability in East Asia.

To provide the Congress with timely information to evaluate Taiwan's self-defense needs, this resolution asks the President to provide an annual report detailing the military balance on both sides of the Taiwan Strait.

Finally, this resolution notes that it should be United States policy to publicly support Taiwan's admission to the World Trade Organization on its own merits as well as to encourage other countries to adopt similar policies, without making such admission conditional on the previous or simultaneous admission of the People's Republic of China to the World Trade Organization.

Mr. President. I hope that the full Senate will have the opportunity to vote on this resolution in the near future.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. GORTON. Mr. President, I ask unanimous consent that the Committee on Armed Services Subcommittee on Emerging Threats and Capabilities be authorized to meet at 3 p.m. on Thursday, March 11, 1999, in open session, to receive testimony on Department of Defense policies and programs to combat terrorism.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. GORTON. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be allowed to meet on Thursday, March 11, 1999 at 9:30 a.m. on S. 383—Airline Passenger Fairness Act.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. GORTON. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, March 11, for purposes of conducting a full committee hearing which is scheduled to begin at 2 p.m. The purpose of this oversight hearing is to consider the President's proposed budget for FY2000 for the U.S. Forest Service.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. GORTON. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be granted permission to conduct a hearing Thursday, March 11, 9:30 a.m., Hearing Room (SD–406), on S. 507, the Water Resources Development Act of 1999.

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

COMMITTEE ON FINANCE

Mr. GORTON. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Thursday, March 11, 1999 beginning at 10 a.m. in room 215 Dirksen.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. GORTON. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, March 11, 1999 at 10 a.m. to hold a hearing.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. GORTON. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on ''Key Patients' Protections: Lessons from the Field'' during the session of the Senate on Thursday, March 11, 1999 at 10 a.m.

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

SPECIAL COMMITTEE ON YEAR 2000 TECHNOLOGY PROBLEM

Mr. GORTON. Mr. President, I ask unanimous consent that the Special Committee on the Year 2000 Technology Problem be permitted to meet on Thursday, March 11, 1999 at 9:30 a.m. for the purpose of conducting a hearing.

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

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHTS AND THE COURTS

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate Judiciary Committee's Subcommittee on Administrative Oversight and the Courts, together with the House Judiciary Committee's Subcommittee on Commercial and Administrative Law, be authorized to meet during the session of the Senate on Thursday, March 11, 1999 at 2 p.m. to hold a hearing in room 2141 of the Rayburn House Office Building, on ''Bankruptcy Reform.''

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

STRATEGIC SUBCOMMITTEE

Mr. GORTON. Mr. President, I ask unanimous consent that the Strategic Subcommittee of the Committee on Armed Services be authorized to meet on Thursday, March 11, 1999 at 10 a.m. in open session, to receive testimony on ballistic missile defense programs and management, in review of the defense authorization request for fiscal year 2000 and the future years defense program.

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

SUBCOMMITTEE ON PERSONNEL

Mr. GORTON. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet on Thursday, March 11, 1999, at 2 p.m. in open session, to receive testimony on the defense health program in review of the defense authorization request for fiscal year 2000 and the future years defense program.

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

ADDITIONAL STATEMENTS

RESTORATION OF LITHUANIA'S INDEPENDENCE

• Mr. ABRAHAM. Mr. President, I rise to mark the ninth anniversary of the restoration of Lithuania's independence. I also rise to pay tribute to the Lithuanian people for their perseverance and sacrifice, which enabled them to achieve the freedom they now enjoy.

On March 11, 1990, the newly elected Lithuanian Parliament, fulfilling its electoral mandate from the people of Lithuania, declared the restoration of Lithuania's independence and the establishment of a democratic state. This marked a great moment for Lithuania and for lovers of freedom around the globe.

The people of Lithuania endured a 51-year foreign occupation. Resulting from the infamous Hitler-Stalin Pact of 1939, this Soviet occupation brought with it communist dictatorship and cultural genocide. But the Lithuanian people were not defeated. They resisted their oppressors and kept their culture, their faith and their dream of independence very much alive even during the hardest times.

The people of Lithuania were even able to mobilize and sustain a non-violent movement for social and political change, a movement which came to be known as Sajudis. This people's movement helped guarantee a peaceful transition to independence through full participation in democratic elections on February 24, 1990.

Unfortunately, the peace did not last. In January 1991, ten months after restoration of independence, the people and government of Lithuania faced a bloody assault by foreign troops intent on overthrowing their democratic institutions. Lithuanians withstood this assault, maintaining their independence and their democracy. Their successful use of non-violent resistance to an oppressive regime is an inspiration to all.

On September 17, 1991, Lithuania became a member of the United Nations and is a signatory to a number of its organizations and other international agreements. It also is a member of the Organization for Security and Cooperation in Europe, the North Atlantic Cooperation Council and the Council of Europe. Lithuania is an associate member of the European Union, has applied for NATO membership and is currently negotiating for membership in the WTO, OECD and other Western organizations.

The United States established diplomatic relations with Lithuania on July 28, 1992. But our nation never really broke with the government and people of Lithuania. The U.S. never recognized the forcible incorporation of Lithuania into the U.S.S.R., and views the present Government of Lithuania as a legal continuation of the inter-war republic. Indeed, for over fifty years the United States maintained a bipartisan consensus that our nation would refuse to recognize the forcible incorporation of Lithuania into the former Soviet Union.

Our relations with Lithuania are strong, friendly and mutually beneficial. Lithuania has enjoyed Most-Favored-Nation (MFN) treatment with the U.S. since December, 1991. Through 1996, the U.S. has committed over $100 million to Lithuania's economic and political transformation and to address humanitarian needs. In 1994, the U.S. and Lithuania signed an agreement of bilateral trade and intellectual property protection, and in 1997 a bilateral investment treaty.

In 1998 the U.S. and Lithuania signed The Baltic Charter Partnership. That charter recalls the history of American relations with the area and underscores our ''real, profound, and enduring'' interest in the security and independence of the three Baltic states. As the Charter also notes, our interest in a Europe whole and free will not be ensured until Estonia, Latvia, and Lithuania are secure.

Mr. President, I commend the people of Lithuania for their courage and perseverance in using peaceful means to regain their independence. I pledge to work with my colleagues to continue working to secure the freedom and independence of Lithuania and its Baltic neighbors, and I join with the people of Lithuania as they celebrate their independence.•

TRIBUTE TO ROBERT CONDON

• Mrs. BOXER. Mr. President, I rise to pay tribute to Robert Condon, one of our nation's leading child literacy advocates, who died last month, tragically, at the all-too-young age of 40. I ask my colleagues to join me in sending condolences to the Condon family.

Robert Condon was a successful businessman, but his true passion was reading. Throughout the 1980s, he took time from his career and family to read to children at local homeless shelters. He understood, far before many Americans did, that reading aloud to children is one of the most effective ways to teach literacy and improve young people's lives.

In 1991, Robert Condon quit his regular job in order to work full time promoting youth literacy. He founded the

non-profit organization ''Rolling Readers USA,'' where he and a small cadre of volunteers read to children in public housing developments, homeless shelters, and schools in the San Diego area.

Robert Condon's passion was contagious and Rolling Readers grew exponentially. Today, it has 40,000 volunteers reading to children in 24 states. Rolling Readers has won acclaim from national organizations, including the International Reading Association and Reading Is Fundamental.

In his short life, Robert Condon touched the lives of hundreds of thousands of children. In his memory, Rolling Readers USA is sponsoring March 27 as a national read-in day, when tens of thousands of volunteers will spend part of their day reading to children, keeping Robert Condon's ideals moving forward.

Mr. President, I encourage all Americans to participate in Rolling Readers USA's national read-in day and to become involved throughout the year to promote youth literacy. Volunteering our time and energy makes a difference and is a fitting way to pay tribute to this remarkable Californian.●

REMARKS BY BETH MACY HONORING SENATOR CLAIBORNE PELL

● Mr. JEFFORDS. Mr. President, I submit for the RECORD the following remarks made by Ms. Beth Macy at an event honoring Senator Claiborne Pell, hosted by the National Association of Independent Colleges and Universities (NAICU). Ms. Macy, a former Pell Grant recipient, spoke eloquently about the positive difference that the Pell grant made in her life and the difference it has made in the lives of the students she now teaches. Senator Pell, a statesman committed to education, was visionary in his creation of the grant that now bears his name. The Pell Grant still serves as the very foundation of our federal commitment to postsecondary study and it has helped make the dream of higher education a reality for millions of low-income individuals. I was pleased and honored to participate in this event for Senator Pell.

I urge my colleagues to take the time to read Ms. Macy's remarks. They remind us of why our support for the Pell grant program is important.

The remarks follow:

REMARKS OF BETH MACY

When a friend of mine, a writer who is in her 80s, heard I was going to give a speech about having been a Pell grant recipient, her first reaction was to joke: ''Don't do it,'' she said ''Unless they promise to forgive any outstanding loan payments.'' And then she said: ''You always hear about Fulbrights, but nobody ever says how much they appreciated their Pell grants.'' That was my thought exactly. And it has been my thought since the day I realized just how much the Pell grant has done for me and thousands of other people like me. They say the G.I. bill changed America; that thousands of people became the first in their families to go to college, turning education from an elites-only business to a more democratic enterprise. Well, the Pells did the same thing a little later and went deeper, helping more women and minorities than the G.I. bill did. And I say this to you unequivocally because I believe it: Had I not gone to college, I don't think I'd have any of the things I treasure most today—my husband, my sons, my friends, my work, even my psychological well-being.

I am not a rich person now, by any means. I drive a used Volvo station wagon with 122,000 miles. My husband drives to the inner-city school where he works in a 1986 Mustang convertible—with a roof that leaks every time it rains. We live in a three-bedroom, four-square house in Roanoke, Virginia, with questionable floor joists and cranky plumbing. The house was built in 1927, the same year my mother was born. Both my house and my mother have character, as they say of things that charm you and annoy you and sometimes make you laugh. My mother was too poor to go to college, and my father dropped out of school in the seventh grade. He told me once that serving as a cook in World War II was the best thing he'd ever done, but he came home from the war to a life of alcoholism, depression and scattered employment. My three older siblings—whose early-adult years predate the founding of the Pell grant—didn't go to college, either; they didn't even consider it. It was just not something people in our family did. I don't want to give you the impression that we grew up hungry or physically abused; we didn't. But we were afflicted with the most serious side effect of growing up poor: the inability to dream. We felt inferior to the kind of people who took vacations and drove cars that started every time.

A few years ago I was reminded of how small my world used to be before I went away to college. My husband and I were driving my 16-year-old niece, who lives in Ohio, to our house in Virginia—on her first trip across state lines. We stopped in Charleston, West Virginia, to refuel the car and our bellies, when Sara removed her requisite teenage earphones, bolted upright in her seat and gasped, ''You mean they have McDonald's here, too?!''

Today I teach personal-essay and memoir writing as an adjunct instructor at Hollins University. I also teach freshman comp and remedial writing part-time at our community college. When any of my students complain that their stories aren't worthy of the written word—or that nothing significant has happened to them—I have them make a list of the defining moments in their lives. To find your plot, I tell them, try to think of one event in your life that has fundamentally changed the way you think and act.

This is mine: I am riding through the flat cornfields of Northwest Ohio on my way to Bowling Green State University. I am in my mom's rusting Mustang, which is packed to the roof with stolen milk crates and cheap suitcases containing my life's belongings: my clothes and books, my Neil Young album collection and my beloved stuffed Ziggy. The year is 1986, and I am 18 years old. I have never seen the beach, nor written a check, nor spent the night any farther from home than Mary Beth Buxton's house on the outskirts of town. As we drive, there are thousands of station wagons packed with thousands of suitcases; thousands of grinding stomachs converging on universities across the country. As we drive, I'm certain that I'm the only college freshman who fears getting lost, not making any friends, failing courses, being shipped back home. And I know I'm the only one arriving on campus with a lucky buckeye from my Grandma Macy's tree in the pocket of my brand-new too-blue jeans. Courage, as defined by Emerson: having the guts to do the thing you've never done before. The one time I dove off the city-pool high dive, I land flat on my belly. They said you could hear the smack at the tennis courts a quarter-mile away. Sure, I tried something new, but I never climbed that ladder again. In my mom's Mustang, my heart soars and plummets with every mile crossed. I'm excited that I just might break into the ranks of the Official Middle Class, but I fear being found out as the impostor I believe I am. I consider asking my mom to turn around and take me home, but for the life of me I can't even talk. Courage, as defined by me: having the guts to dive in over and over again, until the belly flop becomes a perfect plunge. I climbed back up the high-dive ladder the day I went to college. But I couldn't have done it without the Pell grant, which paid my tuition. To cover room and board, I worked two, sometimes three jobs at a time, and I received several National Direct Student Loans.

This is why last year, on my first night of teaching—after working as a journalist for 12 years and earning a master's degree in creative writing at Hollins—the following people inspired me: Sandy and Teree, sisters who both drive school buses and dream of earning associate's business degrees so they can help their truck-driver husbands start their own company; Amy, a single mom who spoke of what it was like to be diagnosed as having ADD (at age 30) and, with the help of medicine, finally being able to THINK; Charles, who'd recently moved to Virginia from a drug-treatment center in Connecticut, ready to try life without drugs; Beth, mother of four, who said she came to college because she doesn't want her kids to grow up thinking she's stupid; and Randy, a mechanic who came to class without first washing his greasy hands. For our first in-class exercise, Randy wrote about the best job he'd ever had, in construction. His ideas were developed, his examples full of detail. But he didn't have a single period or comma on the page. He said he had no idea where to place a period. ''If I get me a computer,'' he asked, ''won't that put in all the periods for me?'' Randy wasn't exactly Hemingway by the semester's end, but he did know how to punctuate a sentence. He came to every class early, stayed late and never missed dropping by during office hours to show me his work. He improved more than any student I've ever taught, and I'm told he's still in school—plugging away at ''The Great Gatsby'' and ''Once More to the Lake'' after his eight-hour shift fixing cars. He wants to buy his own business, too, and I believe some day he will. He was one of several who stayed late that first night to get me to sign his Pell Grant form.

I know there are people who like to bash Pell grant recipients. About 10 years ago, on our way to cover a newspaper story, a photojournalist friend and I were riding in a company car, when the subject of lost loves and old boyfriends reared its ugly head. The daughter of a doctor, my friend confided that she still pines over one ex-beau in particular—but added that he was not worthy of her angst, on account of, as she put it: ''He was a total loser. I mean, he went to college on a Pell grant.'' Back then I was too

ashamed of my roots to confront that kind of elitism, so I stewed and said nothing. But a few months ago at a teaching conference I attended, a colleague made a similar comment. He said that most of his Pell students are slackers; that they take advantage of government hand-outs; that they don't have what it takes to make it in a white-collar world. This time I could not keep quiet. I told him that most of my Pell students are even more driven than my middle- and upper-class students, with a lot more riding on the success of their papers than a letter grade or the refinement of their creative-writing skills. Most of my Pell students are working toward not only a degree and a decent job, but also a fundamental shift in the direction of their lives. They want to worry not about paying the bills, but about whether their kids are more suited to playing soccer or the violin. When you're mired in poverty's problems, you don't have the luxury of worrying about basic ''quality of life''; it wouldn't occur to you to even use that phrase.

I am not rich now by any means. But most of the time I am happy, and I am productive, and I am not ashamed. I thank you, Senator Pell, for your gift of education—on behalf of myself, my students and all the rest of the people out there who might yet get a shot at a life better than the one they were born into.●

WOMEN'S HISTORY MONTH

● Mr. SARBANES. Mr. President, today I rise in recognition of Women's History Month—a time to honor the many great women leaders from our past and present who have served our Nation so well. They have worked diligently to achieve social change and personal triumph usually against incredible odds. As scientists, writers, doctors, teachers, and mothers, they have shaped our world and guided us down the road to prosperity and peace. For far too long, however, their contributions to the strength and character of our society went unrecognized and undervalued.

Women have led efforts to secure not only their own rights, but have also been the guiding force behind many of the other major social movements of our time—the abolitionist movement, the industrial labor movement, and the civil rights movement, to name a few. We also have women to thank for the establishment of many of our early charitable, philanthropic, and cultural institutions.

In Maryland, we are proud to honor the many women who have played such critical roles in the development of our State heritage. They include Margaret Brent, who, in 1648, became America's first woman lawyer and landholder, and Harriet Tubman, who saved thousands of lives during the Civil War through the Underground railroad. Other great Maryland women include Henrietta Szold, the founder of Hadassah, the Women's Zionist Organization of America and Dr. Helen Taussig, who developed, in 1945, the first successful medical procedure to save ''blue babies.''

Now more than ever, women are a guiding force in Maryland and a major presence in our business sector. As of 1996, there were over 167,000 women-owned businesses in our State—that amounts to 39 percent of all firms in Maryland. Maryland's women-owned businesses employ over 301,000 people and generate over $39 billion in sales. Between 1987 and 1996, the number of women-owned firms in Maryland is estimated to have increased by 88 percent.

During Women's History month we have the opportunity to remember and praise great women leaders who have opened doors for today's young women in ways that are often overlooked. Their legacy has enriched the lives of us all and deserves prominence in the annals of American history.

With this in mind, I have co-sponsored legislation again this Congress to establish a National Museum of Women's History Advisory Committee. This Committee would be charged with identifying a site for the National Museum of Women's History and developing strategies for raising private funding for the development and maintenance of the museum. Ultimately, the museum will enlighten the young and old about the key roles women have played in our Nation's history and the many contributions they have made to our culture.

However, we must do more than merely recognize the outstanding accomplishments women have made. Women's History Month also is a time to recognize that women still face substantial obstacles and inequities at every turn. Access to capital for female entrepreneurs is still a significant stumbling block, and women business owners of color are even less likely than white women entrepreneurs to have financial backing from a bank. A female physician still only earns about 58 cents to her male counterpart's dollar, and female business executives earn about 65 cents for every dollar paid to a male executive. At every age, women are more likely than their male contemporaries to be poor, and the average personal income of men over 65 is nearly double that of their female peers. Tragically, the incidence of AIDS among black and Hispanic women and teenage girls is far out of proportion to their percentage of the population.

On the other hand, we have made great strides toward ensuring a fairer place for women in our society. The college-educated proportion of women, although still smaller than the comparable proportion of men, has been increasing rapidly. Black and white women's death rates from heart disease have dropped significantly since 1970. Women are now the majority in some professional and managerial occupations that were largely male until relatively recently.

Mr. President, as we begin a new millennium, it is my hope that our progress in securing women's rights will accelerate. As we celebrate Women's History Month, let us reaffirm our commitment to the women of this Nation and to insuring full equality for all of our citizens.●

RECOGNIZING PHYLLIS MARCKWORTH OF THE PORT TOWNSEND SCHOOL DISTRICT

● Mr. GORTON. Mr. President, I would like to recognize the outstanding achievements of a local educator, Phyllis Marckworth, from Port Townsend in Washington State. Phyllis has been brought to my attention for her devoted efforts in singlehandedly taking charge of efforts to create an integrated system of technology throughout the Port Townsend School District. Indeed, Superintendent Gene Medina credits Phyllis' enthusiastic efforts for literally transforming the fundamental nature of student learning in the district. It is individuals like Ms. Marckworth that should remind all of us here in the U.S. Senate of the indispensable role that the innovation of local educators play in our children's education.

Phyllis is the kind of rare and special educator which schools across this country cherish. She serves as a teacher, a technology administrator, and a staff developer. Thus, her contributions to the better education of students of Port Townsend are noteworthy for several reasons: first, her incredible zeal in tirelessly laboring on behalf of the students she serves. In 1993, she was coordinating plans to purchase computers and telephones for the Port Townsend District. Rather than follow the tradition path of initial hardware investment to supply individual classrooms, Phyllis embarked on a bolder and eventually more rewarding task of assembling an entire telecommunications network for all the students in the district to utilize and learn from. That network has since become the backbone of the improved communication and learning in Port Townsend that all schools hope technology will bring to our classrooms.

Secondly, her visionary innovation in implementing an integrated system of technology within the Port Townsend school district has resulted not just in a ''technology curriculum'' but technology that is fully integrated within the entire district's curriculum. This integration has resulted in better education for students who now understand and utilize technology as a part of every aspect of their lives and learning, not just a computer that is used for typing term papers or biology lab reports.

Finally, this integration which Phyllis sparked has also corresponded with a direct focus on developing the ability

of staff throughout the Port Townsend district to make technology a part of their classrooms. Hence, teachers can make technology a part of the whole education process rather than simply a small piece student learning. Too often technology is brought in to the classrooms of today without the training necessary for our teachers to best use that technology to train our students for tomorrow. Phyllis Marckworth has met that challenge head on and has made her district and its students better because of the creative and dedicated way in which she has done so.

It is individuals like Phyllis Marchworth that make education across this country and in our local schools great, not more rules and regulations from Washington, DC. As we in the Senate work on important education legislation, I hope my colleagues will remember the innovative work of educators like Phyllis Marchworth who show how local communities create education success stories when we give them the flexibility they need and deserve.●

BRUMIDI IN NEW YORK

● Mr. MOYNIHAN. Mr. President, I rise today to call the Senate's attention to works of an artist with whom we are all quite familiar. Constantino Brumidi is famous for having painted much of the fine murals here in the Capitol. What is not as yet known, however, is that his other major body of work, in fact the only other great body of work in the United States, is at the Our Lady of the Scapular & St. Stephen's Church (St. Stephen's) in New York City. Located on 29th Street and Third Avenue on Manhattan's East Side, St. Stephens is home to many Brumidi masterpieces, including a mural of the crucifixion which is believed to be the largest of its kind in the world. At one time, St. Stephen's was home to the New York City Arch Diocese and the largest Catholic Church in New York.

Unfortunately, many of the paintings and murals have fallen into disrepair and are in need of restoration. The church has undertaken a campaign to raise the funds necessary to complete this task. I am hopeful that some government funds may be available as well, perhaps through the Save America's Treasures program. Our own Barbara Wolanin from the Architect of the Capitol's office is familiar with St. Stephen's and their efforts to preserve their collection of Brumidis. I invite my colleagues to visit St. Stephen's the next time they are in New York and see the other body of work by the artist we have all come to love.

Mr. President, I ask that an article written by members of St. Stephen's about their Brumidi collection be printed in the RECORD.

The article follows:

CONSTANTINO BRUMIDI—ARTIST OF THE CAPITOL—CLASSICAL ARTIST AND DECORATOR OF ST. STEPHEN'S CHURCH

In a new publication, Constantino Brumidi: Artist of the Capitol, Barbara Wolanin (curator for the architect of the Capitol) and a host of other scholars present the first in depth biography of this important painter whose work at the Capitol has recently been restored.

In addition to ''The Apotheosis of George Washington'' which adorns the Capitol dome in the Rotunda, Brumidi painted in the House of Representatives Chamber, the President's Room, the Senate Reception Room, and throughout many of the corridors of our nation's Capitol. The first floor Senate corridors of the Capitol are known as the ''Brumidi Corridors.''

Ms. Wolanin brings to our attention the fact that a large body of Constantino Brumidi's work is in a Catholic church in New York City. The Order of Carmelites, who serve the parish of Our Lady of the Scapular & St. Stephen's Church in the Rosehill District of Manhattan, have invested over a million dollars of their own funds to restore the exterior of their Romanesque Revival church built to the designs of the architect James Renwick Jr. in 1854 (Mr. Renwick also designed the Smithsonian Castle and the Renwick Gallery). This initial investment has halted deterioration of the many frescoes, murals and decorative elements by Brumidi on the church's interior walls.

Brumidi's mural of the Crucifixion behind the main altar of the church is believed to be the largest of its kind in the world. Brumidi's frescoes of David, the Madonna and Child and St. Cecilia on the south wall, once neglected and in danger of irreversible damage, have been restored by Constance Silver of Preservar in an effort to understand the composition of the underlying wall and the materials and techniques Brumidi used. The goal of the Carmelites is to fully restore the baroque interior of the church, which may be the only one of its kind in America.

Examples of ''trompe l'oeil,'' Brumidi's scheme of architectural illusion which originally united all of the artistic and architectural elements of the church, have been exposed for study and may be seen on the partially restored south wall.

From the mid 1850's through the early 1870's when not working at the Capitol, Brumidi traveled to New York to work at St. Stephen's. Today, the parish serves a small and thriving community. In the 19th century, however, due to a massive immigration of Irish fleeing the Great Famine, St. Stephen's Church became, for a time, the largest and most influential Catholic parish in the United States.●

THE NURSING HOME RESIDENTIAL SECURITY ACT OF 1999

● Mr. ROTH. Mr. President, one week ago today, the Finance Committee unanimously voted to support legislation to protect from eviction nursing home residents who rely on Medicaid. Our bill, S. 494, the Nursing Home Residential Security Act of 1999, is supported by both the nursing home industry and senior citizens' advocates.

Yesterday, the House of Representatives passed H.R. 540, companion legislation to our bill, by a vote of 392 to 12. I call on my colleagues now to join me in voting in support of this important legislation. Let us send it to the President and make it the first piece of health care legislation to become law this year.

Our legislation prohibits nursing homes that withdraw from participation in the Medicaid program from evicting the Medicaid residents who are already in the facility. Essentially, we provide for a phase-down rather than an immediate termination of participation in Medicaid.

Sixty-eight percent of all nursing home residents eventually end up on Medicaid. Our bill protects these vulnerable senior citizens and individuals with disabilities from finding themselves evicted. The bill goes a long way toward assuring residents and their families that they will continue to receive quality nursing home care without fear of inappropriate eviction.

S. 494/H.R. 540 is a modest but important proposal that will promote the peace of mind of millions of Americans. I ask my colleagues for their support.●

IN MEMORY OF LOUISIANA STATE REPRESENTATIVE AVERY ALEXANDER

● Mr. BREAUX. Mr. President, with the passing this week of Louisiana state Representative Avery Alexander, our nation and my state of Louisiana lost one of its most legendary and respected citizens. For most of his 88 years, Reverend Alexander gave himself selflessly and completely to the service of others—as a dedicated and caring minister, as a fearless and principled civil rights leader and as a tireless and thoroughly honorable public servant.

To those who knew him, ''The Rev,'' as he was called, was a nothing short of a living legend and the very embodiment of the courage, passion and vision that characterized the civil rights movement of the 1950s and 1960s. In a day and time when standing up for your rights as an American meant taking your life into your hands, Avery Alexander and his allies took to the streets and helped transform our nation. Avery Alexander and his contemporaries in the civil rights movement helped give our nation a new birth of freedom and for that we are internally grateful.

Yet long after the great civil rights marches and protests of the 1960s and well into his ninth decade of life, Reverend Alexander was still as passionate and committed to the cause of human rights as he had always been. It wasn't that long ago—three years to be exact—that the people of Louisiana were treated to the familiar image of Avery Alexander on a ticket line in Baton Rouge, protesting changes to the state's affirmative action laws that he believed were unfair and unwise. When Avery Alexander believed in something, especially civil rights, he gave it

his all. And he knew better than most that the civil rights laws of the 1960s were only a beginning, not an end, of a great national journey for every citizen, black, white, Hispanic or Asian.

Whatever one might have thought about him, and however one might have disagreed with him, I know of no one who would have ever thought of questioning Avery Alexander's motives. He was a supremely principled man, led by conscience and an innate sense of mission and morality to serve always as a voice for those who had lost or had never been given the right to speak for themselves. If you were down and out, forgotten, discriminated against, despised or rejected by society, then Avery Alexander was your friend. I have known few people who lived up to the Biblical admonition to love unconditionally as well as he did. Avery Alexander will be missed. But he will also be long remembered for the ways he taught and inspired us to love, to care, to serve and, most of all, to look beyond skin color and gender and age and creed and to see that which is best, noble and God-given in each of us.

We will all miss the ''Rev!''●

CONGRATULATING WTOP FOR 30 YEARS OF OUTSTANDING SERVICE

● Mr. SARBANES. Mr. President, I rise today to commemorate the 30th Anniversary of one of the area's finest news stations, WTOP, a station that has been a trustworthy and informative source of regional and national news since 1969.

In our increasingly inter-connected society where technology has increased the speed at which information is collected, disseminated and analyzed, the importance of responsible journalism has become even more important. WTOP has maintained a reputation as an accurate news source by its reporting of events from Watergate to the recent impeachment trial; from Vietnam to conflicts in the Persian Gulf; from issues regarding the District of Columbia to the politics of my home State of Maryland. In addition to news accounts on these issues, WTOP always has weather, traffic and sports reports to complete its effective coverage. Much as CNN is the leader in television news coverage, WTOP leads the way in providing up-to-date radio news 24 hours a day.

I would also like to commend the service of one individual in particular, WTOP's Congressional correspondent Dave McConnell, who has been with the station for almost 20 years. I have worked first-hand with Dave over the years and have the utmost respect for his journalistic integrity and his dedication to reporting the news in a precise yet understandable way. Indeed, his ''Today on the Hill'' broadcasts have provided listeners with the most up-to-date information on legislative activities on Capitol Hill by talking directly with members of Congress about the issues.

Mr. President, I am pleased to have this opportunity to recognize the professionalism of this station and its employees on this auspicious anniversary, and to extend my best wishes to WTOP for the next 30 years and beyond.●

TRIBUTE TO ROBERT L. OZUNA

● Mrs. BOXER. Mr. President, I rise to pay tribute to Robert L. Ozuna, Chief Executive Officer of New Bedford Panoramex Corporation from 1966 until his death on March 6 at the Queen of the Valley Hospital in West Covina, California. He was 69.

Robert Ozuna was the oldest of four children born in Miami, Arizona to Mexican-American parents. In 1940, after his father's death, Robert moved with his mother, brother and sisters to East Los Angeles, where he worked steadily from an early age in order to help support the family.

As Founder and President of New Bedford Panoramex Corporation (NBP), Robert Ozuna became one of the most successful Mexican-American entrepreneurs in southern California. He gained his business experience on the job and his engineering education by attending night school in the California community and junior college system.

In 1966, Ozuna began to build his company with a second mortgage on his home, and a few electrician's hand tools, hard work and entrepreneurial instincts into the thriving electronics manufacturing business it is today in Upland, California. NBP designs, develops and manufactures electronic communication systems and remote monitoring systems for its primary client, the United States Government.

Robert Ozuna's hard work and dedication were given public recognition when he received the Department of Transportation Minority Business Enterprise Award for 1987 and again for 1991. He received the Air Traffic Control Association Chairman's Citation of Merit Award in 1994. He was an active member of The California Chamber of Commerce for various cities and a founder of Casa De Rosa Annual Golf Tournament, which he started to raise funds for the Rancho de Los Ninos Orphanage in BajaMar, Mexico.

As industrious as Robert Ozuna was in business, he was equally involved sharing his prosperity with many philanthropic activities in his community. He sponsored many events in the Hispanic neighborhood where he grew up, and he was a founding director of the East Los Angeles Sheriff's Youth Athletic Association, which promotes educational, athletic and drug awareness programs for more than 60,000 youths in the Los Angeles Metropolitan area.

Robert Ozuna is remembered by his employees at New Bedford Panoramex Corporation as a man with a deep passion for life. His concern for his employees and their families along with his abundant generosity to them was always present.

Robert Ozuna was married for 35 years to Rosemary, who passed away in November of 1998. He is survived by his mother Amella Ozuna, his sons Steven Ozuna and Jeff Dominelli, his daughters Nancy DeSilva and Lisa Jarrett, his sisters Lillian Gomez and Vera Venagas, and his brother Tony Ozuna. He also leaves six grandchildren.

Robert Ozuna epitomized the American dream, which promises to anyone who works hard and plays by the rules the opportunity to achieve great success. Robert Ozuna lived that dream. Though he will be greatly missed, his life and achievements will serve as an inspiration to generations to come.●

ORDERS FOR MONDAY, MARCH 15, 1999

Mr. GORTON. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon on Monday, March 15. I further ask consent that on Monday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved, and the Senate then begin a period for morning business until 3:00 p.m., with the following limitations: Senator HATCH, 30 minutes; Senator COLLINS, 15 minutes; Senator INHOFE, 30 minutes; Senator HOLLINGS, 20 minutes; Senator DURBIN, or his designee, 30 minutes; Senator BUNNING, 10 minutes.

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

Mr. GORTON. I further ask consent that following morning business, the Senate resume consideration of S. 257, the missile defense bill.

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

PROGRAM

Mr. GORTON. Mr. President, for the information of all Senators, the Senate will reconvene at 12 noon on Monday, March 15, and begin a period for morning business until 3:00 p.m. Following morning business, the Senate will resume consideration of the missile defense bill. The leader has announced that there will be no rollcall votes on Monday, but he hopes that Members will be available on Monday in order to offer and debate amendments to the missile defense legislation. Any votes ordered with respect to any offered amendments will be ordered to occur on Tuesday, and all Members will be notified of that voting schedule when it is available.

ADJOURNMENT UNTIL MONDAY, MARCH 15, 1999

Mr. GORTON. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:48 p.m., adjourned until Monday, March 15, 1999, at 12 noon.

HOUSE OF REPRESENTATIVES—*Thursday, March 11, 1999*

The House met at 10 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We pray, gracious God, that we are not judged by our attempts to do the works of justice or by our failures to be the people You would have us be, but rather by Your mercy and forgiveness and grace. We seek to do the right, but we also miss the mark; we wish to remember others with appreciation, but we can become too filled with pride to show gratitude; we can talk about the need for respect in our communities, but we can also speak words without any change in our deeds. May the words we say with our lips find meaning with what we believe in our hearts, and all that we believe in our hearts may we practice in our daily lives. In Your name 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 New Jersey (Mr. PALLONE) come forward and lead the House in the Pledge of Allegiance.

Mr. PALLONE led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair announces that there will be 10 1-minutes on each side.

VOTE NO ON H.R. 45

(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, H.R. 45 is the nuclear waste lottery. We bet our homes, our property, the safety of our family, and then if one of these nuclear carnivals passes by our property, bingo, we get big bucks.

This is a lawyer's dream. Thousands of innocent people will get a large payment of taxpayer money because the transportation of this deadly radioactive waste will devalue and endanger their property. Mr. Speaker, let me explain.

Recently the New Mexico State Supreme Court ruled that Mr. John Komis of Santa Fe will be awarded more than $884,000 in damages resulting from the devaluation of his property simply due to the transportation of nuclear waste past his property.

If H.R. 45 were to pass, almost 80,000 tons of nuclear garbage will be shipped across our Nation's highways, destroying property values across this country like a string of dominos falling in its path, and who will pay for this devaluation of private property? The American taxpayer will foot the bill to support a radical, extremely costly policy mandated by H.R. 45.

Mr. Speaker, this is a risk America cannot afford.

STRENGTHENING RETIREMENT SECURITY FOR MIDDLE CLASS FAMILIES INTO THE 21ST CENTURY

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

Mr. PALLONE. Madam Speaker, the Republicans have failed to make a commitment to use any of the Federal surplus to shore up the Medicare Trust Fund.

Medicare, as we know, is projected to become insolvent in 2008.

Democrats call for strengthening and improving Medicare by locking in 15 percent of the projected budget surplus over the next 15 years in the Medicare trust fund. Democrats would add at least a decade to the life of the Medicare Trust Fund while we work to enact long-term reforms to extend the life of the plan. Republicans, on the other hand, are pursuing broad-based tax cuts instead of saving Medicare, and they want short-term giveaways instead of long-term investments in the future.

The Democrats have the only plan that extends the life span of both Social Security and Medicare and strengthens retirement security for middle class families well into the 21st century.

MIAMI-DADE COUNTY'S WOMEN'S PARK

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

Ms. ROS-LEHTINEN. Madam Speaker, I would like to tell my colleagues and the visitors here today about a very special place in south Florida, the Women's Park. This is the very first park of its kind anywhere in the entire country that is devoted solely to the contributions that women have made to our community, our history, to our society and our lives. It is hoped that the many achievements made by women will be recognized throughout the entire year and not just now during the month of March, which is designated as Women's History Month. When the Women's Park opened in Miami in 1992, it was dedicated to all the women of the community in recognition of their diverse contributions to our quality of life.

Madam Speaker, I hope that the Women's Park in Miami will serve as an inspiration to celebrate the many achievements of women throughout our country, and if any of my congressional colleagues would like to start such a women's park in their communities, I will be glad to work with them so we can all celebrate the many achievements of women.

URGING SPEAKER NOT TO ALLOW VOTE ON TROOPS IN KOSOVO TODAY

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

Mr. McDERMOTT. Madam Speaker, the House of Representatives has become like a scene from Alice in Wonderland. Yesterday in the Committee on Ways and Means we were asked to bring out a bill by the Speaker with a recommendation that it do not pass because the Speaker wants it brought to the floor but does not intend to vote for it. Today, even more amazingly, we have a foreign policy issue where the President of the United States and the Secretary of State have asked that it not be voted on now while the peace negotiations in Kosovo are proceeding. Yet the Speaker brings it to the floor intending not to vote for it, and he is third in succession in the United States Government. It is the President, the Vice President and the Speaker of the House; the third most important man in the country is running foreign policy here while we are putting at risk our soldiers in Kosovo.

Now I ask you, Mr. Speaker, do not bring this issue to a vote today. It is irresponsible, it should not be done, it puts our soldiers at risk, and those of

us who lived through the Vietnam era say do not do this again.

REASONS TO HAVE GRAVE CONCERNS ABOUT THE STEWARDSHIP OF FOREIGN POLICY BY THIS ADMINISTRATION

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

Mr. HAYWORTH. Madam Speaker, we just received two instances of the MO of the liberals on the Hill. It is fear and smear first, scare the elderly about Medicare, then come back and attack the new Speaker of the House.

Very interesting. We have been down this road before.

But as my colleagues know, Madam Speaker, there is a reason to have grave concerns about the stewardship of foreign policy by this administration, especially Madam Speaker, when this administration, the Clinton-Gore team, took campaign cash from the Communist Chinese and then ignored the warnings of the intelligence community with reference to nuclear espionage.

Madam Speaker, it is incumbent upon this House to exercise its oversight capabilities to make sure that our genuine interests are, in fact, protected, because Madam Speaker, if the administration is more susceptible to Chinese campaign cash, then this House must protect the American people.

WE PLEDGED AN OATH TO UPHOLD THE CONSTITUTION, NOT THE WORLD TRADE ORGANIZATION

(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, even though Article 21 of GATT clearly states any Nation can take action when their military security is threatened, the White House has vowed to veto any bill on steel imports.

Beam me up.

We cannot defend America with plastic and Styrofoam. It seems the White House is more concerned with violating the World Trade Organization than they are in violating America's steel workers.

Let me remind Members of Congress we pledged an oath to the Constitution of the United States of America, not the World Trade Organization.

I yield back all the bankruptcy, despair, downsizing, layoffs and foreclosure of America's steel workers.

WE MUST STOP DRUNK DRIVERS FROM DESTROYING THE LIVES OF INNOCENT PEOPLE

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

Mr. CLEMENT. Madam Speaker, this past week I lost a true friend as well as my chief of staff, Alex Haught, who was killed in an automobile wreck in Nashville, Tennessee, the victim of a drunk driver.

Perhaps the only thing more shocking than the suddenness of Alex's death was the information about the reckless individual who got behind the wheel of the 2-ton van that slammed into Alex's car. In the past 20 years he had been arrested over 70 times for crimes, including frequent public drunkenness, he had been convicted of driving while intoxicated, and his license had been revoked for over 8 years. Worse yet, he had gotten out of jail having served only 3 days of a 10-day sentence the day he killed Alex.

This sickens me, Madam Speaker. Our system has broken down at every level, the local, State and Federal. We must revisit laws at every level of government to find ways to keep drunk drivers from destroying the lives of innocent people. In addition, we are going to have to look at some harsh measures that we have never looked at before.

Are we going to keep operating the ambulance in the valley, or are we going to build a permanent fence to help our people, to help our families, to help our loved ones and to ensure that this senseless loss of life does not happen again? I assure Alex that we are going to look at those laws at the local, State and Federal level and do everything we possibly can to use you as well as others as an example that the time has come that we have got to get these drunk drivers off the road. God bless you, Alex.

INTRODUCTION OF THE FAMILY FARM PROTECTION ACT

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

Mr. GREEN of Wisconsin. Madam Speaker, on Monday I was back in northeastern Wisconsin unveiling what will be my first bill before this House, a proposal that I call the Family Farm Protection Act.

Now this simple plan exempts farmers from a Federal capital gains tax when they sell their farm to a family member when they try to keep their family farm within the family.

Now, while the U.S. economy is booming, our family members, some of the hardest working people in America, face a tragic crisis. Traditionally, when a farm crisis comes along, we in the Congress look at ways to create more programs, to build more government help. All too often we forget that it is the government itself which is at the heart of many problems that our farmers face. My proposal removes an onerous tax that forces families out of farming and is contributing to the destruction of our Nation's lifelong agricultural heritage.

I ask my colleagues to join me in this effort and to become original cosponsors of the Family Farm Protection Act.

SENIOR CITIZENS' FREEDOM TO WORK ACT OF 1999

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

Mr. LUCAS of Kentucky. Madam Speaker, it is imperative that we pass the Senior Citizens' Freedom to Work Act of 1999. The proposed measure would eliminate the Social Security earnings limit for retirement age Americans. We must end the practice of penalizing seniors and discouraging work. With their wealth of information and experience, senior citizens are truly vital to the stability of our work force and the development of the work force of tomorrow.

□ 1015

The current limit takes away retirement benefits from those who have rightfully earned them through a lifetime of hard work. We should not be punishing our senior citizens for continuing to work but, rather, encouraging them. That is just common sense.

BIG BROTHER IS BACK

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

Mr. CHABOT. Madam Speaker, they are at it again. We learned this morning from The Washington Post that those big government loving bureaucrats in the Clinton administration are up to their old tricks again. When we last heard from our friends in the Federal health care data collection business, they were attempting to carry out a little known provision in the law that would require every single American to have a special identification number so that their medical records could be tracked by the government.

Now we learn that the administration seeks to create a new database that would collect personal information about millions of Americans who receive in-home benefits under the Medicare program. Under the guise of improving service, the Clinton administration intends to conduct a 19-page assessment of each patient, including questions concerning the patient's sense of failure, or socially inappropriate behavior.

Enough already. Let us put a stop to this nonsense before it begins. Let us protect the privacy of millions of Americans. Let us once again say no to Big Brother.

MEDICARE

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

Ms. DELAURO. Madam Speaker, I hold in my hand a letter to the Speaker of the House imploring him to devote 15 percent of the budget surplus to strengthen Medicare. This letter has been signed by 201 Democrats. We speak with a unified message: Do not jeopardize Medicare for political tax breaks.

In the most recent Republican budget, not one penny of the surplus is used to shore up Medicare. Medicare is projected to be bankrupt in the year 2008. That is only 9 years away. The Democratic plan to use 15 percent of the surplus would extend the life of Medicare by a decade, giving us time to reform the program so that it endures the coming strain of the retiring baby boom generation and allows us to put a prescription drug benefit together.

The Republican plan is irresponsible. It puts short-term political gain ahead of long-term fiscal responsibility and, in the process, jeopardizes seniors' health and their retirement security.

Today 99 percent of America's seniors are covered by Medicare. Social Security and Medicare have combined to give our seniors independence, dignity and security in their retirement. Let us strengthen them and not dismantle them.

THE FOREST SERVICE MORATORIUM IS AN ATTACK ON ACCESS TO OUR PUBLIC FORESTS

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

Mr. HILL of Montana. Madam Speaker, the Forest Service roads moratorium now in effect, defies the good common sense required to maintain our Nation's force.

In essence, the administration is saying that we are going to take a timeout in managing our forests. In the meantime, of course, the problems will not wait. They only become more serious.

This moratorium is also an attack on access to our public forests. It is nothing more than a sweeping mandate from Washington. This mandate is not designed to study our forests roads but, rather, to keep the American citizen out of their forests.

A representative from the most respected sportsmen's group in Washington, the Safari Club, called this decision bad for sportsmen and other recreational users, so bad that it must have the dedicated professionals in the Forest Service shaking their heads.

The Forest Service reports that 93 percent of forest road use is for recreational purposes, and now they are trying to lock up the very roads where we recreate.

It makes no sense. I cannot understand how an agency that is directed to manage our forests is walking away and washing its hands of such a serious issue.

This is a bad policy, Madam Speaker. It is bad for America. It is bad for the economy. It is bad for the forests and it is bad for the citizens.

The question is, who is it good for?

RAIDING THE SOCIAL SECURITY TRUST FUND TO SPEND MONEY ON 120 NEW GOVERNMENT PROGRAMS

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

Mr. WELLER. Madam Speaker, back home, when I am back home in the south side of Chicago, in the south suburbs, I get asked some pretty basic questions by the folks back home. I had a really pretty good one asked to me just this past week.

They say, it is our understanding that there is this $2.6 trillion surplus of extra tax revenue. If we have all this extra money in Washington, why does President Clinton, the Clinton-Gore Democrats, propose a $176 billion tax increase, and why do the Clinton-Gore Democrats, why do they propose raiding the Social Security trust fund by $250 billion to spend money on 120 new government programs?

That is an important question because on the Republican side, we say we do not need $176 billion in tax increases. We say we do not want to raid the Social Security trust fund. In fact, this year we want to stop something that has been going on for 30 years. We believe it is time to wall off the Social Security trust fund and stop the raids that President Clinton wants to have on Social Security.

Let us stop the raids on Social Security. Let us wall off the Social Security trust fund.

RESIGNATION AS MEMBER OF COMMITTEE ON VETERANS' AFFAIRS

The Speaker pro tempore (Mrs. EMERSON) laid before the House the following resignation as a member of the Committee on Veterans' Affairs:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 10, 1999.

Hon. J. DENNIS HASTERT,
Speaker of the House,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: Having accepted an appointment to the Committee on the Judiciary, I must hereby regretfully resign from the Committee on Veterans' Affairs.

Sincerely,

SPENCER BACHUS,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. GOODLING. Madam Speaker, I offer a resolution (H. Res. 108) and I ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 108

Resolved, That the following named Members be, and they are hereby, elected to the following standing committees of the House of Representatives:

Committee on the Judiciary: Mr. SCARBOROUGH of Florida.

Committee on Veterans' Affairs: Mr. BAKER of Louisiana.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

The SPEAKER pro tempore. Pursuant to House Resolution 100 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 800.

□ 1022

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 800) to provide for education flexibility partnerships, with Mr. WELLER (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Wednesday, March 10, 1999, the demand for a recorded vote on amendment No. 21 by the gentleman from Virginia (Mr. SCOTT) had been postponed and all time for consideration of the bill under the 5-minute rule had expired.

AMENDMENT NO. 21 OFFERED BY MR. SCOTT

The CHAIRMAN pro tempore. There being no further amendments in order under the rule, the unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. SCOTT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. SCOTT:

In section 4(c) (of H.R. 800, as reported), after ''Secretary'', insert ''or a State educational agency''.

At the end of section 4(c)(1)(G) (of H.R. 800, as reported), strike ''and''.

After subparagraph (H) of section 4(c) (of H.R. 800, as reported), insert the following:

(I) in the case of a school that participates in a schoolwide program under section 1114 of the Elementary and Secondary Education Act of 1965, the eligibility requirements of such section if such a school serves a school attendance area in which less than 35 percent of the children are from low-income families; and

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 195, noes 223, not voting 15, as follows:

[Roll No. 40]

AYES—195

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bentsen
Bereuter
Berkley
Berman
Berry
Bishop
Blumenauer
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Filner
Ford
Frank (MA)
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
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
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOES—223

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bateman
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoeffel
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
Lipinski
LoBiondo
Lucas (OK)
Manzullo
McCollum
McHugh
McInnis
McIntosh
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
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—15

Barrett (NE)
Becerra
Bilbray
Blagojevich
Capps
Cox
Delahunt
Fattah
Frost
John
Kaptur
Martinez
McCrery
Rangel
Reyes

□ 1043

Mr. CAMPBELL, Mr. TERRY, and Mrs. CUBIN changed their vote from ''aye'' to ''no.''

Ms. STABENOW and Mr. FRANK of Massachusetts changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BARRETT of Nebraska. Mr. Chairman, on rollcall No. 40, I was inadvertently detained. Had I been present, I would have voted "no."

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. EMERSON) having assumed the chair, Mr. WELLER, 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. 800) to provide for education flexibility partnerships, pursuant to House Resolution 100, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. GOODLING. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Postponed suspension votes after this vote will all be five-minute votes.

The vote was taken by electronic device, and there were—ayes 330, noes 90, not voting 14, as follows:

[Roll No. 41]

AYES—330

Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (CA)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon

Cardin
Castle
Chabot
Chambliss
Chenoweth
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kelly
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matsui
McCarthy (NY)
McCollum
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Metcalf
Mica
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Pascrell
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanders
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOES—90

Abercrombie
Ackerman
Barrett (WI)
Berman
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Capuano
Carson
Clay
Clayton
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Davis (IL)
DeFazio
Dingell
Dixon
Engel
Filner
Frank (MA)
Hastings (FL)
Hilliard
Hinchey
Holt
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy
Kildee
Kilpatrick
Kucinich
LaFalce
Lee
Levin
Lewis (GA)
Lowey
Markey
McCarthy (MO)
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne
Pelosi
Rangel
Rivers
Roybal-Allard
Rush
Sanchez
Sawyer
Schakowsky
Scott
Serrano
Stark
Stupak
Thompson (MS)
Thurman
Tierney
Towns
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Woolsey

NOT VOTING—14

Becerra
Bilbray
Capps
Delahunt
Fattah
Frost
Hastings (WA)
John
Martinez
McCrery
Miller (FL)
Minge
Reyes
Smith (NJ)

□ 1104

Mrs. LOWEY and Mr. PALLONE changed their vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HASTINGS of Washington. Madam Speaker, on rollcall No. 41, I was inadvertently detained. Had I been present, I would have voted ''yes.''

Mr. MINGE. Madam Speaker, during rollcall vote No. 41, on passage of the Educational Partnership Flexibility Act, H.R. 800, I was unavoidably detained. Had I been present, I would have voted ''aye.''

Mr. MILLER of Florida. Madam Speaker, earlier today I was inadvertently detained away from the floor during the vote on final passage of H.R. 800. This was my only opportunity to question Attorney General Janet Reno about a heinous murder which occurred in my congressional district. The suspect fled to Mexico, and 15 months later we are still awaiting extradition of this suspect to the United States. Had I been present I would have voted ''aye.''

GENERAL LEAVE

Mr. GOODLING. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 800, the Education Flexibility Partnership Act of 1999.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 800, EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

Mr. GOODLING. Madam Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 800, the Clerk be authorized to make technical corrections and conforming changes to the bill.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on the remaining motions to suspend the rules on which further proceedings were postponed on Tuesday, March 9, 1999, in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 808, by the yeas and nays;

H. Res. 32, by the yeas and nays;

H. Con. Res. 28, by the yeas and nays.

These will all be 5-minute votes.

THREE-MONTH EXTENSION OF REENACTMENT OF CHAPTER 12, TITLE 11, UNITED STATES CODE

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 808, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. GEKAS) that the House suspend the rules and pass the bill, H.R. 808, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 418, nays 1, not voting 14, as follows:

[Roll No. 42]

YEAS—418

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble

Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Forbes
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Vento
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—14

Becerra
Bilbray
Capps
Cox
Delahunt
Fattah
Ford
Frost
Hilleary
Jefferson
John
McCrery
Reyes
Weiner

□ 1113

Mrs. MEEK of Florida changed her vote from ''nay'' to ''yea.''

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to extend for 6 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.''

A motion to reconsider was laid on the table.

Stated for:

Mr. WEINER. Madam Speaker, on rollcall No. 42, had I been present, I would have voted "yea."

□ 1115

EXPRESSING SUPPORT FOR FREE, FAIR, AND TRANSPARENT ELECTIONS IN INDONESIA

The SPEAKER pro tempore (Mrs. EMERSON). The unfinished business is the question of suspending the rules and agreeing to the resolution, House Resolution 32.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. BEREUTER) that the House suspend the rules and agree to the resolution, House Resolution 32, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 413, noes 6, not voting 14, as follows:

[Roll No. 43]

YEAS—413

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman

Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Vento
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—6

Bonilla
Chenoweth
Cooksey
Jones (NC)
Paul
Pombo

NOT VOTING—14

Becerra
Bilbray
Capps
Delahunt
Ford
Frost
John
Lampson
McCrery
Rangel
Reyes
Watts (OK)
Weiner
Wu

□ 1120

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. WEINER. Madam Speaker, on rollcall No. 43, had I been present, I would have voted "yea."

Mr. WU. Madam Speaker, during rollcall vote No. 43, on H. Res. 32, I was unavoidably detained. Had I been present, I would have voted "yes."

SENSE OF CONGRESS URGING CRITICISM OF PEOPLE'S REPUBLIC OF CHINA FOR HUMAN RIGHTS ABUSES IN CHINA AND TIBET AT ANNUAL MEETING OF UNITED NATIONS COMMISSION ON HUMAN RIGHTS

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 28, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 28, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 12, as follows:

[Roll No. 44]

YEAS—421

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capuano
Cardin
Carson
Castle
Chabot
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
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NOT VOTING—12

Becerra
Bilbray
Capps
Chambliss
Delahunt
Frost
John
McCrery
Pickett
Reyes
Stabenow
Waxman

□ 1130

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. STABENOW. Mr. Speaker, during rollcall vote No. 44 on H. Con. Res. 28, I was unavoidably detained. Had I been present, I would have voted "yea."

PEACEKEEPING OPERATIONS IN KOSOVO RESOLUTION

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 103 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 103

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the concurrent resolution (H. Con. Res. 42) regarding the use of United States Armed Forces as part of a NATO peacekeeping operation implementing a Kosovo peace agreement. The first reading of the concurrent resolution shall be dispensed with. General debate shall be confined to the concurrent resolution and shall not exceed two hours equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. After general debate the concurrent resolution shall be considered for amendment under the five-minute rule. The concurrent resolution shall be considered as read. No amendment to the concurrent resolution shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the concurrent resolution for amendment the Committee shall rise and report the concurrent resolution to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the concurrent resolution to final adoption without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. BURR of North Carolina). The gentleman from Florida (Mr. DIAZ-BALART) is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL). During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, I yield such time as he may consume to the distinguished Speaker of the House of Representatives.

Mr. HASTERT. Mr. Speaker, I thank the gentleman from Florida for yielding me this time. I rise in support of this rule. I would like to address the House for a few moments on the issue we are preparing to consider, the possible deployment of U.S. troops to Kosovo.

The President has made it clear that he is committed to sending approximately 4,000 U.S. troops to Kosovo as part of a NATO force intended to keep the peace. I am convinced that the President firmly believes the presence of U.S. troops in Kosovo is essential to maintaining peace in this troubled area. Like every American, I hope the Serbs and the Kosovars are able to achieve a peaceful resolution to their dispute. We all pray for that outcome. Kosovo is a great human tragedy, fanned by injustice and unexplained hatred.

As a Member of this great body and now as your Speaker, I have never wavered in my belief and trust in this institution. Some have argued that we should not have this debate today, that we should just leave it to the President. Some have even suggested that taking part and talking about this could damage the peace process. I disagree. No one should fear the free expression of ideas, the frank exchange of opinions in a representative democracy. Two weeks ago, the German Bundestag held an extensive debate and voted on whether or not Germany should deploy over 5,000 German troops in Kosovo. The British Parliament has also discussed the deployment of British troops in Kosovo. I do not believe that any harm has been done to the peace process by the workings of these two great democracies. In fact, one message which should come from this debate and those held in the parliaments of our allies is that a free people can disagree without violence and bloodshed.

On this important subject, I have tried to be direct and honest. I have spoken with the President and with his Secretary of State. I told them that I believed it was my duty as Speaker to ensure that Members of the House of Representatives, Republicans and Democrats, have the opportunity to fairly and openly debate the important issue before troops are sent into a potentially dangerous situation. I believe Congress must have a meaningful role in this decision, no matter how difficult our choice nor how hard our task.

I have been equally honest in telling the President that I personally have reservations regarding the wisdom of deploying the additional U.S. troops to the former Yugoslavia, but I have not made up my mind and I will listen intently and closely to this debate. I hope that each of you will do the same, because it is our heavy responsibility and high honor to represent the men and women who are being asked by the President to go into harm's way. Each of us must be prepared to answer to their families and loved ones. I am deeply convinced that we owe them today's debate, for under our Constitution we share this burden with our President.

Our debate today will enable each of us to carry out our responsibilities in a fair and thoughtful way. The gentleman from New York (Mr. GILMAN), at my request, has offered without prejudice this resolution stating the President's position, that troops be deployed. I urge the adoption of this open rule that allows every Member of this House to have a say and to amend this resolution. We have set in place a fair and open process. We are here to discuss sensitive issues of policy and not personality. And let me repeat, we are here today to discuss policy and not personality. I know it does not need to be said, but I urge all Members to treat this issue with the seriousness that it deserves. We have a solemn duty to perform. And let us do it with the dignity that brings credit to this great House.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 103 is a modified open rule providing for the consideration, as the Speaker of the House has just explained, of House Concurrent Resolution 42, the Peacekeeping Operations in Kosovo Resolution.

The purpose of the resolution is to authorize the President to deploy United States armed forces to Kosovo and just as importantly it makes possible congressional discussion of this very complex situation.

The rule provides for 2 hours of general debate equally divided between the chairman and the ranking minority member of the Committee on International Relations. It is the intention of the rule that the managers of general debate yield time fairly to Republican and Democratic proponents and opponents of the concurrent resolution.

Further, the bill provides that the concurrent resolution shall be considered as read and makes in order only those amendments preprinted in the CONGRESSIONAL RECORD, to be offered only by the Member who caused the amendment to be printed, or his designee, and each amendment shall be considered as read.

In addition, the rule allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce voting time to 5 minutes on votes following a 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Speaker, House Resolution 103 is a fair framework to provide a forum to debate the issues surrounding the possible deployment of U.S. troops for participation in a NATO peacekeeping force in Kosovo. Any Member can offer any germane amendment to this resolution providing the amendment was preprinted in the CONGRESSIONAL RECORD prior to its consideration. The gentleman from California (Mr. DREIER) made this announcement on Monday, March 8, on the House floor, as well as through a Dear Colleague letter to Members.

It has been well known, including in fact through constant press reports,

that the House would be debating this difficult issue this week. In spite of the snowstorm we had on Tuesday, Members have known for weeks that we would be taking up this issue prior to the March 15 peace talks in France, the deadline. Were it not for this fair rule, if, for example, we had brought H. Con. Res. 42 to the floor under suspension of the rules, it would be nonamendable and would be allowed only 40 minutes of debate. Therefore, I think it is very important that Members support this rule, regardless of their position on deployment or nondeployment of troops, because Congress has every right to be debating this resolution today and this rule provides a fair way to do so.

Some Members as well as other foreign policy experts have questioned the timing of this debate while peace negotiations have not been concluded. But if Congress is to deliberate these serious issues prior to the possible deployment of U.S. troops, now is the time. March 15, the proposed deadline for a peace agreement for Kosovo, is this Monday, and U.S. troops could be on their way to Kosovo Monday night if agreement is reached.

As the gentleman from Florida (Mr. GOSS) stated at the Committee on Rules during our markup, there is no perfect time for this. At least two of the Members of the six-nation contact group on Kosovo, Germany and Great Britain, as the Speaker of the House just made reference, have debated in their parliaments this precise issue this past month. Now is indeed an appropriate time for the United States House of Representatives as the sovereign representative body of the American people to take up the issue of possible deployment of our troops to join a NATO force.

The situation in Kosovo is indeed precarious. It has now been over a year since fighting broke out between the Albanian rebels and the Serbian forces in Kosovo and in spite of an October 1998 cease-fire agreement, hostilities have continued.

□ 1145

March 15 is the current deadline for negotiations to be completed on a peace agreement. What is at issue is the expansion of the U.S. role in Kosovo and whether U.S. troops should be deployed to participate in a NATO peace mission should a peace agreement be reached.

Historically it is well known that the Balkans have been a tinder box for regional wars, and we must not forget that World War I began in that part of the world.

In 1995, as a member of the Committee on Rules, I brought to the floor the Bosnia-Herzegovina Self-defense Act to end the arms embargo on Bosnia. That embargo was morally wrong, and I believe that it was legally questionable as well from the very beginning. While not contiguous with Bosnia, where U.S. troops are currently deployed, the dangers of a spill-over effect and renewed violence in the region have been realized in the Serbian province of Kosovo. I am extremely concerned by the genocidal attacks on civilians in Kosovo. As a British statesman said while debating the situation in the Balkans:

No language can describe adequately the condition of that large portion of the Balkan peninsula, Serbia, Bosnia, Herzegovina and the other provinces, political intrigues, constant rivalries, a total absence of public spirit, hatred of all races, animosities of rival religions and an absence of any controlling power, nothing short of an army of 50,000 of the best troops would produce anything like order in these parts.

That statement was made by Prime Minister Benjamin Disraeli in October 1878. Unfortunately his words still ring true today.

In summary, the Congress, Mr. Speaker, has every right to debate whether we should put U.S. troops in harm's way before they are sent. That is the reason for today's debate.

I urge my colleagues to support this fair rule so that the House will have the opportunity to debate this very critical issue regarding the possible deployment of our troops to Kosovo. I would urge my colleagues to support the rule.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from Florida (Mr. DIAZ-BALART) for yielding me the time. This is a modified open rule. It will allow for consideration of House Concurrent Resolution 42 which, as my colleagues have heard, is a resolution authorizing the President to deploy United States troops to Kosovo. As my colleague has described, this rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. The rule permits amendments under the 5-minute rule, which is the normal amending process in the House. Under this rule, only amendments which have been preprinted in the CONGRESSIONAL RECORD will be in order.

The Committee on Rules has crafted a rule which at another time would be acceptable. However I believe that the Kosovo resolution should not be brought up at this time. Therefore I will oppose the previous question so that the rule can be amended.

For most Americans Kosovo and Serbia are only distant points on the globe, but that is not so for the community of Dayton, Ohio, the community which I represent, because it was my community of Dayton that hosted the peace talks in 1995 that led to the fragile peace that we are trying to preserve. Today there is continued unrest between the Serbians and the Albanians in Kosovo. The conflict has already left more than a thousand civilians dead and as many as 400,000 homeless. If left unchecked, the turmoil could lead to a broader war in Europe.

However there is hope. Sensitive peace talks are taking place in the region. Through the efforts of Bob Dole the Albanians appear to be ready to sign a peace agreement. The United States and its allies continue to press the parties to restore peace to the region.

My concern with this resolution is not whether Congress has the right to authorize the commitment of U.S. troops; we have that right. My concern with this resolution is whether it is in our national interest to take it up today in the middle of the peace talks that appear to be succeeding.

Yesterday at the hearing of the Committee on Rules the gentleman from Connecticut (Mr. GEJDENSON), who is the ranking Democratic member of the House Committee on International Relations warned against bringing this resolution to the House floor today. He testified that it seriously undermines the prospects for reaching peace in the region and could lead to more warfare.

Secretary of State Madeleine Albright sounded a similar note of alarm. Yesterday she testified before the Subcommittee on Commerce, Justice, State, and Judiciary that this vote will be taken as a green light for the warring parties to continue fighting.

During the Committee on Rules consideration the gentleman from Massachusetts (Mr. MOAKLEY), the ranking Democratic member, offered an amendment to the rule postponing consideration of the resolution until the end of the current peace negotiations, and that amendment was defeated on a straight party line vote. Mr. MOAKLEY also offered an amendment to the rule making in order a floor amendment by the gentleman from Connecticut (Mr. GEJDENSON) supporting the peace process and authorizing the deployment of troops if a fair and just peace agreement is reached. The amendment was also defeated on a straight party line vote.

Perhaps when the time comes under the right conditions Congress should support the deployment of troops to Kosovo, and perhaps when the time comes Congress should oppose the move. But the time is not today.

We in Dayton, Ohio, know about peace negotiations in Kosovo and Serbia. We know how sensitive they can be. We also know how important they can be because for a brief moment the negotiations of the 1995 accord lived in my community. Let us let the administration negotiate a peace without Congress sending the wrong signal, and we

should not bring up the resolution today.

If the previous question is defeated, I will offer an amendment to the rule which will permit the Kosovo resolution to come up only after the two parties have signed the agreement on the status of Kosovo. The delay is necessary to ensure that the actions of the House do not interfere with the peace negotiations in Kosovo.

Before concluding, I want to express my appreciation to the gentleman from California (Mr. DREIER) and to the Republicans on the Committee on Rules for keeping this a relatively unrestricted rule and for permitting the motion to recommit. I am heartened by the bipartisan spirit in which the gentleman from California (Mr. DREIER) approached this rule, and I believe this sends a positive signal at the beginning of this Congress. Our differences are not in the crafting of the rule, only in the timing.

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

Mr. DIAZ-BALART. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Florida (Mr. GOSS), a member of the Committee on Rules and chairman of the Permanent Select Committee on Intelligence.

Mr. GOSS. Mr. Speaker, I thank my colleague from Florida for yielding me this time.

Mr. Speaker, today the House will debate whether to send U.S. troops to Kosovo, an issue that may seem to have little relevance to the lives of many Americans in this time of very blue skies in this country which we are fortunate to enjoy. But appearances aside, the decisions we make about Kosovo will affect the course of the United States and our allies in the world over the next several years.

This matters. It is a critically important debate, and I urge Members to give it their most thoughtful attention.

Some may question whether this is the right time for a congressional debate, as we have already heard, about sending U.S. troops to Kosovo. Once an agreement is reached, the Clinton administration has announced that it will deploy troops forthwith to begin enforcement of the agreement. So when is the right time to debate the issue? The answer is before our men and women in uniform are placed in harm's way.

I am concerned that the administration tends to place U.S. troops into a dangerous situation where they are unwelcomed by both parties and do not have clear marching orders. Serbian President Milosevic, an unsavory strong man in my view, refuses to accept the presence of foreign troops on Serbian soil, and the Kosovar rebels on their part refuse to give up their ultimate goal of independence from Serbia. Of even greater concern is the possibility that the NATO mission may have the unintended consequence of destabilizing the region by encouraging separatism in neighboring areas, a situation we are already familiar with.

Mr. Speaker, there is no question that the humanitarian crisis in Kosovo cries out for international attention and assistance. But the real question is: How should the United States of America respond? Is the answer always the commission of U.S. forces no matter what? Listening to the Clinton administration, we would think that bombing and deployment of troops is the only solution available to us.

I am also concerned about the implications of the administration's Kosovo plans on the future of NATO. For several years NATO has been grappling with its role in the post cold war period. The administration's headlong rush to support deployment of NATO troops outside the treaty area risks damage to the delicate consensus that underlies the alliance.

In April at NATO's 50th anniversary to be celebrated here in Washington the Alliance will announce its new strategic concept for the direction and mission of NATO. Will this document explain why NATO must intervene in Kosovo, an area outside the treaty boundary, but not intervene in an area, say, in Africa where there is genocide and a civil war going where human suffering is just as great.

Mr. Speaker, when President Clinton first proposed sending U.S. troops to Kosovo, he laid out the following criteria: a strong and effective peace agreement with full participation by both parties, a permissive security environment, including the disarmament of the Kosovar power militaries and a well-defined NATO mission with a clear exit strategy. These criteria are a good starting point for the congressional consideration.

Later today I or others may offer amendments to this resolution to ensure that these criteria and other equally important ones are met before U.S. troops are sent to Kosovo.

Before I vote to support sending our men and women in uniform to Kosovo, people in my district want to know the exit strategy as well as the entry strategy. They want to know how this fits into our national interest, and they want to know the costs. These are basic questions that we in Congress should raise so that the American people are fully informed. Getting answers from the administration is part of our job description, especially when the use of our men and women in uniform is involved.

This rule provides for full debate. I urge its support.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Speaker, I thank the gentleman from Ohio (Mr. HALL) for yielding me the time, and again I rise to say that the timing of this resolution could not be worse, not the fact that we are debating it. I think the fact that they have allowed a debate and under a generally open rule is a positive sign, as my friend from Ohio has stated. But having this debate and having this vote in the midst of negotiations makes little sense and, in fact, undermines those negotiations.

Mr. Speaker, I think it is important for us to review where we have been in the Balkans. In Bosnia tens of thousands of people lost their lives, thousands of women were raped, hundreds of thousands of people displaced from their home before we had the courage to finally say no, and within the past year in Kosovo we have had 2000 people killed, we have had 400,000 people displaced in Slobodan Milosevic's genocidal campaign of violence and human rights abuses against the 2 million ethnic Albanians.

Mr. Speaker, this is not the time to have this resolution on the floor of the House. On the 15th of January, at Racak, Serbian special police shot at least 15 ethnic Albanians including elderly people and children. Human Rights Watch has evidence suggesting that the Serbians had, and I quote, ''direct orders to kill village inhabitants over the age of 15.'' In Rogovo, just 2 weeks later Serbian police raided a farming village and executed 25 people.

This has gone on for a year, it has gone on for more than a year, but within the last year we have seen these numbers rise to 2,000 people.

Why would Milosevic do anything but stall, not agree to a peace agreement, if the United States Congress says in a vote later today, if this rule passes, that we, in fact, will not deploy troops? We will be giving him a green light, and we will be seeing more Racaks, we will be seeing more slaughters as we saw in Rogovo, and we will be in an unvirtuous circle of islands in which we undoubtedly will have to revisit again on this House floor.

Just today, while Richard Holbrooke was talking with Milosevic yesterday, violence continued, and there is a picture in the New York Times showing the deaths of people in the village of Ivaja in Kosovo.

□ 1200

This slaughter must stop, and the way to stop it is to stop this resolution from coming to the floor of the House, and we can do that by voting against the rule. Arthur Vandenberg once said that politics should stop at the water's edge when it comes to foreign policy. Bob Dole asked us not to do this yesterday. Let us not do this. Let us stop here. Vote no on this rule. Then we can have a good debate on this issue when the issue comes before us when an agreement occurs in this troubled land.

Mr. DIAZ-BALART. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. LINDER).

Mr. LINDER. Mr. Speaker, I thank the gentleman from Florida (Mr. DIAZ-BALART) for yielding.

Mr. Speaker, I rise in support of H. Res. 103, the rule providing for consideration of the resolution regarding peacekeeping operations in Kosovo. This rule ensures a free and open debate and provides Members the opportunity to have their voices heard on this very important matter involving the lives of our troops.

The modified open rule passed the House Committee on Rules and it did not provide any preferential waivers. It allows for all germane amendments and complies with the request of the gentleman from Connecticut (Mr. GEJDENSON), who requested that all amendments be preprinted in the CONGRESSIONAL RECORD.

The passage of this rule will, I admit, lead to a wide open discussion on a very public issue, with the prospect of counter argument and earnest debate. I welcome that debate and I expect it to be an extraordinary exchange of ideas and opinions.

I will be honest in stating that I have grave reservations about the deployment of American troops in Kosovo, but I also do not see anything wrong with giving Members the opportunity to listen closely to the arguments on each side of the debate.

Our allies, Great Britain and Germany, have deliberated and engaged in this debate already, and that leads us to the question underlying the rule we are discussing today: Should the United States House of Representatives have the opportunity to participate in the decision to deploy our troops in Kosovo and debate it today?

My personal view is that it would be better if we did not. I would prefer that this resolution inform the President that we are unwilling to fund his adventurism without clear rules of engagement, exit strategies, specific goals and a budget. We have a constitutional responsibility to participate in decisions putting our troops in harm's way. I do believe that would better be the question before us.

Having said that, I urge Members to support the fair rule that will initiate a full and open debate regarding the deployment of young Americans' lives in a dangerous foreign land.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. SKELTON), who is the ranking member of the Committee on Armed Services.

Mr. SKELTON. Mr. Speaker, I thank the gentleman from Ohio (Mr. HALL) for yielding to me.

Mr. Speaker, I speak against the rule. I will vote against the rule. I am deeply concerned that taking this matter up now in the midst of negotiations between the opposing parties, the Kosovars and Milosevic's people, will cause great harm and great damage to the negotiating process.

Should what we do today cause there to be no agreement, we would have lost, Europe would have lost and there will be continued bloodshed and anguish in Kosovo. I think it is wrong to take this up now. It is untimely. It is improper to do so.

Secondly, as it was mentioned by my friend, the gentleman from Ohio (Mr. HALL), I am the ranking member on the Committee on Armed Services. This deals with the military of the United States of America.

We in our committee should have had the opportunity to have had a hearing to find out what troops, under what conditions and if there is a possibility of saving some other deployments because we are short on troops today. These are questions that we in our committee should have had the opportunity to ask, a full and fair hearing in the Committee on Armed Services, which we did not have.

Thirdly, I would like to mention that I also have an amendment, should this rule carry, which I hope in all sincerity it does not. I will have an amendment that requires that there be an agreement between the parties before any American troops are allowed to go into Kosovo. That is the bottom line. Right now, bringing up this resolution is improper and uncalled for because it could very well change the agreement, cause there not to be an agreement and cause confusion in that part of the Balkans.

I wish that everyone could have been with me to witness the four-starred German general who is the second in command at NATO a few weeks ago when I asked him why is it important that America be involved in Europe and in NATO?

His answer was a full and complete one, which said it is important that America be there. I think that if America should be there, we should have the opportunity to do it the right way, the right time and under the right resolution and the right vote.

Mr. DIAZ-BALART. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Speaker, I thank the gentleman from Florida (Mr. DIAZ-BALART) for yielding.

Mr. Speaker, I usually vote consistently in favor of rules, and I may vote for this rule, but I am opposed to our dispatching troops to Kosovo, not unlike my friend, the gentleman from Missouri (Mr. SKELTON) who just spoke.

I recall Bosnia. The President told us our troops would be back home, I believe, by December 1996. Well, when I last checked, December 1996 has come and long gone and our troops are still there. I was uneasy about it because I could not grasp the importance of our national security vis-a-vis Bosnia. Now Kosovo is on the screen and, unlike Bosnia, as best I remember it, I do not think we have even been invited to come to Kosovo.

Given these two situations, I don't mean to portray myself as an isolationist but to suggest that Bosnia and Kosovo are European problems that should be resolved by Europeans hardly constitutes isolationism. It is isolationism light at its best, if that.

I just believe that we do not need to insert our oars into those waters, and I don't mean to come across as uncaring or indifferent to the problems plaguing Europe, but doggone it, it is indeed a European problem.

Let our European friends handle it unless it becomes a situation that causes United States national security to be exposed.

Now, absent that, Mr. Speaker, and my colleagues on both sides, I think we need to go about our business here. Let our friends across the water, as my late grandma used to say, let them resolve those problems.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. ORTIZ)

Mr. ORTIZ. Mr. Speaker, I rise today as a member of the House Committee on Armed Services to oppose the rule allowing the House to consider House Resolution 42 regarding Kosovo.

I want to say this in the strongest possible terms, considering this vote today is so ill-timed as to adversely affect the peace negotiations ongoing in the Balkans. It has taken us so long to build the coalition that we have been able to build in that part of the world, and we understand this. This Congress says they have the obligation to ensure that the diplomats in the region exhaust all possible means in their negotiations.

Like the gentleman from Missouri (Mr. SKELTON), I wish that we had been able to debate this issue in the committee before it came to the House floor to see what the needs are, how many troops, the equipment. So I think that it has all been done in good faith but it is ill-timed.

We also have a unique responsibility in this situation, as we do in most global spots. We are the world's only remaining superpower. We have more and better military might than any other country in the world. If we are indeed the only remaining superpower, then that status brings certain obligations and responsibilities. This is why I say, let us discuss it further.

I just got back from Bosnia 4 days ago. The morale of our troops is high and, not only that, they believe in the mission that they are conducting in that part of the world. They said for the first time we have seen young children play in the parks, play in the streets, go to school. So please help us defeat this rule.

Mr. DIAZ-BALART. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, this is exactly the time to have this discussion, exactly the time. It may not be the time for negotiators and bean counters but it is for our troops.

I remember Somalia, where the President did not come to Congress when he changed going after Aideed, and we lost 22 rangers because they failed to give armor which the military wanted; or Haiti, that we are today spending $25 million a year in building schools and roads out of the defense budget.

Kosovo is like any of the United States is to Greater Serbia. It is not a separate entity. It is the birthplace of the Orthodox Catholic religion. It is their home. It was occupied by 100 percent Serbs, and the Turks and the Nazis eliminated and desecrated and ethnically cleansed Jews, Gypsies and Serbs and now the population is Albanian.

Albania does not want just Kosovo. They want part of Greece. They want Montenegro. This is only a beginning.

Listen to George Tenet's brief. Bin Laden is working with the KLA, the terrorists, that is going to hit the United States. If we do not want to stop this, then do not talk about it, but if we go in there, we are going to lose a great number of people. For what? They have been fighting for 400 years.

This debate is well timed. Maybe not for my colleagues on the other side but for the kids that have to put those backpacks on and carry rifles. It is the time to stop this.

Take a look at the number of military deployments. It was 300 percent during the height of Vietnam. We are killing our military as it is, and we have one-half the force to do it. That is why they are bailing out. This is exactly the time, Mr. Speaker, and I reject the other side.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Mr. Speaker, I strongly object to this rule which will provide for the House to debate the U.S. involvement in the Kosovo peace agreement. The reason I object to consideration of this issue at this time is that as of today, there is no peace agreement and the process leading to the arriving at a peace agreement is at a terribly tenuous, sensitive and delicate stage.

□ 1215

We have all read with horror about the atrocities committed in Kosovo. Innocent civilians, including little children, have been savagely and brutally murdered. For the sake of humanity and decency, we all want this butchery to end. It will require a peace agreement to end this killing. Our taking up the resolution now while the deliberations are still underway can only make it more difficult to resolve this.

Yesterday, former Majority Leader Bob Dole gave advice to the Committee on International Relations. He says, ''We have 2 steps here. First, we get an agreement, then the President goes to the American people to explain it.''

Mr. Speaker, I think we must follow Majority Leader Dole's advice. Defeat this rule and let the deliberations leading to peace be concluded.

Mr. DIAZ-BALART. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Colorado (Mr. MCINNIS).

Mr. MCINNIS. Mr. Speaker, I appreciate the gentleman from Florida yielding me this time.

The preceding speaker talked about the tragedies that are going on. Mr. Speaker, those kinds of tragedies are going on throughout the entire world. This country cannot be the world's police officer. We do have international commitments, but before we exercise these commitments, we need to look at the precedents, what we have done in regards to these kinds of situations.

Number one, we have never gone into the sovereign territory of another country like this without being invited to settle a dispute within their boundaries. This is a very similar situation. If the State of Colorado that I am from got in a dispute with the State of Texas, would we invite the Turks or the Greeks or NATO to come in and resolve the dispute between Colorado and Texas?

There are atrocities occurring in Kosovo. It is a proper mission for humanitarian efforts. It is not a proper mission to intervene with American military troops that will be there on an indefinite basis. Do not kid ourselves. It is an indefinite basis.

Look at Cyprus, the United Nations. I just came from Cyprus. United Nations troops have never been able to make the peace there. They have been able to keep the peace because of the fact they have troops there. They have been there for 27 years. It is the same thing here. We are attempting as outsiders to intervene within the boundaries of a sovereign country to resolve a dispute that is based in large part on religion, in large part on nationality; a dispute of which we have very little historical knowledge; we certainly have very little historical experience, and we think by force and sending in troops we are going to make peace. We are not.

We are going to be able to keep the peace. As long as we have troops in Kosovo, we can keep peace. But we cannot, we do not have the capability to take hundreds of years of battle and hundreds of years of rock-solid feelings and force them into a peace agreement.

Finally, Mr. Speaker, let me wrap up by saying that some would suggest that this is not an appropriate time for delay. This is an appropriate time for delay before the troops go in. Do not debate after the troops are in; do it before the troops are in.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from New York, (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I thank my friend from Ohio for yielding me this time.

Mr. Speaker, I have spent as much time as anyone over these past 10 or 11 years dealing with the problem in Kosovo. I want to tell my colleagues as far as I am concerned this is a wrong rule and the wrong resolution at the wrong time, and it should be defeated. I have hardly seen anything more irresponsible, quite frankly, in my 10 plus years here than this resolution and this rule.

As far as I am concerned, this is an attempt to embarrass the President, this is mischief-making at its worst, and it undermines American foreign policy, it undermines the negotiations going on. I returned from Rambouillet 3 weeks ago, and I can tell my colleagues that if we pass this rule and the resolution offered by the gentleman from New York (Mr. GILMAN) goes down to defeat, as I suspect it will, this will destroy the negotiations and destroy the peace process, and we will be responsible for that.

The Speaker of the House, the gentleman from Illinois (Mr. HASTERT) came and said that this was an open process, and I think he was a bit disingenuous, quite frankly. He says that he wants to meet Democrats halfway. We have not seen that meeting us halfway on committee ratios, we have not seen it on funding, and now the Democrats are pleading, the administration is pleading and saying please postpone this vote until there is an agreement, and we cannot even get a postponement on the vote.

Senator Dole was quite eloquent yesterday. He said, quite simply, first we get an agreement and then we go before Congress to ratify the agreement. We do not do it the other way around. Senator Dole has also spent more time than anybody in terms of Kosovo, and he thinks this will be very damaging. Everybody that has worked in this process thinks it will be very, very damaging.

There is no reason to do this kind of thing now, except to embarrass the President politically and undermine U.S. foreign policy. This is absolutely irresponsible. It will damage the peace process.

Let me remind my colleagues that foreign policy should be bipartisan. I was one of those Democrats that voted with President Bush and supported him in the Persian Gulf War when he asked for bipartisanship. Now that the shoe is on the other foot, we get very little of it from the other side. All I know is that in Kosovo there is genocide, ethnic cleansing and killing, and it needs to stop, and if the United States Congress votes against sending troops to

Kosovo, Slobodan Milosevic, the butcher of Kosovo, will laugh and laugh and laugh, because we will have given him cover.

The Albanians, who have agreed to the agreement will back off, because without strong American participation they will not have the fortitude; they only trust the United States of America. We have seen time and time again, we saw it in Bosnia, 200,000 people were ethnically cleansed, and until the United States grabbed the bull by the horns and showed the leadership in NATO, people were being killed and genocide was happening again on the face of Europe. And when the United States grabbed the bull by the horns, only then did it stop, and it is the same situation here. It is disingenuous of my colleagues to say they want the killing to stop, but they do not want to support American troops as part of NATO on the ground.

Without our participation, the killing will continue and the ethnic cleansing will continue.

Defeat this rule. It is nothing more than mischief making and it does not do this Congress good service at all.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

I feel obliged to reject the allegation that Congress would be responsible for atrocities based on the fact that we are bringing forth this resolution as a sovereign representative body of the American people. I am unaccustomed to citing, to quoting The Washington Post, Mr. Speaker, but I feel at this time that I must.

The Washington Post editorial today says, ''It is a bad time for Congress to debate whether the United States should send troops to help police any peace reached in Kosovo. But there is no better time left, and Congress has good reason to proceed.''

The Washington Post continues by saying, ''The President ought to be asking forthrightly for congressional approval, not trying to evade a congressional judgment on his policy in Kosovo.''

So with all respect, I tell my colleagues that it is not fair, based on a policy disagreement, which is genuine and which is most appropriate to say that we would be responsible for atrocities or horrors that are based on unexplainable and historical reasons in that part of the world.

Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. GILMAN), the distinguished chairman of the Committee on International Relations.

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I am pleased to rise in support of the rule, H. Con. Res. 42, authorizing deployment of our U.S. armed forces in Kosovo. It provides for a clear general debate, and then opens this measure up to amendments from any member, as long as these amendments were preprinted in the RECORD.

I understand that some 53 amendments have been filed and some are duplicates and I expect the debate will focus on authorizing the deployment, requiring reports, praising the negotiations, praising our troops, or prohibiting the deployment. This debate will fulfill our historic constitutional and legal mandate given by our Founding Fathers to put the war powers in the hands of the Congress, not the President.

We have called for this because as I understand it, the President does not want us to vote prior to the conclusions of the ongoing Kosovo negotiations, and will deploy troops within 48 hours of the agreement, as he has indicated that he will deploy some 4,000 troops to support the agreement. And if we were to vote subsequent to deployment, we would risk undercutting our troops in the field.

According to the Secretary of State, the people's elected representatives should not vote before deployment and to avoid undercutting the troops, we should not vote after deployment. That must not be so. The elected representatives of the people must vote on this risky mission.

From some of the past conflicts up to and including Desert Storm, Congress has voted on deployment of our troops and when we did so, we strengthened our Nation's resolve and our diplomacy.

I believe we must have this vote to require the President to clarify our mission and to bring the American people into the debate that could put our uniformed personnel in harm's way.

I want to state that I support this resolution. I support the deployment of troops to Kosovo, provided they enter Kosovo in a permissive environment and with agreed-on conditions of the contact group. With such conditions, I would support our President's commitment to guaranteeing peace in Kosovo.

To quote the editorial that was just cited by our good colleague from Florida, the editorial in today's Washington Post entitled ''Bring Congress In,'' and I quote, ''It takes a bold decision for Bill Clinton to bring Congress in as a partner this Kosovo, and he should not shy away from it.''

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. GEJDENSON), who is the ranking minority member on the Committee on International Relations.

Mr. GEJDENSON. Mr. Speaker, first let us get straight where we are. There is no constitutional requirement that the United States Congress take action prior to the President putting troops into a peacekeeping situation. This is not initiating a war; this is not moving troops in an area where we anticipate war. These are peacekeeping operations, and we have troops all over the world in peacekeeping operations without having gotten prior congressional approval.

Let us also get rid of some of the arguments that we have heard here on the floor that we are going to let the Europeans take care of that. That was tried. The previous administration waited for Europe to respond to the crisis in Yugoslavia. Mr. Speaker, 200,000 people murdered, raped, killed in their homes, in open fields, maybe not reaching the numbers of other mass murders in this century, but certainly enough that the American people felt that we could no longer wait, and this President led our effort to end that slaughter.

Burden sharing. We have never had an action where the United States is to play such a small role in the number of people on the ground; that in every other action, American forces were there in larger number and in this case the Europeans are, for the first time in my memory, accepting a larger responsibility. When we look at the statements, not just of Ambassador Kirkpatrick and Senator Dole who are clearly in favor of the President's policy, and in particular Senator Dole deserves great praise for his actions, his efforts, going to the region and the work he has done. But even Secretary Kissinger, who has written in opposition to the policy, was very hesitant to suggest that anybody should interpret from his article that they should vote against this resolution.

□ 1230

What is the right thing to do? The right thing to do, as Senator Dole said, is first have an agreement and then have a vote. Because if we do not do it that way, as again Senator Dole said, if we have the vote first and we fail to pass it, we will probably not have an agreement.

It is an awfully hard place to get an agreement in the first place. Without all the support from Congress, with the unanimity of the American people, expressed by 435 Members of this House voting in favor of the President's actions, it will be exceedingly difficult to achieve a goal of peace in that area.

But with the actions that we take today, even if we pass it, but with a small number, it will encourage Milosevic and others who object to the peace process, who want to see battle continue, and who care not for the lives on the ground.

I do hope this is a sincere effort where we differ. I sure hope that we do not see a unified rejection of the negotiations that are going on today because it is a Democratic President. Speaker Foley, when he sat in this House, held up the vote on the Persian Gulf for months at the request of the President of the United States, George

Bush. He waited until the troops were there and ready, and then, with agreement from the administration, held a vote.

We are asked to vote before there is an agreement, before there is a conclusion. Support the Committee on Rules' proposal to send this back and bring it back to the floor when there is actually something to vote on.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. LANTOS), who is also a very distinguished member of the Committee on International Relations.

Mr. LANTOS. Mr. Speaker, I have the highest regard for all of my colleagues on the other side of the Chamber, and of course, I recognize, as we all must, that this is not a partisan issue.

When President Bush asked this body to support him with respect to the Persian Gulf, I was one of those Democrats who proudly and publicly supported him. I want to pay tribute to Senator Dole for his courageous public statements and actions supporting the policy that we support.

It is self-evident that this is the wrong time to deal with this issue. There may be no agreement for us to implement. But if we vote now, the likelihood of an agreement diminishes.

How many innocent children and women have to be killed in the former Yugoslavia for us to talk about genocide? Had we acted in 1991, a quarter million innocent people who are now dead would be here, and 2½ million refugees would still be living in their homes.

I know the difference between the Persian Gulf and Kosovo. Kosovo has no oil. That is the principle that is invoked here, under the table. Clearly we are not protecting our oil resources in Kosovo, as we did in the Persian Gulf.

This ought not to be a partisan dispute. We are undermining NATO, that succeeded in destroying the mighty Soviet Union, if we as the leader of NATO bail out on our international responsibilities.

If we listen closely, we hear the voices of isolationism reverberating in this Chamber. It is mindboggling. As we close this century, the lesson of it is that appeasement does not pay, that aggression must be resisted. I ask my colleagues to reject this rule, and to have this debate after an agreement will have been reached.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Mr. Speaker, I was in Bosnia 4 years ago as cochair of a House delegation, and there were three clear lessons from that trip.

Number one, there is a U.S. national interest in preventing an outbreak of major conflagration in the Balkans. We should not be the world's policeman, true. We also should not be asleep at the switch. Whether we like it or not, the Balkans is an important crossroads.

Secondly, Mr. Milosevic is a major roadblock to peace, and understands only firmness, total firmness.

Third, the U.S. has a special credibility there. We have a special credibility, and we need to use it to help bring about peace and to help enforce it.

The question now is not whether we are going to go to war, but whether we can negotiate a peace. I urge Members on the majority side to listen to their standardbearer of 1996, Robert Dole, who said just yesterday, I would rather have the vote come after the agreement. Mr. Dole, to his credit, knows the importance of bipartisanship in foreign policy.

I close with this. This is a particularly sensitive time in the negotiations for peace in Kosovo. This is not the time to take risks in undermining those efforts. Those who insist on a debate at this particular moment should think again, or they bear the responsibility for the possible consequences of their actions.

Mr. DIAZ-BALART. Mr. Speaker, I yield 1½ minutes to the gentlewoman from North Carolina (Mrs. MYRICK), a distinguished member of the Committee on Rules.

Mrs. MYRICK. Mr. Speaker, I do rise today in support of this rule, because it provides a fair and open debate, as should be the case with such an important matter. But that said, I strongly oppose the commitment of U.S. troops to Kosovo unless we are going to go in and solve the problem.

I do not believe the United States can be the parent or the policeman of the world, and the fighting there and in the rest of the Balkans is primarily a European matter and should remain a European matter, and they should be involved in taking the lead in this.

I believe wholeheartedly in maintaining a strong national defense, and I will always support our men and women in uniform. In fact, it is because of my commitment to the troops and not despite of it that I oppose this deployment of the troops to Kosovo.

To put it simply, our forces are stretched too thin around the globe to commit 4,000 or 5,000 troops in an effort whose end is nowhere in sight. When we committed troops to Bosnia, we were told they would be home that fall; then, that Christmas. That was in 1996. Three years later, our troops are still in Bosnia.

I have tremendous confidence in America's Armed Forces, and have no doubt that given a properly defined mission with a clear objective and a sensible exit strategy, our forces would perform brilliantly. That, however, does not describe our presence in the former Yugoslavia.

I urge my colleagues to join me in supporting this rule and opposing House Concurrent Resolution 42.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to our leader, the gentleman from Missouri (Mr. GEPHARDT).

Mr. GEPHARDT. Mr. Speaker, I have always believed that Congress should be involved in decisions by our government to send our armed services into harm's way. I really believe it is best to first commit the people and then commit the troops.

However, I object strongly to the timing of this debate. We should not be debating this matter while our diplomats at this very moment are seeking to convince the parties to this conflict to lay down their weapons and choose the path of peace.

To conduct a divisive debate in Congress and perhaps fail to support our government's efforts is the height of irresponsibility, and threatens the hope for an agreement to halt the bloodshed and prevent the widening of this war.

We all know that we are at a very delicate moment in the Kosovo peace negotiations. In part due to the efforts of former Senate Majority Leader Bob Dole, the Kosovar Albanians are reportedly ready to sign an agreement, and our diplomats are right now continuing to convince Yugoslavia President Milosevic to agree, as well.

If we reject this legislation, the Kosovars may refuse to sign an agreement out of fear that U.S. leadership is wavering, and clearly, Milosevic will be emboldened to continue his rejection of a NATO force as part of any agreement. Either outcome will only lead to more violence, more bloodshed, which has engulfed this region over the past years.

This should not be about politics. It should not be about giving the administration a black eye. This is about ending a humanitarian catastrophe and preventing the slaughter of thousands of innocent people caught in a simmering ethnic conflict.

Lives are at stake here. Our actions today may determine whether the people of Kosovo have a chance for a peaceful future, or simply resume the killing that could destabilize the region and threaten United States interests. I thought until recently that the Republican leadership shared this view, and grieve that partisanship has no place in this debate.

When asked a few weeks ago about a House vote on Kosovo, the Speaker stated publicly, I think we need to make sure that the administration has the room to negotiate and get the job done in Rambouillet first. The fact that we are here today demonstrates that Republican leaders have chosen partisan politics over a united American effort to end the conflict. It seems that politics has infected foreign policy, and I think, if that has happened, with great harm to our credibility overseas.

Others will talk about the importance of U.S. leadership in the Balkans

and Kosovo's significance for the future of NATO. I will simply reiterate to the Members what Bob Dole said yesterday in the Committee on International Relations. When asked about the timing of the vote, Senator Dole said, ''I would rather have the vote come after the agreement between the Kosovar Albanians and Serbia.''

When asked how Members should vote if this resolution is not postponed, Senator Dole said, we hope there will be strong bipartisan support. It is in our national interest to do this.

I regret that the leadership in Congress has forgotten our history and our background, and the importance of standing united as we attempt to resolve yet another international conflict. I urge all Members, Republican and Democratic alike, to vote against this rule, and defer this action that very well may provoke further bloodshed in the Balkans.

We can have this vote if there is a treaty. We can have this vote once there has been some kind of pulling together of a policy that we can look at and evaluate. This vote today is premature. It is wrong to have it today. The Members have it within their ability to put this vote off. I urge Members to vote against the previous question, vote against the rule, and let us bring up this vote when it is timely and appropriate.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge Members to vote against the previous question. If the previous question is defeated, I will offer an amendment to the rule that will delay consideration of the Kosovo peacekeeping resolution until an agreement on the status of Kosovo has been signed between the Serbian government and the Kosovo Albanians.

There is potential for serious damage to the peace process if we insist on bringing this debate while negotiations are in midstream and are in a precarious state. We certainly would not want to do anything in this body which could have the effect of disrupting or even ending the prospect for peace in the Balkan region.

□ 1245

Mr. Speaker, I urge a no vote on the previous question.

I ask unanimous consent to insert the text of the amendment and extraneous materials at this point in the RECORD.

There was no objection.

PREVIOUS QUESTION FOR RULE ON H. CON. RES. 42 PEACEKEEPING OPERATIONS IN KOSOVO RESOLUTION

On page 1, line 2, after ''resolution'' insert ''and after an agreement between the Serbian Government and the Kosovar Albanians has been signed on the status of Kosovo''.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's ''Precedents of the House of Representatives,'' (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership ''Manual on the Legislative Process in the United States House of Representatives,'' (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual:

''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

Deschler's ''Procedure in the U.S. House of Representatives,'' the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues:

''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

The vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Speaker, I want to thank the gentleman from Ohio (Mr. HALL) for yielding me the time.

Mr. Speaker, I want to encourage Members on both sides of the aisle to support the motion of the gentleman from Ohio (Mr. HALL) to defeat the previous question and do so for the following two reasons: One, maybe the most important book written on the history of Kosovo and Bosnia in the last several years by Robert Kaplan is ''Balkan Ghosts.'' Certainly the ghosts of this distinguished Chamber are rattling around as we play some politics with the timing of this resolution.

When it comes to foreign policy, it used to be that we did not play politics and go across the water's edge. Certainly when it comes to war, my very first vote in this Chamber, we had dignified and civil debate really that embodied the comity that this institution is capable of.

The timing of this resolution is very important. We should not do it before we see the peace agreement that is reached, if one is reached in this very volatile and delicate region of the world.

Secondly, Mr. Speaker, and I openly will criticize the administration for this, I do not know how I would vote next week or the week after on deploying troops. I think we should have answers to questions about how thinly our troops might be deployed, what the cost would be, what the exit strategy will be, how we are going to pay for this, what is the morale of the troops like and what state is that?

I do not think we should give carte blanche to the administration who simply announces to Congress that they are going to send 4,000 troops overseas whether Congress wants to or not.

So in terms of these two reasons, the politics of the timing today is not appropriate. Let us see if we can get a peace agreement; and then once we have it, let us debate it. Let us play our constitutional role in the United States Congress and have input, valuable input and debate on such a critically important matter for our Constitution, our country, and our Congress.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the accusations made by our distinguished colleagues on the other side of the aisle, especially the minority leader, have been most unfair, unfortunate, and must be rejected.

Partisanship has not played a role in this timing. The deadline for negotiations is Monday night. Our troops could be on their way to being deployed Monday night. If Congress is to have a voice on this issue, Congress must speak now, as even the Washington Post has recognized.

I personally will join the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations, in voting in favor of the authorization, in other words,

the underlying concurrent resolution being brought forth by this rule.

So I would urge my colleagues to vote to support the previous question and to support the rule.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to speak on House Concurrent Resolution 42, a measure regarding the use of United States Armed Forces as part of a NATO peacekeeping operation to implement a peace agreement in Kosovo.

At the outset, Mr. Speaker, I would voice my objection on procedural grounds to the rule authorizing debate today of H. Con. Res. 42, a measure on which the Democrats had no input and the Administration has not been permitted to comment upon.

As we all know, Mr. Speaker, the fragile peace negotiations on Kosovo are being conducted by the six member Contact Group and international community as we speak. Because of the sensitivity of these on-going negotiations, this is the absolute worst time to hold a contentious debate on Kosovo in the House of Representatives. Mixed signals from the U.S. Congress concerning the U.S. role in Kosovo undercut the Administration's ability to forge a successful peace agreement between the warring factions in Kosovo.

Already the situation is being manipulated by Serb leader Slobodan Milosevic, whose belligerence has been encouraged by perceived ambivalence in Washington. No doubt this has played a role in recent setbacks to the peace process, as exemplified by Milosevic's emboldened insistence to U.S. Special Envoy Richard Holbrooke that any political agreement based upon his country's acceptance of foreign troops is unacceptable.

Mr. Speaker, I urge our colleagues to vote against the rule on H. Con. Res. 42. It is clearly irresponsible to hold a divisive Kosovo debate now in Congress that will, in all likelihood, materially damage prospects for a lasting peace agreement being reached in that war-torn province.

Having said that, Mr. Speaker, if a peace accord in Kosovo is negotiated, I would urge support for the President's authority to deploy U.S. troops to implement the peace agreement, as embodied in H. Con. Res. 42.

As the world's lone superpower, I believe the government of the United States has a moral obligation to do what we can to stop the senseless bloodshed in Kosovo. Already over 200,000 lives have been sacrificed in the region's violence and it must be stopped.

On a strategic level, it is important that the war in Kosovo not be allowed to escalate and spread, threatening the stability of surrounding Balkan states as well as that of NATO partners, Greece and Turkey. The United States has a strategic interest in preserving the peace and stability of all of Europe, including its southern flank.

Achieving these important objectives require that an international peacekeeping force be formed by NATO. As NATO's leader, I believe it appropriate and not an undue burden that the United States contribute 4,000 U.S. troops, only 14% of the total NATO deployment of 28,000 peacekeeping soldiers. History has shown repeatedly that if the United States does not participate and lead, NATO is ineffective and falls apart.

Mr. Speaker, whether we like it or not, America cannot afford to walk away from the genocide and instability festering in Kosovo. I urge our colleagues to support H. Con. Res. 42 and its urgent mission to bring peace to the long suffering people of Kosovo.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in opposition to the rule allowing for the consideration of H. Con. Res. 42.

Mr. Speaker, the consideration of this bill comes at a most inopportune time. Timing is the key issue in this debate. As Negotiations to end the fighting in Kosovo are scheduled to resume next week this body has scheduled a debate as to the course of American policy in the region. In debating this resolution now we send the wrong message to friend and foe alike. In debating this issue now we send a message of indecisiveness and reluctance to fulfill our role as a peace partner in the region.

A decisive debate on this issue could undermine the talks at a critical juncture in the dialogue. Even former Senator Dole who supports a NATO ground presence, recognizes the bad timing of this resolution. On March 10, Senator Dole testified before the House International Relations Committee that he "would rather have the vote come after the agreement between the Albanians and Serbia."

Mr. Speaker, I will vote against the rule on H. Con. Res. 42 because this is the wrong time for the consideration of this legislation by the House at such a critical moment in the peace negotiations.

Mr. DIAZ-BALART. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. BURR of North Carolina). The question is on ordering the previous question.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 219, nays 203, not voting 12, as follows:

[Roll No. 45]

YEAS—219

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
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
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Green (WI)
Greenwood
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
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
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—203

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)

Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
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
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—12

Becerra
Bilbray
Capps
Delahunt
Frost
Goodling
Gutknecht
John
Mollohan
Morella
Reyes
Saxton

□ 1308

Messrs. BISHOP, HOEFFEL and PAYNE changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. BURR of North Carolina). The question is on the resolution.

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

RECORDED VOTE

Mr. HALL of Ohio. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 218, noes 201, not voting 15, as follows:

[Roll No. 46]

AYES—218

Aderholt
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Barton
Bass
Bateman
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
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
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
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
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—201

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

NOT VOTING—15

Archer
Bartlett
Becerra
Bilbray
Capps
Delahunt
Frost
Goodling
Horn
Hunter
John
Mollohan
Morella
Reyes
Saxton

□ 1319

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GOODLING. Mr. Speaker, regrettably I was unavoidably detained for rollcall votes 45 and 46. Had I been present, I would have voted ''yes'' on both rollcall votes.

The SPEAKER pro tempore (Mr. BURR of North Carolina). Pursuant to House Resolution 103 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 concurrent resolution, House Concurrent Resolution 42.

□ 1322

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 concurrent resolution (H. Con. Res. 42) regarding the use of United States Armed Forces as part of a NATO peacekeeping operation implementing a Kosovo peace agreement, with Mr. THORNBERRY in the chair.

The Clerk read the title of the concurrent resolution.

The CHAIRMAN. Pursuant to the rule, the concurrent resolution is considered as having been read the first time.

Under the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from Connecticut (Mr. GEJDENSON) will each control 1 hour.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

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

Mr. Chairman, I rise today to begin this historic debate on H. Con. Res. 42.

The purpose of this resolution, which I introduced at the Speaker's request, is to afford an opportunity for the House to participate in a decision whether or not to deploy our armed forces to Kosovo to implement the peace agreement now being negotiated at Rambouillet, France. The Congress has not only a right but a constitutional responsibility with respect to deployments of our armed forces into potentially hostile situations and, along with the Speaker, I believe that debating and voting on this resolution is an appropriate way for the Congress to begin to carry out this responsibility.

Some Members of Congress have serious reservations about deploying U.S. Armed Forces to Kosovo as peacekeepers. Others strongly support the President's policy. In an effort to give the benefit of the doubt to our President, the text of this resolution does not criticize or oppose the proposed deployment to Kosovo. To the contrary, it states that ''the President is authorized to deploy United States armed forces personnel to Kosovo as part of a NATO peacekeeping operation implementing a Kosovo peace agreement.''

The Speaker has stressed that this resolution is being offered without prejudice to the underlying question. We expect Members to vote their conscience on the resolution, in the solemn exercise of their responsibility as elected representatives of the American people. No one can deny that the debate now under way in this House is one of the most weighty questions a Congress can face: sending into harm's way, on foreign soil, our uniformed personnel who volunteered to be part of our Nation's military.

The administration has asserted that it believes it has the authority to send U.S. troops to Kosovo to enforce a peace plan without congressional approval. There are many in the House who disagree. Regardless of where our individual Members may stand on the role of the Congress in the deployment of our armed forces on foreign soil to undertake risky missions, it is undeniable that the President's hand will be strengthened when he seeks and obtains the assent of the Congress.

There are two observations on this prospective deployment, and I stress that we are debating this issue before it is fully developed in order to have a meaningful debate. First, this resolution is an authorization if the conditions are appropriate, that is, if and only if, hostilities have ceased and if there is an agreement that has been accepted by both sides.

And, second, as Senator Bob Dole told our Committee on International Relations yesterday, ''If we're not part of this agreement, there will not be an agreement.'' Senator Dole's point is that the Albanians of Kosovo believe that our Nation has to be present for them to accept the peace plan. We must recognize, also, the proportion of the burden that we will be accepting in sending our troops to Kosovo. Out of some 30,000 total troops that are expected to guarantee the peace, our share will be only 15 percent. The Europeans will be doing the rest, and I think it is a fair distribution if the United States wants to continue to be considered the leader in the NATO alliance.

I would also point out that today's debate is not the last we will have regarding the U.S. role in Kosovo. There will be ample opportunities as events unfold in Kosovo for Members to introduce, to debate and to vote on measures regarding what the U.S. is doing and not doing in Kosovo. We need, however, to start this debate today and to demonstrate that the Congress is involved, that it should be involved, and that it can be involved responsibly in foreign policy questions of this nature.

Mr. Chairman, in our committee's hearings yesterday, we were also privileged to have Ambassador Jeane Kirkpatrick provide some of her acumen on complex foreign policy questions such as Kosovo. Ambassador Kirkpatrick pointed out that there is a risk in not paying attention to violence because it may seem to be disorganized, or its proponents remote or poorly armed. Ambassador Kirkpatrick went on to state that ''violence can spread, not like dominoes but like putty because we don't think that it is dangerous.'' This was the attitude of European nations when Hitler moved into the Rhineland. If the conditions are appropriate and there are no hostilities, I am inclined to support the deployment of our forces to Kosovo. I will vote for this measure in its present form in order to preserve human life. I am confident that this House over the next several hours will conduct a debate that will be remembered as one of the higher points of this 106th Congress, where our Members do the work that they have been entrusted to do by the American people. Accordingly, Mr. Chairman, I ask that each one of our colleagues follow the debate closely and vote their conscience on this measure.

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

Mr. GEJDENSON. Mr. Chairman, I yield myself such time as I may consume. As I said earlier, I do not think we should be here today. As a general practice, I think the Congress ought to execute its authority based on a concluded agreement, not taking action prior to having any understanding what the parameters of the agreement will be in that region or anywhere else. It would be akin to voting on treaties before they were drafted. If the leadership of this body were running the Senate, I imagine the next time we had a nuclear missile proliferation treaty or other arms control treaty, the Senate would either approve them or reject them before the ink was even on the page.

□ 1330

But we are here now, and we have taken this fateful step. The lives of men, women and children in the region will depend on the actions we take, and again I would like to briefly review a little history.

A previous administration said this was a European problem, let the Europeans solve it. Over 200,000 men, women and children died, entire villages were exterminated, a level of atrocity not seen since World War II or Cambodia occurred in the heart of Europe.

When the committee called in witnesses, they brought in the majority's best: Senator Dole, who deserves great credit for actually going to the region on behalf of the administration to try to argue for the peace plan. Senator Dole testified that if we fail to act today, it will be likely that we will fail to achieve peace. He wanted to put this vote off, but he said:

''If you have this vote, make sure you pass it, because if you do not pass it, you will undermine the possibility of peace in the region.''

Ambassador Kirkpatrick said the same thing.

The only witness brought forth that day to argue the opposite proposition was former Secretary of State Henry Kissinger, and even he said that he would be very careful to take his previous editorial comments as an excuse to vote against this resolution. Even he understood the importance of not undermining our negotiators as they try to achieve the goal to stop murder in the region.

This is not a question about whether we trust the President or we trust the Secretary of State's agreement. We do not have an agreement before us.

So I would hope we would accept some amendments that give the Congress time to reflect but that support the policy that we have initiated, that we continue to support America's power to save lives and bring peace to this region of the world.

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

Mr. GILMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Chairman, I was in Kosovo 2 weeks ago. It was my second trip there since 1995. I rise in support of the resolution. I will stipulate the administration has not done a good job on educating and conferring with the Congress, nor has it done a good job of telling the American people what the mission is. However, if there is an agreement in France, I support the deployment of American troops because I believe without U.S. participation it will not work.

I spoke to one person over there. I said, ''How many American soldiers do you need?''

He said, ''At least one, and he has to be out in front because without America's involvement it will not take place.''

Two hundred thousand people died in Bosnia. Were it not for the Sarajevo market slaughter, we would not have gotten involved then, and since our participation nobody has died and it is working.

This is the 50th anniversary of NATO. NATO leaders from all the world will come here to celebrate the working of NATO, and how can they celebrate the working of NATO if NATO forces go into Kosovo if there is an agreement and the Americans do not participate in it?

George Will wrote in Newsweek where he said:

If NATO cannot stop massacres in the center of Europe, it cannot long continue as an instrument of collective security against Wye. Given how well things have gone in the last 50 years on the continent, wherein the preceding 35 years things went wrong at such cost in American blood and treasure, do Americans want the risk, arising tide of anarchy?

It is important, if there is going to be a NATO, and what we are voting on today is not only troops with regard to Kosovo if there is an agreement, we are in essence today, whether we like it or not, voting on the vitality and the future of NATO.

In closing, if there is a lasting peace though in this region, it is important that we do everything we can to see that President Milosevic is removed from power. A just and permanent way for him to step down must be found. The longer he remains, the longer the turmoil and unrest and killing will continue in Eastern Europe.

It is not an easy vote, but in the Bible in Luke it says to whom much is given much is expected, and in one verse it says to whom much is given much is required. We have been blessed in this country with peace and prosperity. NATO has been a success, NATO has worked, NATO is important, and with the 50th anniversary coming up to say that NATO will participate in Kosovo if there is an agreement, and I stipulate, but the United States will not participate, will basically be the first nail in the coffin in the death of NATO.

So with great reluctance stipulating the administration has not treated our troops fairly with regard to benefits and pay and they have been weakened, and also they have not made the case, I support the resolution.

Mr. Chairman, I rise in support of H. Con. Res. 42, a resolution authorizing the deployment of U.S. troops to Kosovo. I support the resolution, although imperfect, in its current form. I do so reluctantly. I do not believe President Clinton has made a credible case to the American people or to the Congress about the need for this deployment. I urge him to do so and do so quickly. We will, after all, be sending America's young men and women into harm's way and the people deserve to know "why."

Two weeks ago I visited Kosovo to get a first-hand glimpse into the current conflict. I met with representatives of the Kosovo Liberation Army (KLA/UCK), Serb government officials, NGO representatives and U.S. Ambassador William Walker, the head of the Organization on Security and Cooperation in Europe (OSCE) mission in Pristina. I also had the chance to talk to members of the KLA army, many of them everyday people, farmers, storekeepers, workers and such who were driven to the KLA by the constant, brutal action of the Serbs.

I am submitting a copy of my trip report for the CONGRESSIONAL RECORD. It contains my observations and recommendations regarding the Kosovo conflict.

I have concluded that if there is a signed peace agreement in Rambouillet, it will be necessary to commit troops to the Kosovo peace effort. It is only with the greatest reluctance that I support the deployment of American troops abroad, but I believe that without U.S. troops, peacekeeping won't work. The U.S. is both the leader of the world and of NATO. If NATO is involved, we must be part of the effort or it will not succeed.

This year is the 50th anniversary of NATO. The anniversary will be celebrated with events in Washington and elsewhere in the United States. Kosovo will be a big test for this important alliance. The U.S. has always been the leader of NATO and we should not shy away from our commitment now. If we refuse to become part of the NATO effort in Kosovo, it could only further embolden Serb President Slobodan Milosevic and dim the prospects for reaching a lasting, peaceful settlement. The fighting will continue and more people, including many women and children, will lose their lives. I agree with the words of Bob Kagan in the Weekly Standard of March 1, 1999. He says the practical effect of opposing U.S. involvement "would be to reinforce Milosevic's conviction that NATO, and particularly the United States, does not have the stomach to take him on."

George Will wrote in Newsweek on March 1, ". . . if NATO cannot stop massacres in the center of Europe, it cannot long continue as an instrument of collective security against . . . what? Given how well things have gone in the last 50 years on the continent where in the preceding 35 years things went so wrong, at such cost in American blood and treasure, do Americans want to risk a rising tide of anarchy?" I agree with his thoughts.

However, I do not believe the Clinton administration has made a credible case for U.S. involvement in Kosovo to the American people nor do I believe that this administration has done a good job taking care of our men and women in uniform who, at personal risk, have been carrying out our policy in Bosnia, in Iraq, in Haiti, in South Korea, on our high seas and "wherever the U.S." needs its strength. We have drawndown troops to a level now insufficient to meet today's needs. Many troops go from one deployment to another without time to be home with their families. U.S. troops are stretched too thin and are not being treated fairly. Pay and allowances are inadequate, the tempo of operations is too high (we just need a larger military force to face the tasks they have been given) and we are not giving our first class military men and women the tools they need to do the job.

I want to emphasize that there are no better soldiers anywhere in the world and the morale of our troops is high. But they are not being treated fairly.

If the troops are to be deployed to Kosovo, we must give them strong political leadership and a clear mission. We also must be sure that Americans soldiers, airmen, seamen and marines are given the resources they need to carry out their ever increasing number of missions around the world. It's not enough to pass a resolution. Congress must ensure that the resources available for the American military are there for them to carry out the growing number of missions the military is being called upon to carry out.

We also must do more than we have done in Bosnia to build a lasting peace. While our military effort in Bosnia has been successful, thanks to the commitment and skill of American troops, the civilian side of the effort has fallen far short. We have failed so far to bring about reconciliation among the ethnic factions. An interdependent society enhanced by an effective marketplace and economic trade system has not gotten off the ground. For example, three years after the Dayton accord, the railroad in Bosnia does not yet operate.

We must learn lessons from Bosnia and help create a working regional government in Kosovo that effectively represents and is accountable to the people and contributes to the creation of a viable economy. We also must ensure that a new Kosovo government has effective civilian oversight over the military and that KLA forces are disarmed and brought under civilian command. Without strong civilian control, the KLA could get out of hand.

Most importantly, lasting peace may not occur in the Balkans while Serbian President Slobodan Milesovic is in power. A just and permanent way for him to step down must be found. The longer he remains, the longer turmoil, unrest and killing will continue in eastern Europe.

It is never an easy decision for a Member of Congress to decide to vote in favor of sending American men and women into a possibly dangerous situation. I believe, however, that once a peace agreement is reached—if it is reached—deploying NATO troops to the region to keep the peace, prevent the conflict from spreading and prevent destabilizing refugee outflows into neighboring countries is the only way to ensure stability in Europe. Stability in Europe is in the best interest of the United States.

STATEMENT BY U.S. REPRESENTATIVE FRANK R. WOLF, REPORT OF A VISIT TO THE BALKANS KOSOVO: THE LATEST BALKAN HOT SPOT, FEBRUARY 13–18, 1999

This report provides details of my trip to Albania, Macedonia and Kosovo during mid-February, 1999. This visit occurred during the time the Serb-Kosovo Albanian peace conference was taking place in Rambouillet, France, and ended only a few days before the contact group's initially imposed deadline to reach agreement of February 20. There is every indication that the U.S. will be concerned with Kosovo for some time to come and it was important to have a clear, first-hand view of conditions there.

I have, for many years, had a deep interest in the Balkans and concern for the people who live there. I have traveled numerous times to the region. There has been hostility, unrest and turmoil for hundreds of years. It has been said that there is too much history for these small countries to bear. If this is so, it has never been more true than today.

During this trip, I spent one day in Tirana, Albania, where I met with the U.S. Ambassador Marissa Lino and her embassy staff; Albanian President Meidani; Prime Minister Majko; cabinet ministers; the Speaker and other members of parliament; religious leaders, and heads of Non-Government Organizations (NGOs) active there.

I spent parts of two days in Skopje, Macedonia, where I met with embassy Deputy Chief of Mission and Charge d'affaires Paul Jones; Political Officer Charles Stonecipher; members of the Macedonian parliament; former Prime Minister and President of the Social Democratic Union (opposition political party) Branko Crvenkovski; American soliders assigned to United Nations forces guarding the Macedonia-Kosovo border, and the commander and men of the NATO Kosovo verification and extraction forces as well as representatives of NGOs in Macedonia.

In Kosovo for a day and a half, I met with head of mission Ambassador William Walker and senior adviser to ethnic Albanian elected President Ibrahim Rugova, Professor Alush Gashi. I also met with Kosovo Liberation Army (KLA/UCK) spokesman Adem Demaci (who previously spent 26 years in Serb prisons) and senior Serbian representative in Kosovo, Zoran Andelkovic. Other meetings included NGO representatives, head of the Kosovo office of the U.N. High Commissioner for Refugees (UNHCR), and other officials and representatives. Our understanding and most able escort was State Department Foreign Service Officer Ronald Capps. We also stopped at a Serb police barracks and met with the officer in charge. We met individual members of the KLA and with a number of individual Kosovars who had returned to their villages after having been driven out by Serb attacks. Some villages were largely destroyed and remain mostly deserted.

The fate of Albania, Macedonia and Kosovo, which border one another, is interrelated. Albania has a population of about two million people. Macedonia's population of two million includes about one third ethnic Albanian. About 90 percent of the nearly two million people in Kosovo are also ethnic Albanian.

Kosovo is the southernmost province of present-day Serbia and has a centuries long history of conflict, turbulence and hatred. By 1987 Serbian dominance in the region had been established, Slobodan Milosevic was President and ethnic Albanian participation in government was virtually nonexistent.

In response, ethnic Albanians in 1991 formed a shadow government complete with president, parliament, tax system and schools. Ibrahim Rugova was elected president and has since worked for Kosovo independence through peaceful means.

By the mid-1990, the ethnic Albanian population in Kosovo had grown to nearly 90 percent as human rights conditions continued to go down hill with the Serbs in total control of police and the army. Many, if not most, individual Serbs also have weapons as opposed to ethnic Albanians for whom possessing a gun is against strictly enforced law. Beatings, harassment and brutality toward ethnic Albanians became commonplace, particularly in villages and smaller towns.

In 1996 the shadowy, separatist Kosovo Liberation Army (KLA) surfaced for the first time, claiming responsibility for bombings in southern Yugoslavia. KLA efforts intensified over the next several years, government officials and alleged ethnic Albanian collaborators were killed. The Serbian government cracked down and violence has escalated since.

I met with a number of KLA members. Most of them are everyday people, farmers, storekeepers, workers and such who were driven to the KLA by the constant brutal action of the Serbs. There are, no doubt, some bad people in the KLA including thugs, gangsters and smugglers, but most are motivated by a hunger for independence. Still, it must be recognized that some acts of terrorism have been committed by the KLA.

Conditions in Kosovo continued to deteriorate and alarm the international community. In October 1998, under threat of NATO air strikes, Serbian President Milosevic made commitments to implement terms of U.N. Security Council Resolution 1199 to end violence in Kosovo, partially withdraw Serbian forces, open access to humanitarian relief organizations (NGOs), cooperate with war crimes investigators and progress toward a political settlement.

As part of this commitment, in order to verify compliance, President Milosevic agreed to an on-scene verification mission by the Organization for Security and Cooperation in Europe (OSCE) and NATO surveillance of Kosovo by non-combatant aircraft. These activities are in progress and NATO has deployed a small extraction force in next door Macedonia. I visited with each of these groups.

However, conditions in Kosovo have not stabilized and more have been killed. Finally, a contact group with members from the U.S., Great Britain, France, Russia, Italy and Germany issued an ultimatum to the sides to reach a peace accord by February 20, 1999. NATO air strikes against targets in Serbia were threatened if Belgrade did not comply.

The Serbs consider Kosovo the cradle of their culture and their orthodox religion and are not willing to give it up. I visited the Field of Blackbirds where the Serbs battled for and lost control of the region in 1389. I also visited a Monastery dating back to 1535 that is an important part of Serb history.

The Clinton administration, which does not favor independence for Kosovo, worries this conflict could spread if NATO does not intervene and could even involve Turkey, Bulgaria, Albania and Greece. While this is of concern, there are other reasons for the U.S. to remain active. The U.S. can never stand by and allow genocide to take place. Part of the effort, once a peace agreement between the Serbs and ethnic Albanians has been signed, could include a NATO ground force in Kosovo containing a contingent of U.S. troops.

It is clear that a main pipeline for arms reaching ethnic Albanians in Kosovo is across the Albania-Kosovo border and any stabilization effort will likely include shutting off this arms route. It has been suggested that an effective arms blockade could be accomplished by the Italian government from the Albanian side of the border with Kosovo.

A number of issues must be addressed before the outcome of this conflict can be predicted. Principal among these is the likely strength and stability of an ethnic Albanian led Kosovo government. Another is the economic potential of a stand-alone Kosovo, free from Serbia. Also important is what will be the future of the KLA? Will they give up their arms? Many in the KLA say ''no''. Could an independent Kosovo make it on its own? Political ability has not been demonstrated. Economic development help from the private sector in the West may not be immediately forthcoming. How would they be propped up? How will long term cross border hatred between Serbs and ethnic Albanians be kept in check? Who is going to foot the bill for all this? European nations?

How and by whom will the issue of war crimes be addressed? A terrible job on this issue has been done in Bosnia. Known war criminals have not been pursued after more than three years. Reconciliation is an important ingredient to lasting peace but terrible acts have been committed and justice must be served. The principal perpetrator of injustice and brutality has been Serbian President Slobodan Milosevic. What about him?

The White House and the present administration are deserving of some sharp criticism for allowing conditions to get where they are today.

There appear to be few lessons this administration has learned from the painful experience of Bosnia. Our government waited too long to get involved and, once engaged, has been somewhat ineffective. Too many died in Bosnia during this delay. While committing troops to the region for one year (now over three years with no end in sight) has indeed halted killing, at least temporarily, Bosnia is no further along toward peaceful self sufficiency than when troops arrive. Rather, it is as though there is merely a pause in time. If our troops leave, hostility and brutality would likely resume. Little infrastructure is being created. Railroads are not running. Little economic development or growth is emerging. No lasting plan for peace has been developed and no interdependent community has been created which would make undesirable, a return to conflict. Little has been done to bring about reconciliation.

Meanwhile, as we look at our overall U.S. military capabilities throughout the world, we see that this administration has drawn down U.S. military strength to the level where there are now insufficient forces to meet today's needs. When I met with our soldiers in the Balkan region I found many who have gone from one deployment to another without time to be home with their families. The troopers I met on the Kosovo border are assigned to a battalion on its third deployment in three years.

There are no better soldiers anywhere in the world than these and their morale is high. They are ready to do what is expected of them and more. But they are not being treated fairly. Pay and benefits have been allowed to deteriorate. The tempo of operations has grown to the point where they have too little time at home. There are just not sufficient forces to do all the things they are expected to do. According to the February 17, Washington Post, the Secretary of the Army's answer is to lower standards and recruit high school drop-outs. Turning his back on history, this official has unwisely decided upon another social experiment rather than dealing fairly with the shortfall.

From 1990 to 1998 the armed forces went from 18 active army divisions to eight. The navy battle force went from 546 ships to 346. Air force fighter wings decreased from 36 to 30. Discretionary defense budget outlays will decrease 31 percent in the ten years beginning 1990. Service chiefs predict FY 1999 ammunition shortages for the army of $1.7B and

$193M for the marines. These statistics are just the tip of the iceberg. There is compelling evidence that, in the face of a huge increase in troop deployments (26 group deployments between 1991 and 1998 by the Army's own count), this administration has not made the investment to give our fighting men and women the tools to do the job asked of them.

The fact that the men and women in uniform are bending to their task is to their credit, but it is past time to give them what they need and stop driving them into the ground. The White House must face up to this shortfall and address the issue of where the money to pay for our involvement is to come from. They have not yet done so and time is short.

A strong NATO involvement, with solid U.S. participation, will be an important part of any workable solution to this mess. There is a story making the rounds of NATO forces where an American general, about to depart the region asks his NATO counterpart how many U.S. troops must remain to ensure safety and success of the mission. The NATO commander responds, ''Only one, but he must be at the very front''. This is only a story told in good humor but it makes the point that U.S. presence is key—perhaps vital.

It is not without irony that the one key player omitted from the contact group meetings in France is a NATO representative. The irony deepens when the presence on the contact group of chronic problem-makes Russia and France is noted.

Frankly, the U.S. Congress has also had too little involvement in this Balkan process. The administration has done and continues to do a poor job in dealing with these issues. Consultation with the Congress does not appear to have been a major concern to the White House. While foreign policy is largely the prerogative of the President, American lives are being placed at risk in a far-off land and untold dollars are being committed to this effort. Congress has a role and must participate in this debate. Congressional hearings to explore all aspects of this situation are in order.

CONCLUSIONS AND RECOMMENDATIONS:

1. If there is a signed peace agreement in Rambouillet, it could be necessary to commit U.S. troops to the Kosovo peace effort. I make this recommendation with reluctance but, without U.S. troops, peacekeeping won't work. The U.S. is both the leader of the world and of NATO. If NATO is involved, we must be a part of the effort or it will fail. NATO's 50th anniversary is later this spring and there will be a large celebration in the U.S. Kosovo will be a big test for this important alliance.

2. There are many differences between the situation existing several years ago in Bosnia and what is happening today in Kosovo. Still, thousands died in Bosnia including too many women and children before NATO troops including a large contingent of U.S. soldiers moved in and put an end to the killing. Had not NATO peacekeepers acted over three years ago, the killing might still be going on today. Without the commitment of U.S. troops, a NATO peacekeeping intervention might not even have been attempted. We may wish this were not so, but it is. Perhaps things can change in the future but this is today's reality.

3. U.S. troops are stretched too thin and are not being treated fairly. Pay and allowances are inadequate, the tempo of operations is far too high (we just need a larger military force to face the tasks they have been given) and we are not giving our first class military men and women the tools they need to do the job. The administration needs to take better care of our soldiers, sailors, marines and airmen. Congress should force this issue.

4. Special attention must be paid to the Kosovo Liberation Army (KLA). While many, perhaps most, are common people whose interest is defending their families, their homes and themselves, the army is not without a rogue element. There is no clearly established and proven civilian government and there is no line of authority/responsibility between the KLA and a representative government. Without control, the KLA could get out of hand.

5. When peacekeepers arrive in Kosovo, one of their first tasks must be to disarm the KLA. Many in the KLA have said they will not give up their weapons. An armed KLA will be a time bomb in the way of progress toward peace. Providing safeguards for Serbs in Kosovo is an important part of the peace process.

6. Efforts thus far to build a lasting peace in Bosnia have come up short. Not only must more be done there but the lessons learned must be applied to Kosovo. The military presence in Bosnia has done the job of ending killing and brutality as it likely will in Kosovo, but the peace-building effort of reconciliation and creating an interdependent society and effective marketplace and economic trade system has not gotten off the ground.

7. Lasting peace in the Balkans will not occur while Serbian President Slobodan Milosevic is in power. A just and permanent way for him to step down must be found. The longer he remains, the longer turmoil, unrest and killing will continue in eastern Europe.

8. American and other workers and officials of all nations present in Kosovo (diplomats, United Nations, NGOs, contract workers, humanitarian care-givers and others) are true heros. They risk their lives daily to make life a little better for the people in Kosovo and we should all pray for them. I happened to see a warning sign posted in a U.N. office talking about mines. In part, it said, ''There is strong evidence to suggest some police posts have had anti-personnel mines placed near them. . . . All staff are asked to be extremely cautious when in the vicinity . . .'' Yet these men and women go about their daily duties with dedication and care for others in spite of the harm that is just a step away.

9. The foreign policy of this administration continues to come up short and is deserving of sharp criticism. America is the one remaining superpower and, like it or not, must assume this responsibility. Unfolding events continue to point to the absence of a coherent idea of what to do and how to do it. While we should have already developed a peace-making strategy and an exit strategy, the participants at Rambouillet remain unable to even get things started.

10. President Clinton has done a poor job of making the case to the American people for U.S. involvement in this conflict which also has a significant moral aspect to it. While the U.S. cannot be involved all over the world, we are a member of NATO which deals with peace and stability in Europe. Kosovo is a part of Europe and its destabilization could create a huge refugee population there. Fighting could even break out elsewhere if this issue is not dealt with early and effectively. America has been blessed with peace and prosperity. In the Bible, it says that to whom much is given, much is expected and there is an obligation on our part to be a participant in the search for solutions in this troubled spot.

11. I would like to conclude on a personal note to thank all of those who assisted me on this mission. I am especially grateful to U.S. Ambassador Marisa Lino and her staff, foreign service officer Charles Stonecipher who assisted me in Macedonia, foreign service officer Ron Capps whose knowledge and concern was of great help in Kosovo and U.S. Army Lieutenant Colonel Mike Prendergast who traveled with me. I appreciate their invaluable assistance.

Mr. CROWLEY. Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Chairman, I thank the gentleman from New York for yielding this time to me. I am speaking to my colleagues today on a matter of deep personal importance to me. For 3 years my family and I hosted a young Bosnian student. His name is Namik, and when he was 14 years old he was running through his village when a Serbian mortar shell landed next to him and blew his left leg off just below the hip. For 3 years I worked with Namik, kept him in our home as my own son taught him to climb and to kayak so that he could have a normal life. But for 3 years I helped him deal with what it is like to be a young man who has lost a leg in a war that was not his fault.

When we talk about this issue, Mr. Chairman, we are talking about human lives, we are talking about NATO, and we are talking about standing up to genocide and standing up to tyranny. Mr. Milosevic is a sociopath. He is bloodthirsty, he does not respect basic tenets of human dignity and morality. If a sociopath were holding hostages, and he had a police scanner and heard that the police were debating about whether or not to send in officers to put a stop to what he was trying to do, we know what would happen to those hostages: they would be killed. Mr. Milosevic has got to be stopped.

I urge my colleagues for the sake of Namik, for the sake of the future of NATO, for the sake of the future of our country and for the sake of stability in Europe and peace internationally, please pass this resolution. Do not undermine the President at this time, do not allow the killing to continue in the Balkans.

Mr. GILMAN. Mr. Chairman, I thank the gentleman from Washington for his support for this resolution.

Mr. Chairman, I yield 3 minutes to the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Chairman, I rise in strong support of H.Con.Res. 42, a resolution which supports the deployment of U.S. troops in support of a NATO peacekeeping effort in Kosovo. The reason we need to support this legislation today and the reason why we should resist weakening amendments is the simple fact that NATO peacekeepers, supported by U.S. troops, represent our

last and best chance for a workable peace in this very troubled land.

I would also add that if we are to maintain any credibility within NATO, we have an obligation to support this vital peacekeeping mission.

Mr. Chairman, I visited the former Yugoslavia on two separate occasions in recent years, and I have had the opportunity to visit Rambouillet recently, to observe the peace talks firsthand and to talk with the participants. Let me be very clear about this. I believe the only peace that will occur in Kosovo is one that is enforced by NATO. Serbian strong man Slobodan Milosevic has shown us time and time again that he does not recognize international law, he does not respond to international appeals for peace, and the experience has demonstrated that he does not always respect prior peace agreements. What he does respect and what he does respond to is the very real threat of force.

NATO peacekeepers are the only safeguard that will put a stop to the killing in Kosovo and the only thing that will prevent further violence down the road.

I cannot over emphasize how sensitive the point at which we now find ourselves in these negotiations is and that the failure of this resolution would deal a potentially fatal blow to the peace effort. Indications are that absent a peace agreement both sides are preparing for a major escalation of fighting in the spring, and as always in this case, it will be the innocent civilians who are once again suffering the horrifying consequences.

Mr. Chairman, a considerable amount of time and effort has been put into this peace effort, and the stakes could not be higher. Success means an end to the fighting, an end to the killing and an end to the destruction of entire villages and towns.

Ultimately we have all witnessed on the evening news the price that failure has brought to the people of Kosovo. Thousands have been killed, and tens of thousands turned into homeless refugees.

Peace is at hand if we have the wisdom and the courage to see this through.

I strongly urge my colleagues to send a message to both sides that the United States is committed to the peace process and, with that message, the assurance that we will stand by our commitments to NATO.

Mr. CROWLEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise today in strong support of this resolution, but I seriously question the Republican leadership's timing in bringing this measure to the floor for debate while negotiations are still underway. I believe a fractious congressional debate about whether or not to support implementation of a peace agreement at such a critical juncture in the negotiations seriously undermines our ability to negotiate a settlement and place directly into the hands of Mr. Milosevic. We must, as a Congress, show that we are committed to peace in the former Yugoslavia and working with our allies in NATO towards that common goal.

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

Mr. GILMAN. Mr. Chairman, I yield 2½ minutes to the gentleman from Kansas (Mr. RYUN).

Mr. RYUN of Kansas. Mr. Chairman, the United States Armed Forces are being stretched too thin. They have been asked to take on peacekeeping missions in Somalia, Haiti, Bosnia and now possibly Kosovo. President Clinton told Congress and the Nation that the United States deployment to Bosnia in 1995 would be over in 1 year. However, the mission in Bosnia has continued for 4 years with no strategic exit plan in sight and, at a cost to the United States at $10 billion, not only are their peacekeeping missions costly, but they are degrading to the overall readiness of our fighting forces.

Mr. Chairman, 2,200 troops from the 24th Marine expeditionary unit currently stationed aboard the Navy ships in the Mediterranean will be part of the initial force moving into Kosovo as soon as an agreement is reached between ethnic Albanians and the Serbian government. However that unit is headed into its final month of a 6-month deployment and scheduled to be home in North Carolina by May 1. To be home by that time the unit will have to leave Kosovo no later than mid April.

Mr. Chairman, that leaves the administration with limited options, the most prominent one being extending the length of the unit's deployment. How long will this unit be there? How much longer will they be away from their families and beyond their expected 6-month deployment?

Mr. Chairman, for America's Armed Forces to sustain this administration's peacekeeping pace the forces must be augmented by an increased amount of part-time Reserve and National Guard personnel. Not only are Reserve and National Guard personnel being forced to leave their families more often, but they are also being asked to increase the amount of time and technical knowledge taken away from their careers here in the United States. These military personnel are being forced to explain open end deployments to their employers who are becoming less willing to continually lose their skilled employees.

Mr. Chairman, to be able to keep these individuals in the Reserve and National Guard we must continue to send them into peacekeeping situations around the globe. In the future, when the Reserve and National Guard personnel have the opportunity to leave military service, they will choose their family quality of life and their career over serving their country. A Kosovo peacekeeping mission will place a heavy burden on America's Armed Forces and compromise their readiness levels, the quality of life of their families and the national security of the United States. We cannot and must not continue to ask our military to do more with less.

Mr. Chairman, before the administration decides to deploy troops to Kosovo, I ask that they lay out their plan and details to Congress.

Mr. Chairman, before the Administration decides to deploy troops to Kosovo, I ask that they lay out their plan in detail to Congress. The administration should not be able to put the men and women of our armed forces in harm's way without explaining their reasons for doing so.

Mr. CROWLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Chairman, I rise today in support of H. Con. Res. 42, legislation to authorize U.S. involvement in peacekeeping actions in Kosovo.

This debate is about how we see our role in the world. Do we want to be involved? Do we want to be an active part of the NATO alliance? Do we want to export our values of democracy? Do we want to be in a position to influence world events? Because, if we do, we have to be active even when the direct benefit to the United States is difficult to discern and most certainly when we can discern that genocide may occur.

□ 1345

A secure and stable Europe is of great concern to the United States. We have fought two major wars of this century, both on the continent of Europe and both because Europe was completely destabilized by tyrannical despots and weak economies.

If we weaken the contact group alliance that has worked on this matter, as well as NATO, the Organization for Security and Cooperation in Europe, efforts on the ground, by defeating this resolution, it will surely stoke the fires of instability in Europe.

If our allies cannot count on us, they will surely stop looking to us for leadership and our influence will wane.

I talked to a colleague of mine in the Organization of Security and Cooperation in Europe, who is the Chair of the first committee on which I served. His name is Bruce George and he is a member of the British Parliament and is their defense expert. He said if we fail today to support this resolution, it will be short of catastrophic.

Yesterday Ambassador Jeane Kirkpatrick said that if we do not support this resolution, we will regret it. I suggest to this body that we cannot stand idly by and watch children maimed, autonomy destroyed and a people who are

seeking no more than freedom, an opportunity to gain the same.

Support this resolution.

Mr. GILMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Nebraska (Mr. BEREUTER), the distinguished vice chairman of our Committee on International Relations.

Mr. BEREUTER. Mr. Chairman, my colleagues, I rise in opposition to the resolution. I want to drop back, though, to some of the debate that took place on the rule. The minority leader came here and suggested it was inappropriate for us to be debating this resolution at this time. That was also voiced by the ranking minority member of the House International Relations Committee here today, and by others.

As the gentleman from New York (Chairman GILMAN) said, unfortunately debating the issue before the situation fully developed is important for Congress to have a meaningful role.

I want to remind my colleagues what happened in Somalia where without any consultation we saw the Administration move from protecting the people involved in the deliveries of food to a nation-building process. It was classic mission creep. I want to remind Members what happened in the formulation of the Dayton Accords when, in fact, we were told by the Administration ''do not do anything, it might upset these delicate negotiations ongoing in Dayton.''

Then what happened? Before Congress had any opportunity express its view or to have a role, before the Dayton Accords were actually signed, troops were on the way to Bosnia and we were locked in. Then what were we told? What we had been told before, we have to support our troops, our men and women in the field, and Congress was cut out of the process.

Here we are in another similar situation, but what we have here is very different. What we have here is an invasion by the United States and NATO of a sovereign country. Kosovo is an autonomous region within Serbia.

This Member has previously voiced, and still has enormous difficulties for many reasons, with the proposal for a peace keeping, I would have to call it a peace enforcement, plan in Kosovo. Chief among them is the Member's reservation that the President is ready to act outside the U.S. Constitution to engage uninvited U.S. combat forces in an internal conflict in a country which is not a threat to the United States.

The U.S. Constitution clearly limits his authority to place U.S. Armed Forces in hostile situations, but can do so only in response to a national emergency created by attack upon the United States, its territories or its armed forces.

The more extreme measure of launching unprovoked air strikes against Serbia, a sovereign country for which I have little respect in terms of their leadership, who have committed extraordinary atrocities in Kosovo, nevertheless the Administration proposal to deploy troops to Kosovo is tantamount to a declaration of war against Serbia.

Article I, Section 8 of the U.S. Constitution specifically grants war declaration authority exclusively to the Congress. The President's commitment to deploy our troops into a hostile and foreign territory of Kosovo cannot be considered a defensive measure that falls under his authority.

What is going to happen? If we ever have a peace agreement on Kosovo, it will be coerced and it will have to be an enforced peace—for who knows how long. We have an Administration which has threatened, imagine this, if you do not sign, Mr. Milosevic, we are going to bomb you.

I suppose we are going to bomb the KLA, too. How does one find the KLA to bomb? How does one enforce peace on that side?

Let me ask some questions about the current peace proposal. We have one party somewhat bound to the U.S., the other bound by the threat of U.S. force.

Many questions need to be addressed: By what means are we going to protect the Kosovars? Who will police the borders? How will we neutralize the danger of Kosovo expansion when it has no international status? What is the political objective? (Autonomy is not the destination sought by the Albanians.) How do we handle the relationship of the Albanians in Kosovo with those in the surrounding region? What are the rules of engagement? What is the concept of how it will end? Under what authority can NATO ''invade'' a country in this matter?

Morover, the projected Kosovo agreement is unlikely to enjoy the support of the parties for a long period of time. For Serbia, acquiescing under the threat of NATO bombardment, it involves nearly unprecedented international intercession. Yugoslavia, a sovereign state, is being asked to cede control and in time sovereignty of a province containing its national shrines to foreign military force.

Though President Slobodan Milosevic has much to answer for, especially in Bosnia, he is less the cause of the conflict in Kosovo than an expression of it. On the need to retain Kosovo, Serbian leaders—including Milosevic's domestic opponents—seem united. For Serbia, current NATO policy means either dismemberment of the country or postponement of the conflict to a future date when, according to the NATO proposal, the future of the province will be decided.

The same attitude governs the Albanian side. The Kosovo Liberation Army (KLA) is fighting for independence, not autonomy. The KLA is certain to try to use the cease-fire to expel the last Serbian influences from the province and drag its feet on giving up its arms. And if NATO resists, it may come under attack itself—perhaps from both sides. What is described by the administration as a ''strong peace agreement'' is likely to be at best the overture to another, far more complicated set of conflicts.

Ironically, the projected peace agreement increases the likelihood of the various possible escalations sketched by the President as justification for a U.S. deployment. An independent Albanian Kosovo surely would seek to incorporate the neighboring Albanian minorities—mostly in Macedonia or FYROM—and perhaps Albania itself. And a Macedonian conflict would land us precisely back in the Balkan wars of earlier in this century. Will Kosovo then become the premise for a semi-permanent NATO move into Macedonia just as the deployment in Bosnia is invoked as justification for the move into Kosovo? Is NATO to be the home for a whole series of Balkan NATO protectorates?

In Bosnia, the exit strategy can be described. The existing dividing lines can be made permanent. Failure to do so will require their having to be manned indefinitely unless we change our objective to self-determination and permit each ethnic group to decide its own fate. In Kosovo, that option does not exist. There are no ethnic dividing lines, and both sides claim the entire territory. America's attitude toward the Serbs' attempts to insist on their claim has been made plain enough; it is the threat of bombing. But how do we and NATO react to the Albanian transgressions and irredentism? Are we prepared to fight both sides and for how long? In the face of issues such as these, the unity of the contact group of powers acting on behalf of NATO is likely to dissolve. Russia surely will increasingly emerge as the supporter of the Serbian point of view.

The President's statements ''that we can make a difference'' and that ''America symbolizes hope and resolve'' are exhortations, not policy prescription. This is bumper sticker foreign policy. Is NATO to become the artillery to end ethnic conflict? If Kosovo, why not intervention in East Africa or Central Asia? And would a doctrine of universal humanitarian intervention reduce or increase suffering by intensifying ethnic and religious conflict? What are the limits of such a policy and by what criteria is it established? In Henry Kissinger's view, that line should be drawn at American ground forces for Kosovo. Europeans never tire of stressing the need for greater European autonomy. Here is an occasion to demonstrate it. If Kosovo presents a security problem, it is to Europe, largely because of the refugees the conflict might generate. Kosovo is no more a threat to America than Haiti was to Europe—and we never asked for NATO support here. The nearly 300 million Europeans should be able to generate the ground forces to deal with the problems for 2.3 million Kosovars. To symbolize Allied unity on larger issues, we should provide logistics, intelligence and air support. But I see no need for U.S. ground forces; leadership should not be interpreted to mean that we must do everything ourselves.

Again, paraphrasing Henry Kissinger, he said in opposing ground troops in Kosovo that: Each incremental deployment into the Balkans is bound to weaken our ability to deal with Saddam Hussein and North Korea. The psychological drain may be even more grave. Each time we make a peripheral deployment, the administration is constrained to insist that the danger to American forces is minimal—the Kosovo deployment is officially described as a

"peace implementation force." Such comments have two unfortunate consequences: They increase the impression among Americans that military force can be used casualty-free, and they send a signal of weakness to potential enemies.

MILITARY READINESS

Where will the money be coming from to support Kosovo deployment? Will it be pulled from readiness accounts? As recently as Monday, March 8, in an HASC hearing that included Maj. Gen. Larry R. Ellis, the 1st Armored Division commander (Germany based division now with troops in Bosnia and FY ROM), five other flag officers, and a group of mid-grade and senior noncommissioned officers, readiness was described as "a rubber band that is stretched very, very tight." While military strength has drawn down, deployments have picked up steadily and there aren't enough people to do the job. Across the board, readiness is wearing dangerously thin.

A former militaryman described the plight of the mid-career professional soldier this way:

"They are sent to far-off places with inadequate support, pointless missions and foolish rules of engagement so the cocktail party set back in D.C. can have their consciences feel good."

"We keep drawing down long-term readiness to meet near-term missions," said Gen. Charles C. Krulak, the Marine Corps commandant. "That is severely straining our long-term readiness and modernization efforts."

A 4,000 troop commitment translates into 12,000 troops involved in Kosovo support (4,000 training to go in, 4,000 on the ground, and 4,000 being retrained upon coming out). This is demoralizing, it degrades retention, and leads to questions about management.

Secretary Cohen said yesterday that NATO forces would enter Kosovo to maintain an ongoing peace—that may be true, but it is certainly debatable. Indeed, this Member would argue that we are talking about peace-enforcement, not peacekeeping. And I would remind my colleagues that our last experience with peace enforcement (Somalia) was not a pleasant one.

The Kosovo Liberation Army (KLA) is an armed separatist group that would appear bent on independence; major element in the Serb population are adamantly opposed to the KLA's objective. This is a situation were any existing "peace" is highly suspect.

There is no way to place a time limit on a Kosovo deployment.

Remember the Bosnia experience. Upon the rapid deployment (without congressional consent) following the Dayton Accord, Secretary Christopher assured the nation that it would be for one year only—to give the Bosnians a chance for peace. Four years later, everyone acknowledges there is no end in sight to the Bosnia deployment. The cultural difficulties that gave rise to the violence are far too great.

The cultural difficulties in Kosovo are at least as serious as those in Bosnia. Milosevic has successfully preyed upon the ancient fears and hatreds of the Serb population. The Albanian diaspora has fed the most violent tendencies of the Kosovar Albanian population. And the Albanians in Kosovo are insisting that a NATO presence remain for at least three years!

In short, we lack an exit strategy. This is the same point that House Members argued four years ago regarding Bosnia. At that time, the Administration discounted our warning that, once deployed, U.S. troops would be in Bosnia for the long haul. Well, we were right and the Administration was wrong.

I absolutely do not condone anything that the Serbians have done. In many ways, they are their own worst enemy. Belgrade has been condescending and abusive of the rights of ethnic Albanians, and their brutality gave rise to the KLA. My concern is, do the very real abuses of the Serbian forces warrant the long term deployment of an undetermined number of U.S. ground troops?

Mr. CROWLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Chairman, I thank the gentleman from New York (Mr. CROWLEY) for yielding me this time.

Mr. Chairman, I rise in strong support of the resolution. The only problem with being a world leader is that sometimes we have to lead. In the first instance, leadership requires patience, and in that context, although I strongly support the resolution, I believe it is premature.

We have representatives in the region attempting to negotiate a framework for peace. We should not be debating whether or not we are going to intervene at this point.

Having said that, I do support our intervention in the context of this resolution. It seems to me that leadership also requires taking some risk and also adopting some unpopular positions.

I do not think anyone is cavalier about putting American troops in harm's way, but the fact remains that if we are going to support peace around the world, if we are going to try to maintain and promote an environment for peace, we have to get involved.

Amendments later today will set parameters for our involvement. We are not talking about an extensive involvement. We are talking about a limited involvement, with the limited use of American troops.

The fact remains we are a world leader. We are a leader in NATO, and if we want to maintain that position of leadership, we cannot back away, we cannot cut and run when we are confronted with an unpopular situation.

Some will say in the course of this debate, we do not know what the objective is. The objective is abundantly clear. We are trying to maintain a framework for peace and maintain an environment for peace. We are trying to prevent genocide.

Thirdly, we are trying to prevent the spread of this violence throughout the region, which could lead to even greater catastrophe. This is not a popular situation. This is a situation that calls for American leadership.

I think we should proceed on that assumption, allow U.S. troops to be involved to a limited extent in the context of a negotiated treaty. I hope people will rise above narrow concerns and take a broader view.

We used to have a notion that Americans were about preserving world peace. I think we should continue to adopt that position.

Mr. GILMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. BATEMAN), a member of the Committee on Armed Services.

Mr. BATEMAN. Mr. Chairman, I am more than aware of the prospects of negative consequences if our country declines to become involved in a peacekeeping or peacemaking mission in Kosovo, but in its present form I cannot support the resolution before us.

If I had some confidence that it would indeed be a peacekeeping mission, I would feel much differently. Even if certain people signed an agreement that others have written for them, which is the case here, and have cajoled them into signing it, it will not be a true peace agreement.

An agreement requires consent. Absent true consent, we will not be enforcing or keeping the peace. We will be making a peace foisted upon parties whose goals are widely disparate and who are determined to resist by violence those who oppose the achievement of their goal.

Our country has repeatedly enunciated a policy that recognizes Serbian sovereignty over Kosovo. While we have urged a high degree of autonomy for that province of Yugoslavia, we have not endorsed the determination of the ethnic Albanian majority for independence. For our country to intervene in an issue of the operative relationship between the central government of Yugoslavia and one of its provinces would be tantamount to Great Britain having intervened in our Civil War on behalf of the Confederate States of America. History has verified the wisdom of our English friends in not having done so.

Consistent with international law, we do not have the legal authority to intervene against the will of the sovereign state involved.

Policy statements of the administration that we would participate in bombing of Serbian targets if the Federal Republic of Yugoslavia did not sign an agreement written by us or someone is an appalling notion.

An agreement, even if it is signed under a direct threat of aerial bombardment, is not worthy of being called an agreement. If the government of the Federal Republic of Yugoslavia does not accept the agreement we wrote for them, I must condemn American military action that our country will be involved in for what it will be, an act of war without sanction under our Constitution or international law.

As to the ethnic majority in Kosovo, who is duly authorized to bind them to an agreement? Is it Mr. Rugova, the

head of the Democratic League of Kosovo? Or is it Mr. Demaci, who is described as, quote, the chief political representative of the Kosovo Liberation Army?

This gentleman has resigned and condemned those in the KLA who are inclined to vote for the so-called agreement.

By what authority, if any, was Mr. Thaci charged with the formation of a provisional ethnic Albanian government?

My generation has a special affinity for collective security, and I have and hope to remain a steadfast supporter of our NATO alliance.

I wish this debate was not taking place today but unfortunately it must because if it did not, any debate would come only after the President had committed us to a military action without the consent of a majority in the Congress and with only minimal consultation.

Mr. GEJDENSON. Mr. Chairman, I yield 2¼ minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, Jesus said, blessed are the peacemakers for they shall be called the children of God.

What can be said of a Congress which will not let the United States make peace in Kosovo? What can be said of a Congress which would intervene at a critical point in peace negotiations and take steps to undermine a peace agreement? What can be said of a Congress which refuses to let the United States join hands with other peacekeepers of the North Atlantic Treaty Organization?

What can be said is this: If we are not letting peace be waged, then we are letting war be waged.

What can be said is that if we are not thoughtful as to the consequences of our actions today upon the Kosovo peace talks, then we are as sorcerer's apprentices, mindlessly stirring a cauldron full of the blood of Balkan innocents. When this cauldron is stirred, there will be blood on our hands.

What will be said about this Congress is that with our NATO allies at the ready, Congress abdicated the United States role as a world leader.

Blessed are the peacemakers.

We are able to make peace because we are the strongest nation in the world. We are able to make peace because we have been committed to peace.

Listen to the words of John F. Kennedy's inaugural. He said that we have been unwilling to witness or permit the slow undoing of those human rights to which this Nation has always been committed and to which we are committed today at home and around the world.

We are challenged every day to renew our commitments to peace, to justice, to the American way of democratic principles, to lifting the burden of our brothers and sisters anywhere in the world, to becoming the light of the world.

Our Star Spangled Banner asks this question every day: Oh, say, does that star spangled banner still wave over the land of the free and the home of the brave?

Let us continue to demonstrate that we will be brave so that we may remain free and that others may remain free. Let us not turn our backs on peace. Let us not turn our backs on our allies. Let us not turn our backs on those principles which have helped form this Nation. Let us not turn our backs on those who thirst for justice, on those who hunger for righteousness, on those who look to the United States to be first in peace.

□ 1400

Mr. GILMAN. Mr. Chairman, I thank the gentleman who has just made a very eloquent address, the gentleman from Ohio (Mr. KUCINICH), for his supporting remarks.

Mr. Chairman, I yield 2½ minutes to the gentleman from California (Mr. CUNNINGHAM), a member of the Committee on Appropriations.

Mr. CUNNINGHAM. Mr. Chairman, I will not condemn any one of the Members in here for the way that they vote on this. They do it so because they have different knowledge, they have different beliefs. But I do resent the minority leader impugning the motives of many of us.

I make my statements on some very deep, rich beliefs and experience from training, of planning innovations in the defense of countries all over this world on military staff. And I hated politicians that sat in soft, cushy chairs and put our men and women in harm's way so easily, they who had never done that themselves.

Kosovo is not an independent state, it is part of Greater Serbia. When we go into the full committee, I want to put in here some 1,500 shrines and sanctuaries that the Serbs have in Kosovo, the birthplace of the orthodox Catholic religion. This is their homeland. This is a map of Albania. The Albanians do not want just Kosovo, they want part of Greece, they want Montenegro, and they want Kosovo. This is a map of the massacred Serbs, Jews, gypsies that the KLA has murdered in recent times, not World War II. The KLA is supported by the mujahedin, Hamas, and even bin Laden. Get George Tenet's brief, classified brief. That is about as far as I can go.

This is a list of where the Serbs established Kosovo and were ethnically cleansed and murdered and forced to flee across the Danube, their homeland, and Albanians filled the void. Yet, they are defending their own homeland right now and being murdered.

Now, Milosevic is an impediment. He needs to be removed, in my opinion, much worse than that. So is Tudjman. But then we look at Itzebegovic, who has 12,000 mujahedin and Hamas surrounding him. The prime minister under him trained with Kadafi. If we want to talk about a foreign policy and we say we are saving lives, it is a powder keg when we move out of there. Let us not send our men and women to Kosovo.

Mr. GEJDENSON. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Chairman, I thank my friend for yielding this time to me.

There is an air of unreality about this debate. Tomorrow, some of us will be at the Harry Truman Library in Independence, Missouri, when Hungary, the Czech Republic and Poland will formally become members of NATO. NATO, this incredible defensive alliance, which kept the peace in Europe for two generations, which resulted in the collapse of the mighty Soviet Union, and which is the cornerstone of security, not just for Europe, but for much of the rest of the world, and we are now debating as to whether, after the Albanians and the Serbs agree and invite us, we might participate with the force of 4,000 in a NATO contingent of 28,000 to keep the peace in Kosovo.

My wife and I went to Kosovo the first time maybe 35 years ago, and we have been back there many times since. It is the only place in Europe where one can find a beautiful young woman of 22 or 23 who has two teeth because they have no dental care. There is a grinding poverty that boggles the mind, and these people have been suppressed, persecuted, given third class citizenship for a long time.

This is our opportunity to do a tiny bit, a tiny bit of what the great generation of the second war did under infinitely more dangerous circumstances with infinitely greater sacrifices.

Sunday night, the two vice presidential candidates of the last presidential election, AL GORE and Jack Kemp, joined me for the Washington premier of The Last Days, a movie about the Holocaust. The pictures of that movie will remain with everybody who will ever see that movie. Do we want such movies made of Kosovo? Have we not had enough slaughter and massacre and murder and extermination of innocent people there? The only thing that differentiates Kosovo from the Persian Gulf War is that there is no oil there. But there are principles there. The same principles that compelled President Bush decide to send not 4,000 NATO U.S. forces, but half a million American troops to the Persian Gulf; President Bush, who drew a line at Kosovo at Christmas 1992, when he said, we are drawing the line, we are not going to allow Bosnia to be repeated.

Now we have another President, a Democratic President who says the

same thing. One of the great heroes of the second war in public service, Senator Bob Dole, yesterday told us in committee he is passionately committed to this course of action.

I am sick and tired of my colleagues saying, this is in Europe; let the Europeans deal with it. Sarajevo was in Europe. That was the genesis of the First World War. Czechoslovakia was in Europe. That was the genesis of the Second World War.

These people who never learn, who are uneducable cannot carry the day today. I plead with my colleagues to give our government an opportunity to participate in a NATO peacekeeping force to the tune of 4,000 American soldiers to keep the peace. This is the only honorable way, and this is the only way not to undermine NATO and the hope of mankind.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Illinois (Mr. HYDE), the distinguished chairman of the Committee on the Judiciary and a member of our Committee on International Relations.

Mr. HYDE. Mr. Chairman, I recognize this is a very difficult decision, and I regret disagreeing with some of my colleagues who oppose the participation of our forces in the NATO peacekeeping effort, but it boils down really to a simple proposition: Is NATO worthwhile? What is the purpose of NATO? What is our role with NATO? We are the leaders of NATO. NATO is an extremely useful institution to have. It is beginning to integrate Germany in this exercise. Germany is to provide 3,000 troops, the British, 8,000, the French, 6,000, the United States 4,000, and to what end? To stop genocide. To stop the slaughter. To be peacekeepers.

There really is a moral obligation on those people who have the resources to intercede when people are being wantonly, atrociously killed, and that is what our purpose is. We have a national purpose: to prevent the spread of this conflict. If we appease Milosevic, if we leave the field and let the killing go on, we are inviting a wider spread of the war that could involve two of our NATO allies on the opposite side, Greece and Turkey.

So there is a humanitarian purpose; there is a peacekeeping purpose, and in my judgment, the very purpose of NATO would be frustrated; it would be eviscerated if we turned our back and walked away.

Mr. Chairman, leadership imposes heavy burdens and a cost must be paid, but we either are going to lead in the struggle, and it is a struggle for world peace, or we are going to be on the sidelines. I think for the vitality of NATO, for our role in NATO as a leader, for integrating the peacekeeping forces with these other countries, clearly we have to participate, and I will support the resolution.

Mr. GEJDENSON. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. SKELTON), the ranking Democrat on the Committee on Armed Services.

Mr. SKELTON. Mr. Chairman, I thank the gentleman for yielding me this time.

Our colleague from Illinois posed the question, is NATO worth it? Absolutely. NATO is worth it.

First, we should understand those pages of history that point out that World War I started in the Balkans, and if NATO in its role in keeping peace in Europe can be fulfilled, it will be necessary for NATO to do a peacekeeping mission in Kosovo.

Second, in answer to the gentleman's question, is NATO worth it, history also tells us that we have had more years of continuous peace in Europe since the days of the Roman Empire. NATO not only is worth it, it works, and the United States of America is the leader of NATO.

Tomorrow in Independence, Missouri, at the Truman Library, with the Secretary of State present as well as other noted Americans, the 50th anniversary of NATO will be celebrated.

Today, by this vote, we will declare whether NATO is worth it, whether NATO is to fulfill its goal and mission in the days and years ahead. I agree with the resolution.

I might also say that I have an amendment which I do not see how anyone could vote against. Later in the day, my amendment to this resolution will be to the effect that there should be no troops deployed until there is an agreement and a subsequent vote. But the bottom line is, NATO, Mr. Chairman, is worth it.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. BLILEY), the distinguished chairman of our Committee on Commerce.

Mr. BLILEY. Mr. Chairman, I want to address my remarks to my colleagues on this side of the aisle. Yes, the Clinton administration has failed to address the American people on why we should be in the Balkans, why we should be in Bosnia, and why we should be in Kosovo. But let me tell my colleagues, I have spent 15 years as a member of the U.S. delegation to the NATO parliamentary group. I now serve as the Vice President. We must be a participant in Kosovo.

Why? Because the Europeans cannot do it themselves. They have historic alliances. The French and the Russians have been with the Serbs. The Germans and the Italians have been with the Albanians. If we are not there and the NATO alliance is not able to go because we are not there, we are going to see the fighting begin again.

When the Yugoslavs begin bringing in heavy weapons, the Kosovos are going to call on their Albanian brothers to come to their aid. We run the risk of Macedonia being involved or the former Yugoslav Republic of Macedonia, and then the really big danger that we have of the Turks and the Greeks becoming involved.

□ 1415

Remember, World War I began at Sarajevo. Remember, we hesitated and did not go into Bosnia right away. We were treated every night to the atrocities on CNN. Please, support the resolution, even though the administration has failed to come forward and adequately address the Congress and the American people.

Mr. GEJDENSON. Mr. Chairman, I yield 1 minute to the gentlewoman from Georgia (Ms. MCKINNEY).

Ms. MCKINNEY. Mr. Chairman, unfortunately, today we are debating sending U.S. forces to keep a peace that does not exist, to carry out an agreement that has not been agreed to, and to assist people on both sides who do not seem to want our help.

We are being asked to vote on something we cannot even see, and to sign a blank check. We have written blank checks before, and we have discovered afterwards just how high the cost has been. In what we do on Kosovo, we should first make sure that we have an agreement, know the plans, and know the cost.

In thinking about the cost, we should realize how much our own reckless actions have added to the bill. For years we have been selling our highest technology weapons to countries whose possible involvement in this conflict is important, both for those who want us in and those who want us to stay out. By our own actions we have greatly raised the stakes for such a conflict, and we have raised the risks that our soldiers again and again unnecessarily will be facing the products of our own factories.

If the parties in Kosovo really want peace, they will both sign the agreement, and if they do not, the mission of our forces will be truly impossible. Arms selling and peacemaking do not mix in Kosovo or anywhere else.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from California (Mr. ROHRABACHER), a member of our Committee on International Relations.

Mr. ROHRABACHER. Mr. Chairman, I rise in strong opposition to sending America's young defenders to Kosovo. We are being asked to deploy our troops yet again, eroding our overall strength even as new threats are becoming evident in Asia. Our military is being stretched so thin we are putting them at grave risk.

Unlike what is happening in the Balkans, there are other national security threats to our country. By dissipating our limited resources, asking our military for yet more sacrifice, we are

doing a horrible disservice to our country and to its defenders.

I have no doubt that the people of Kosovo have a right to their self-determination, just as the people in Slovenia had a right to their self-determination, in Croatia, in Macedonia, and in Bosnia. Yes, we were given an option then, do nothing or send in the troops. We could have then provided the support necessary for those people to fight for their own independence, but instead, we held off, and then it was just send in the American troops.

But the people of Kosovo, just like the people in Croatia, are willing to fight for their own freedom. We are being told, it is either send troops or do nothing. That is nonsense. If we are too timid to even recognize that the people of Kosovo, 90 percent of whom want their independence, they are Muslims, Albanians, who do not want to be under the heel of oppression of the Serbs, if we cannot at least recognize their independence, if we are too timid to do that, how can we ask our own military to jump in the middle of that cauldron?

There is no peace plan. There is no peace plan at all. Our troops will end up either being the police force of the Serbians, or we will end up fighting the battle that the people of Kosovo are willing to fight for themselves.

We have been promised things before in the Balkans. We have been promised, the last time we have sent our troops, that it would take 1 year and $2 billion. That was 5 years and $12 billion ago. That dissipation of our money, that stretching our troop strength so wide that it is about to break, is causing great damage to our national security.

The Balkans is not in America's national security interest. We can talk about NATO in nostalgic terms all we want. The job of NATO was done when the Soviet Union split apart. It is not our job now, because at that time it was in our national security interest. Now it is not in our interest to send our young people all over the world, trying to be the police force of the world in a way that it weakens us as a Nation, so when there are threats to us from China or from elsewhere, or in Korea, that we will be unable to act, and that perhaps thousands of American lives will be lost in situations like that.

Let us support the people of Kosovo's right to self-determination. Let us give them the weapons they need to do their own fight, and not have American lives at stake.

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

Mr. Chairman, I would just say, the gentleman's proposition would lead to arms races globally, and increased murder. The choice we have here today is to support peacekeeping, as compared to warmaking. It is the right use for our people.

Mr. Chairman, I yield 2 minutes to the gentleman from North Dakota (Mr. POMEROY).

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

Mr. Chairman, I would ask, what does it say about the United States and its NATO allies that we cannot take on a two-bit bully down the block? By allowing Milosevic to get away with his third brutal war in a decade, the United States and NATO will send an encouraging message to dictators, aggressors, and terrorists around the globe.

Those are not my words, Mr. Chairman. Those are the words of majority leader Bob Dole in his testimony yesterday to the Committee on International Relations. He is now charged with getting the parties to an agreement, and is in the final stages of accomplishing that extraordinarily difficult undertaking.

It is therefore deeply regrettable, Mr. Chairman, that we are having this debate today. How can we reasonably make a decision on a resolution regarding a peace agreement when the peace agreement itself has yet to be finalized?

But we are where we are, so I urge Members to vote for the resolution. The slaughter that has been occurring in Kosovo is so deeply disturbing. If we look at the statistics, they are shocking. If we look at the individual accounts, they are even more disturbing. I have a 5-year-old daughter at home. When I read the New York Times account of the 5-year-old that was hunted down in her backyard and brutally murdered, and the photograph of her little shoes in the garden, it is something of a tragedy of a magnitude we cannot ignore.

The U.S. role being considered is only a minor, supporting role. Our participation will be 15 percent or less, we are told. It is a situation where we have to do our part to bring the genocide and atrocities to an end. Vote yes on the resolution.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Colorado (Mr. HEFLEY), a member of the Committee on Armed Services.

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

Mr. Chairman, I am delighted we are doing this debate today. I think that for us not to do this and to wait until it was too late would be a terrible mistake. I think, as a member of the Committee on Armed Services, there are four considerations that we need to consider before we send troops into Kosovo.

First, the manner in which this administration has circumvented the legislative process when it comes to deployment of U.S. military forces around the world has been unprecedented, so it should come as no surprise that the President does not want us to debate this today. The President is the Commander in Chief, but he has a consultative partner in the Congress. He ought to consult us about these things.

When we were debating Bosnia, Mr. Chairman, when we were going to debate it that night, the President told me he did not care what we thought about Bosnia. He did not care. He was sending troops into Bosnia anyway. That should not be the attitude of the Chief Executive. So we are doing something right here today. Even if he does not care what we think, we are doing something that should be done.

Secondly, before we send troops in we should have a measure of success. How do we know when we have done our job? How do we know when we are finished, when we have completed it? I do not see that in the plan at this point. I do not see any clear mission or goals or accomplishment standards, what will be the measure of success.

Third, for the United States to enter the region, there should be a signed agreement by both the Albanians and the Serbs. Following that, there should be a request that we in NATO come in to help them. This is a civil war in a sovereign nation. We should be there only at their request.

I recently visited similar nations in the Balkans. We can see the hatred all over that part of the world. The idea that we would be so arrogant as to believe that we can go in and fix a problem without the full participation of all the stakeholders in this is just ridiculous. Then it is even more arrogant, I believe, to think we can mollify this problem in a short period of time. We may be there a while, if we go in.

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

I would like to say that for all the talk of an end game, if we had had the discussion when we put NATO forces in Europe to stop Communist expansion, and said, how long are you going to be there, are you going to be out of there in 2 years, out in a year, we would have lost Europe while we were debating how long we would stay.

Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. CLEMENT).

Mr. CLEMENT. Mr. Chairman, I thank the gentleman for yielding time to me, and thank the gentleman from New York (Mr. GILMAN).

This is a serious matter, we all know that. But the fact is, I think a lot of us are questioning the timing of this. I was in Bosnia last year with the gentleman from Missouri (Mr. IKE SKELTON) and others. Those people were so appreciative of the United States, knowing that the United States is the one and only superpower in the world. We also know that we do not want to

be the Big Brother in the world, as well. But we also realize that we have a responsibility. We also know that that is where World War I started, was in the Balkan area.

We have to ask ourselves the question, how can we help? How can we be supportive, knowing that whatever we do it is not going to be just a unilateral effort, it is going to be a number of other countries in concert with the United States agreeing on a peace plan?

The atrocities over there are horrendous, how peoples' lives have been destroyed, their homes are being destroyed, the looting. It was an orchestrated conspiracy, and Milosevic, operating in Belfast, is going to look at all of the things we are doing or not doing.

Yet, we know what Senator Dole has already said. The Republican nominee for President has made it very clear why. This was before the Committee on International Relations just yesterday. He said, ''I would rather have the vote come after the agreement between the Kosovar Albanians and Serbia.'' I think he is correct, because are we going to put ourselves in a position where we are going to be responsible for ruining any opportunity for peace at the table? Let us support our leadership, and let us have peace in Kosovo.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding time to me.

I rise reluctantly to speak in opposition to sending our the United States Armed Forces into Kosovo. If we look at the U.S. military, it is overwhelmingly apparent that the Clinton administration has placed our military budget and the needs of our men and women in uniform on the back burner while greatly increasing the number of overseas deployments.

By reducing our national defense budget and failing to provide the funding necessary for training, equipment, and compensation, this administration is eroding morale and troop strength. I cannot, in good conscience, support sending our troops again overseas to support another overseas mission. It is not fair to our troops. It is not fair to our families.

Let us review some of the facts on this issue. The number of active duty army divisions has been reduced from 18 to 8. Under the Clinton-Gore administration, the number of fighter wings has gone down from 36 to 20. Our naval forces have been reduced by 30 percent.

Today our troops do not have enough ammunition. The Army is short $1.7 billion in ammunition, the marines $193 million. Too many of our men and women in uniform have gone too long without seeing their families, their wives, their husbands, children, and parents. This is having a terrible effect on morale and retention of a fine, qualified, uniformed service.

This Administration's neglect of our troops has led to fewer troops reenlisting and more troops leaving the Armed Forces. Some of our men and women in uniform are actually on food stamps. This is an outrage.

It is time for this administration to put its money where its mouth is. It is time for it to draw a line in the sand, and demand that we send the right amount of funds to support our troops, particularly if now we are going to send 3,000 more troops overseas to support another unending overseas deployment.

□ 1430

Mr. GEJDENSON. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. CUMMINGS), former speaker of the Maryland House.

Mr. CUMMINGS. Mr. Chairman, I want to thank my colleague for yielding time to me.

Mr. Chairman, I stand today in support of House Concurrent Resolution 42. Probably one of the most significant moments of my life was when, back in December of 1997, I went over to Bosnia with the President. There I saw our troops. When we arrived in Bosnia at about 5 or 6 o'clock in the morning, thousands of people had stood all night just to simply say thank you for saving our lives. Thank you for giving us our lives for Christmas.

The President is right. We have to act. We cannot just stand aside and allow lives to be lost. The fact is that we have a duty, and we must fulfill that duty. Lest we forget, let us not turn a blind eye. Remember the Holocaust, remember South Africa, remember Rwanda.

Our Nation is a very, very powerful nation. The fact is, is that we have to stand up and bring peace and bring life to life. So I stand in support of House Concurrent Resolution 42 and urge all of my colleagues to vote for it.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from New York (Mr. HOUGHTON), a member of our Committee on International Relations.

Mr. HOUGHTON. Mr. Chairman, I am tempted to go through the philosophies and the history and the risks and the costs that are involved here. But to me, and it may be a reflection on my own position, to me, it is a very simple issue that we are in a situation now where decisions have to be made. We can be doubtful and unclear and opinionated about some of the things, whether it is the reigniting of anarchy in Albania or destabilizing Macedonia, but that is not the point.

The point is this is a horrible time I think to have this debate. If we are going to have peace, we must have successful negotiations. We are right in the middle of negotiations now.

If we vote down this resolution, the negotiations have no merit because there is no incentive for the people to continue the negotiations. If we vote for this resolution, we can continue the negotiations. It is a nonbinding resolution. If we want to, we can take up the issue whether we should have troops in Bosnia or not.

So, therefore, it is a very clear issue. Do we want to continue the negotiations? Do we not want to continue the negotiations? I am for continuing, and I am for this resolution.

Mr. HOEFFEL. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. LAMPSON).

Mr. LAMPSON. Mr. Chairman, I rise today to urge my colleagues to help Kosovo achieve peace, not only for the benefits of the thousands of people living in that troubled area of the world, but also for their family members who live here in the United States.

Let me tell my colleagues about a family in my southeast Texas district who has loved ones who are trapped in violence-torn Kosovo. John and Lisa Halili, who own and operate an oyster and shrimping business in San Leon, watch 24-hour television and read newspapers with anxiety and anticipation each and every day. Why? Because John's father and brother, and many other people, have been forced to flee their homes and, in one instance, hide in a single house in the village of Vushtrri.

Unfortunately, Bajram and Idriz Halili have been unable to leave their hideaway and escape to the safety of the United States. So they, along with their son and daughter-in-law in Texas, wait and wait and wait for peace to come to Kosovo and the entire region.

Feeling helpless and sometimes hopeless, John and Lisa have contacted me, hoping that I, as a United States Representative, could do something to diminish their worry or reunite their family.

Unlike the Halilis, Congress is not helpless, nor should it be hopeless about peace talks in Kosovo. I know that there are other areas of the world that are crying out for help, including places in our own country. But where we can make a difference, we have an obligation to do so. We have the duty to do whatever it takes to help this troubled region of the world create an environment of peace for its people and their families who live within all of our Congressional District.

We as a Congress have a responsibility to support the President so that the United States speaks with one voice on foreign policy.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from New York (Mr. LAZIO).

Mr. LAZIO. Mr. Chairman, I want to begin by congratulating and thanking the chairman, the gentleman from New York (Mr. GILMAN) for his leadership in

helping to move this to a debate which is such an important part of this process.

One of the most important accomplishments of which America can be justly proud is its victory in the Cold War, a 50-year struggle during which literally 500 million people were liberated from control of the Soviets.

Our ideals, our American ideals of democracy and market capitalism are in triumph throughout the world, but not in every corner of the world. With that triumph comes some responsibility.

In the Balkans where slaughter and bloodshed and systemic rape as a tool of terror have been used over and over again, where families and villages have been wiped out, America properly has a role, not the only role, but a leading role. But this is a sobering debate frankly because of some of the failures of our foreign policy that got us here.

I am in support of the Gilman amendment, because I believe in America's role in ensuring the peace, in ensuring a strong, integrated Europe. But let us remind ourselves of the fact that the Dayton Accord helped perpetuate this because the people of Kosovo who pursued a nonviolent strategy were left out. The message that was translated from the State Department was that we will only be engaged if violence is pursued as a tool. That is the wrong message.

The message from Milosevic was, if one pursues a strategy of violence and terror, one can consolidate their gains; and we will not push them back, and they will win.

When our lead negotiator, the Special Envoy to the Balkans, praised Milosevic for his cooperation in Bosnia and branded the Kosovo Liberation Army, ''without question a terrorist organization,'' what is the message that he sends?

We must be there because of a failed American foreign policy, but we must also be there to keep the people of Kosovo confident in America's efforts.

Mr. HOEFFEL. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, a 1986 intelligence report warned us of today's debate. They said the genocide in Kosovo will end by one of two means, by Western governments assisting and pressuring Belgrade to grant independence to Kosovo, or be revolutionized.

This is a tough vote. I, like everybody else, want to stop the slaughter in Yugoslavia and in Kosovo. But let me say this, today's vote will also reward an international tyrant Milosevic, because we will be rewarding a flawed agreement.

This agreement should be modified to say, number one, upon enactment of the agreement, there should be no Serbian troops in Kosovo; number two, a provision clearly warning Milosevic he will be bombed if he violates the terms of the agreement; number three, that all war criminals will be apprehended and will be subject to prosecution, bar none; and, number four, that, on conclusion of the terms of Rambouillet, there shall be a referendum vote for independence.

God, we are here in the halls of Washington and Lincoln. In 1986, they told us, there would be more genocide, more killing, more oppression, and we have done nothing, and we are about to make the same mistake.

This is a tough vote for me. But our committee must look at those facts, Mr. Chairman. My bill clearly speaks to it. There should be an amendment on this floor to modify that agreement, at least the sense of this House to, in fact, infer that that subject mattered.

Be careful here. It just is not about deploying troops. Europe should be providing those ground troops. We should be providing the air and strategic support. But it is a tough vote, and I give credit to the Speaker for at least taking up the issue. Our war making powers should not come down from the White House.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from South Carolina (Mr. SANFORD), a member of our Committee on International Relations.

Mr. SANFORD. Mr. Chairman, I stand as one against sending troops to Kosovo and one very much behind the timing of this vote for a couple of different reasons, but one in which was well described by Henry Kissinger yesterday.

Yesterday, he said before our committee that he and President Nixon believed that we were in trouble in Vietnam because our predecessors had launched the U.S. into an enterprise in a distant region for worthy causes but without adequately assessing the national interest and the likely cost. Now, not after the troops are deployed, not after troops are in the field, but now is the time to assess that cost.

I do not think it passes the cost test for a couple of different reasons, the first of which is the domino theory has long been disproven. Clifford Clark was sent by Lyndon Johnson to see our C2 allies in Southeast Asia over 30 years ago to use the same argument. The C2 allies said, no, we do not think this will grow into a giant conflict in Southeast Asia. We choose not to go into South Vietnam or North Vietnam. We ignored their advice and, as a result, 50,000 American boys died.

The domino theory has been disproven. For us to send boys into Kosovo means it has got to pass the mommy test. The mommy test for me means it is not only in our strategic interest, but we also have a chance in making a difference.

Here, as my colleague just pointed out just a moment ago, we were signing an agreement with Milosevic, who is a person who does not exactly have a lot of trust in the world community. Yet we are validating him by signing an agreement with him. In other words, we are building an agreement on shifting sand.

Thirdly, I would say that troops are thought to be used as policemen. Modern armies are designed to move. They are not designed to stand still. I sat on a plane the other day with a young enlisted officer who complained about the fact that he had not seen his baby in 6 months and was being used as a policeman in Bosnia.

Mr. HOEFFEL. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Chairman, I thank the gentleman from Pennsylvania for yielding me this time.

Mr. Chairman, I rise in support of this resolution although I must tell my colleagues I have certain misgivings. My misgivings are not surrounded by the U.S. role, because I think it is clear that the United States has a very vital role in this peace process. The stability in the Balkans are very important to our national interests, and we are not going to achieve peace in the Balkans without U.S. leadership.

It is important for the United States to maintain a very strong position with NATO. So I support the Clinton administration's efforts in this area.

My concern is a matter of timing. Why are we considering this resolution now? I agree with my friend the gentleman from New York (Mr. HOUGHTON) in his comments, in that we should have an agreement first before we are asked to vote on what the United States' role should be in enforcing that peace agreement.

We do not know what the agreement itself will be. However, I plan to vote in support of this resolution because I want to make it clear that I support the Clinton administration's efforts to bring peace to the Balkans, that I acknowledge that the U.S. will play, must play a leadership role in enforcing that peace agreement that we hope will be achieved.

By voting for this resolution, I think we move forward the peace process in the Balkans. If we do otherwise, then we are going to be at least partially responsible for making it more difficult for us to achieve peace in that very difficult area of the world.

Mr. Chairman, I urge my colleagues to support the resolution if we must vote on it today. If we must vote on it today, then we should support it.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. PAUL).

Mr. PAUL. Mr. Chairman, I want to thank the leadership for allowing this debate to come to the floor. I have, for quite a few weeks, advocated that we talk about this and have urged that the

troops never be sent to Kosovo without our consent. I do believe, though, that the process here is less than perfect. The fact that we are talking about a House Concurrent Resolution at the same time authorizing troop deployment raises serious questions.

□ 1445

Since World War II we have not been diligent here in the Congress to protect our prerogatives with respect to the declaration of war. Korean and Vietnam wars were fought without a declaration of war. And these wars were not won.

Since 1973, since the War Powers Resolution was passed, we have further undermined the authority of the Congress and delivered more authority to the President because the resolution essentially has given the President more power to wage war up to 90 days without the Congress granting authority. It is to our credit at least that we are bringing this matter up at this particular time.

We must remember that there are various things involved here. First, whether or not we should be the world policeman. That answer should be easy. We should not be. It costs a lot of money to do what we are doing, and it undermines our military strength. So we should consider that.

We should consider the law and the process in the War Powers Resolution and just exactly how we grant authority to the President to wage war. We should be more concerned about the Constitution and how we should give this authority. We should be concerned about this procedure.

The bigger question here, however, is if we vote for this, and I strongly oppose passing this, because if we vote for this, we authorize the moving of troops into a dangerous area. We should ask ourselves, if we are willing to vote for this resolution; are we ourselves willing to go to Kosovo and expose our lives on the front lines? Are we willing to send our children or our grandchildren; to not only be exposed to the danger, with the pretext we are going to save the world, but with the idea that we may lose our life? That is what we have to consider.

Mr. HOEFFEL. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Chairman, now is not the time to have this debate. Too much is at stake to risk sending a message of America's disunity at this critical point in the negotiations. Innocent men, women and children, little babies, entire families have been butchered, children have been orphaned, women have been raped, 400,000 people have been driven from their homes. That is what is at stake here today: human lives.

If we are the leaders of the free world, if we are still that brave Nation that stood against darkness in World War II, now is the time to stand together to help the people of Kosovo find peace. But as we speak, negotiations are at a critical stage. We are either on the brink of a breakthrough or at the point of a breakdown. If the negotiations succeed, thousands of lives will be saved. Thousands of these children will live to grow up. And if we fail, many of these people will die.

With all that at stake, at a time when these poor people are looking to us for stability, to help them find their way back to peace, why are Republicans holding this debate here today at the very moment we need to show unity?

If there are parts of any final agreement we want to debate, then for God's sake, let us wait until we see it, let us wait until the ink is dry, let us wait until it is signed. Right now there is no accord to debate, there is only the possibility of sabotaging the process before it has had the chance to reach a conclusion.

That is why this premature debate is the very height of irresponsibility, and even more so because this is where World War I began. My colleagues, past is prologue, and we should not have to learn this lesson twice. This region does have strategic importance to the United States and many Americans died when the world ignored these tensions once before.

Preventing an escalation will save American lives in the long run. We cannot afford a war in Kosovo that could destabilize the region, that could spill over into Albania, to Macedonia, Turkey, and Greece, which are NATO allies. We should be standing together. We should be supporting these negotiations. We should be supporting the suffering families in Kosovo, and we should have delayed this debate until the negotiators have had the time to finish their work.

But if Republicans want to force a decision now, the decision should be and must be that this is a cause and a region in the national interests of the United States and, ultimately, in the national security interests of the United States worth defending. And if troops are needed to do that, we should support that mission and we should support them.

Mr. Chairman, I urge my colleagues to once again join with us to try to delay this vote and, if not, then to vote to send a clear message that America stands ready to help in Kosovo.

Mr. HOEFFEL. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. ROTHMAN).

Mr. ROTHMAN. Mr. Chairman, the peace talks in Kosovo are predicated on one very simple premise: The international community must pose a credible military threat to enforce any peace agreement that is reached between the Kosovars and the Serbs.

To discuss today whether or not the United States, the world's only superpower and the world's greatest military force, will lend its support to any Kosovo peace settlement is premature and is inappropriate at this time. To debate this issue today undermines the efforts of the envoys who are trying to negotiate a peace settlement between the Serbs and Kosovars.

However, the credible threat of military force does provide an incentive for the Serbs and Kosovars to reach a peace agreement. To debate this issue today threatens that incentive and could embolden Slobodan Milosevic to reject NATO peacekeeping troops completely, and could cause the Kosovars to give up on the peace process.

The bottom line, though, is that wavering American leadership in this situation has the potential to lead to more bloodshed in Kosovo that could spill over into other parts of Europe and metastasize beyond our control. Mr. Chairman, we cannot have it both ways. We cannot be the world's only superpower but then remain aloof when the situation demands our leadership.

Mr. Chairman, I do not rise today to say that the United States is obligated to resolve every conflict that erupts around the world. We have the right to decide these matters on a case-by-case basis. But in this case it is in our national interests to lend our country's support to the international effort to prevent the return of wanton bloodshed, murder, rape and wholesale slaughter in Kosovo.

The Balkans have been the birthplace of war before. Allowing a conflict to explode in that region could have devastating consequences to the peace and stability of Europe and, hence, to America's national interests.

Mr. HOEFFEL. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in support of this resolution; in support of basic human rights, in support of doing the right thing for our country and for the people of Kosovo.

I welcome this debate, Mr. Chairman, yet I fear that in undertaking it, what we have done today could have a very serious negative impact on the current sensitive negotiations on a peace plan. That is why I voted against the rule. The resolution, however, I pray, will be passed; that America, at our shores, will stand united; that the message we send this day will be that America is united in its conviction and in its commitment to face tyranny where it finds it.

In addition, Mr. Chairman, I am hopeful that we will ratify and support the representations of two American Presidents, President Bush and President Clinton.

President Bush said, in his Christmas warning to Milosevic, and I quote, ''In

the event of a conflict in Kosovo, caused by Serbian action, the U.S. will be prepared to employ military force against the Serbians in Kosovo and in Serbia proper.'' That was George Bush, then President of the United States, Christmas 1992.

Mr. Chairman, shortly thereafter, the President of the United States, William Jefferson Clinton, recommitted to that proposition set forth by George Bush; that Milosevic, perceived by this Nation as a war criminal, perceived as savaging the people of Bosnia, if he tried to do the same in Kosovo, would be confronted by America and, yes, by its troops.

Mr. Chairman, today we hear that Robert Dole, the candidate for President of the United States in 1996, testified before the Committee on International Relations that we should not have this resolution on the floor. But if we did have it on the floor, as we do, that it ought to be passed.

That sentiment was shared by Jeane Kirkpatrick under President Reagan, our representative to the United Nations, by Richard Perle, an assistant in the Department of Defense, known as a hard-liner, I might say. A conservative. Vin Weber, a member of this Congress, a close friend of the former Speaker, signed a letter saying that this action that the President proposes should be supported. And, lastly, I cite Caspar Weinberger, Secretary of Defense under Ronald Reagan.

Mr. Chairman, America's strength has, in instances overseas, been our unit, our unity of purpose, our unity of conviction. It is clear that the Europeans alone will not be able to summon up the political will and, indeed, the military strength to confront this Bully of Belgrade, as referred to by Senator Dole.

I would hope, my colleagues, that we come together today, as has Bob Dole and Bill Clinton, Jeane Kirkpatrick and others, and Richard Holbrooke, our perhaps next secretary of the United Nations—come together and say that we will confront war crimes when our Presidents commit us to that end; that we will support this President and facilitate the attaining of an agreement. Because to facilitate that agreement may not only save lives, but it will save the dispossession of thousands of people. The dispossession from their homes, from their lands.

Mr. Chairman, this is a great country, and I would remind my Republican colleagues that when George Bush made a determination to confront tyranny and send troops to Saudi Arabia, there was a request on our side for a vote. President Bush asked Tom Foley, the Speaker of the House of Representatives—and I sat in the room with him—let us not vote now; let us support this policy so we can put together this coalition and bring peace and stop this aggression. Speaker Foley agreed to do so with the President of the United States.

And, indeed, when there was a vote, I tell my friends on the Republican side of the aisle, as to whether or not we were going to then deploy those troops in Saudi Arabia into Kuwait, that almost half of our caucus supported President Bush. I hope we find that bipartisanship today. I hope we follow Bob Dole. I hope we commit ourselves to bipartisanship in foreign policy in confronting tyranny.

There are those who say that the United States has no strategic interest in Kosovo, that we have no interest in the ''internal affairs'' of another country, that war has become a ''fact of life'' in the former Yugoslavia.

Mr. Chairman, I submit to you and my colleagues that helping to resolve the crisis in Kosovo, as we have in Bosnia—stopping war in the heart of Europe—is a preeminent strategic and moral interest of the United States. The crisis in Kosovo, like Bosnia, has the potential to ignite the entire Balkan region, undoing what we have achieved in Bosnia and drawing in already unstable Albania, Macedonia and potentially our NATO allies Greece and Turkey.

To those who say that the international community has no interest in the ''internal affairs'' of another state, I say that both the Universal Declaration on Human Rights and the Helsinki Final Act to which the United States is a signatory, hold otherwise.

Fifty years ago, the Universal Declaration on Human Rights shattered the idea that national sovereignty should shield governments from scrutiny of their human rights records. This concept had long insulated countries from being held accountable for the gross mistreatment of their own citizens. In the aftermath of the Holocaust, the declaration captured the world's revulsion of that traditional view of international relations and made clear a new norm—how a state treats its own people is of direct and legitimate concern to all states and is not simply an internal affair of the state concerned. Thirty years later, the Helsinki Final Act reaffirmed this principle.

Mr. Chairman, the events which have occurred in Kosovo since the beginning of last year are but an escalation of the repression and brutality the Albania Kosovars have suffered at the hands of the Belgrade authorities since 1989 when Slobodan Milosevic unilaterally revoked the substantial autonomy Kosovo enjoyed under the old Yugoslav Federation. Of course, since the beginning of 1998 more than 2,000 ethnic Albanians—including women and children—have been killed, many brutally massacred. Hundreds of villages have been destroyed, and more than 400,000 people have been displaced. Make no mistake about it, this is ethnic cleansing.

To those who say that what is happening in Kosovo is the continuation of centuries old ethnic hatreds, and that ''War has become a fact of life in this part of the world,'' I ask, what do you propose? Accept the status quo? Let the opposing factions ''slug it out''—let the bloodbath continue? I say this is totally unacceptable. Such a course legitimizes the violence—the murder, the ethnic cleansing—and accepts the premise that this is the kind of world in which we will always live.

Mr. Chairman, Kosovo is not Bosnia. The situation on the ground is certainly different in many ways, yet both share a common suffering—the scourge of ethnic cleansing, and a common curse—Slobodan Milosevic. The killing and devastation in Kosovo, like the ethnic cleansing in Bosnia, are a direct result of the efforts of Milosevic and his thugs to maintain and consolidate their power.

Mr. Chairman, the United States, NATO and the international community have made a commitment to bring peace and long-term stability to the former Yugoslavia. This is a long and difficult struggle, and any peace agreement will not be effectively implemented without NATO muscle. The United States must lead and take a strong stand against the enemies of peace.

Mr. Chairman, NATO no longer confronts a monolithic enemy. The threats with which it must now deal come from terrorism and regional conflicts—like Kosovo. If we and our NATO allies are not willing to confront the bullies in Kosovo and lay the groundwork for long-term peace in that region, we will encourage such bullies and ensure that they will act again sometime, somewhere, That is the lesson of history we must not forget.

Vote for H. Con. Res. 42.

Mr. GILMAN. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. GRAHAM).

Mr. GRAHAM. Mr. Chairman, I thank the gentleman for yielding me this time. If we believe this operation is equal to what was going on in Kuwait, we should vote ''yes''.

□ 1500

If we see it to be different, then we ought to ask what are the differences. I think it is dramatically different. Our country is about to commit 4,000 young men and women into a sovereign nation, in a region in that nation where 90 percent of the inhabitants of Kosovo are Albanian, who are trying to become independent. We are about to get ourselves in the middle of a Civil War. This is not fighting Saddam Hussein, this is interjecting 4,000 Americans into a faraway place where heartache is normal, where tyranny has existed before, and will exist after. How do we come home?

You are asking the Congress to have a one-way ticket to a region of the world that is not going to lead to a world war. It is going to be a place where they will eventually figure out they can live together, with our help, but our help should not include 4,000 young Americans standing in the middle of people with a lot of hot temper. This makes no sense. Piling this on top of Bosnia is unbelievably expensive. This is different than Bosnia, this is different than Kuwait. The American public does not understand what we are doing or why. And all the big names in international politics to me have not justified why we are there and how we are going to get out.

Secretary Kissinger says this is more like Vietnam than it is Kuwait. I hope

he is wrong, but I believe he is right. How many more young men and women are going to go in faraway places to get in the middle of civil wars where there is a dubious reason to be there to start with and no way home? I hope none of them come home hurt or maimed. Vote ''no.'' Stand up for America.

Mr. HOEFFEL. Mr. Chairman, I yield 2½ minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding me this time.

What has become of us, my friends? We may well be on the brink of a peace agreement between the Serbian government and the Kosovo ethnic Albanian population. Our hearts have been broken for months now. Yet in the midst of possibility finally, a resolution on this floor to polarize our country as to what it is already doing. We have been polarized on domestic issues, but I think the American people expect more of us when it comes to our international posture.

As I speak, we are erasing the rhetoric of bipartisanship that the majority has sounded. Because if we cannot be bipartisan when our country is in the midst of what looks like it can be a successful effort to stop genocide, then I do not know when we can be bipartisan. We are undermining not war but peace. There can be no debate that this is in our national interest, and I have not heard that it is not. Nor after the Bosnia precedent should there be any debate as to whether we should go forward now having gotten this far.

What has happened to the Albanians is unspeakable. Milosevic began shutting down their language institutions and he has ended with genocide. We have gone, on the other side, from partisanship to isolationism.

My friends, we cannot lead the world in war or in peace if every time the party on the other side of the aisle wants to move, you on that side says, ''We don't move simply because you want to move,'' and that is what this comes down to. We are assuming the posture you have historically assumed and yet now that it is our posture, because it is our President, you have simply jumped to the other side, against the national interest.

I ask you to stand beside our country, postpone this vote, but, to be sure, I hope that you will not be found on the other side of a vote that would undermine our country as it wages peace, not war.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, I come reluctantly to the floor to oppose the use of United States troops on the ground in Kosovo. I do that because of two reasons. First, because of the lack of trust and confidence that I have in this President, and secondly because of the pattern of experience.

When I got elected in 1992 and began service in 1993, this President inherited the question of Somalia which President Bush had started as a humanitarian rescue effort. President Clinton turned that into a national tragedy, a loss of our troops as we saw our troops drug through the streets of Somalia. Where are we in Somalia 4 or 5 years later? Just a few days ago 60 were killed in Somalia.

Then we had Haiti, our second experience in nation-building. And what have we done in Haiti? We have traded one corrupt government for supporting another corrupt government at the cost of billions to our taxpayers. This President and this administration opposed an international pan-African force in Rwanda before the genocide of our time took place. That was the experience then, they said no troops then, and after the genocide we sent our troops into that area.

Bosnia. Time and time again we have set deadlines for our troops in Bosnia, and our troops are still in Bosnia and our troops are spread thin across the globe with these deployments from this President, this administration. Only after Congress stepped in and made sure that we micromanaged the military effort in Bosnia did we ensure that our troops would not be killed, that they would have adequate equipment and that they would serve under United States command and not U.N. international command. We have no exit strategy. Our military is stretched to the limits. When the wives and mothers of our reserve forces call me, I am going to refer them to 1600 Pennsylvania Avenue and this President.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 3 minutes to our distinguished majority leader, the gentleman from Texas (Mr. ARMEY).

Mr. ARMEY. Mr. Chairman, let me thank the gentleman from New York (Mr. GILMAN), the distinguished chairman of the Committee on International Relations, for bringing this to the floor. I must tell the gentleman from New York (Mr. GILMAN) that this is not an easy vote for me. Indeed I have spent most of the last week worrying and studying about this vote and even at times trying to come to the point where I could vote in agreement with you on this proposition, largely out of the respect that I have for yourself, the gentleman from Missouri (Mr. SKELTON) and others that I have talked to. But I have to say, it has been a struggle.

I have always been very proud of the American people, proud that Americans love freedom so much that they are prepared to risk their peace to defend the freedoms of others.

Since the end of the last war, we have rightly held a larger vision of our national interest. We do not see it as merely defending our coastal waters, protecting our commercial interests, or stopping an invasion of our homeland. We have understood in a way that no other people in history have that our freedom depends on the freedom of others.

This principle has inspired our great national initiatives, the Marshall Plan, the Truman Policy, the democratization of Japan, our fights for freedom in Korea and Southeast Asia, the Reagan doctrine, and most recently the expansion of the NATO Alliance for which many in this body, including the gentleman from New York, and especially the gentleman from New York, have been responsible.

The result of this effort is that America has made a world in which hundreds of millions of human beings are living in peace and under governments of their own choosing and working together for their common benefit. Very few times in this bloody century would anyone have predicted that it would have ended as well as it does. But it does, because of the wisdom of the United States of America.

Mr. Chairman, we do have an enduring interest in a peaceful Europe. What happens in the Balkans is important to our security. Indeed we must do all we can reasonably expect to do to prevent further killing and suffering in these troubled lands. But I cannot in good conscience support the proposed deployment we are debating today. I believe it has been poorly considered and is unlikely to achieve our desired ends.

I make this objection on purely practical grounds. Its central flaw is that it depends on negotiating an agreement with the Serbia dictator, the very man who is responsible for the Balkan horrors in the first place. Mr. Chairman, he is a brutal killer and we can have no confidence that he or his followers will respect any agreement that might be reached.

On the other side will be the Kosovar Liberation Army, a new formation with little experience in these matters. Its cause may be noble, but there is little reason to hope its leadership will be able to discipline its members. The agreement will, after all, come far short of their desire for true independence.

Our troops may thus find themselves opposed by free-lance opponents on both sides of this brutal conflict, opponents undisciplined by any central authority. The resulting bloodshed may produce events that are far more destabilizing than those the administration fears today. This could be, Mr. Chairman, another Somalia. For these and other reasons I have heard stated today, I believe this deployment is unwise and must be opposed.

Mr. Chairman, we need to take a fresh look at our policy towards the world's outlaw governments, not just in Serbia, but in Iraq, North Korea and elsewhere. These rogue regimes are without question the greatest security

threat we face today. The administration response to them has been haphazard containment efforts, loose arms control arrangements or other negotiations. Containment and negotiation, however, can do little to solve the underlying problem, the very existence of the regimes. What we need is a new version of the Reagan Doctrine of the 1980s, a policy that seeks not to contain these regimes but to replace them with democratic alternatives.

Last year, Congress began to shape exactly such a policy towards Iraq with our passage of the Iraq Liberation Act. We need to consider similar legislation for other rogue states, including Serbia. I for one reject the idea that the Serbian people are themselves inherently bent on ethnic warfare. As the large civil liberties protests in Belgrade have shown, they aspire to the same democratic privileges that other Europeans enjoy.

The problem, Mr. Chairman, is Milosevic. Had we followed a determined policy to change his regime, we could have vastly improved the prospects for peace in the Balkans and liberated the Serbian people as well. It is time to begin such a policy now.

The lesson of the Cold War should be clear. True peace, justice and security come not from negotiating with inhuman regimes but transcending them. Even the most enduring dictatorships can melt before the power and the ideals of the United States. The power of freedom is an ideal shared by all people. It can be and must be in the end larger than any man, no matter how brutal.

Mr. GILMAN. Mr. Chairman, I thank the majority leader for his words with regard to this issue.

Mr. HOEFFEL. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Chairman, the debate we are entered upon today has the gravest of consequences for our Nation and for our future. Having recently returned from Bosnia, I had the opportunity there to learn a little bit about the attitudes present in that region. One thing that I did learn is that our allies, our NATO allies, have a strong commitment to keeping peace in the Balkans and they feel very strongly about our willingness as a NATO partner to stand tall with them in this crisis. I also learned from talking to some of our military leaders that there is a clear relationship between the situation in Bosnia and the developing events in Kosovo. Our investment in Bosnia, as one military leader told me, is clearly threatened by the developments in Kosovo.

□ 1515

I also had the opportunity to talk with soldiers on the ground who are doing an excellent job keeping the peace in Bosnia, and, as one first sergeant shared with us in testimony before a committee hearing, he has made a spiritual investment in Bosnia and believes very strongly that we have done the right thing in trying to help keep the peace there. He said because of our soldiers children now go to school in Bosnia, can safely play in playgrounds without fear of land mines or snipers. We have clearly accomplished the objective of keeping peace in Bosnia, and the relationship between the situation in Kosovo and Bosnia is undisputed by those who serve us in our Armed Forces.

I also learned that there are clear limits to what we can hope to accomplish in that part of the world, and for that reason there must be clear guidelines before we commit troops to any mission, any joint NATO mission, in Kosovo. Those principles were set out by the President in a February 4 address, and I think we must include those principles in the resolution that will be adopted here today.

Mr. GILMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Utah (Mr. HANSEN).

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

Mr. HANSEN. Mr. Chairman, I rise in opposition to the resolution.

Mr. Chairman, I believe this debate is timely and important. Public debate, by those Representatives closest to the people, before our troops are put in harms way, is not a sign of weakness and division but rather a clear reminder that the great power of America comes not from its government, or its military might, but from its people and their commitment to freedom, peace and democracy.

In my recent travels to the Balkans and Southwest Asia, I have been greatly impressed by the professionalism of our soldiers, sailors, airmen, and marines. They have done tremendous service to our country with few rewards. They care for their aging equipment with great pride, though hampered by a worsening shortage of spare parts and lack of meaningful training. While at home, their loved ones struggle to keep their families together during the many long separations. The military mission to Bosnia has been an almost flawless success.

In contrast, the foreign policy and political decisions that so easily put our troops in harms way is a growing failure.

This administration has engaged our troops too often, for too long, with too small a budget and with too little support from the American people, the Congress and the world. Our soldiers can stop the fighting, but Bosnia is not closer to peaceful, stable government today than they were 5 years ago. Remember, the President promised this effort would take only 1 year and cost $1 billion. Five years and $10 billion later there is no end in sight.

In this new age foreign policy, which replaces "power projection" with "sympathy projection," we find the easier it is for the United States to commit its troops into the war zone, the harder it is to get them out. The objectives of these new entanglements are ambiguous—if stated at all. The goals change in the middle of the operation. The troops are left without any way of gauging their progress or even visualizing the set of circumstances which would enable them to finally return home.

Today our troops are engaged in Africa, Asia, Europe, and South and Central America—virtually all over the globe. And they are doing a magnificient job with only half of the cold war force, and 35 percent fewer resources. The rate of overseas deployments is up more than 400 percent in this administration alone. Meanwhile, the Joint Chiefs of Staff stated requirement for an additional $22 billion in defense investment falls on deaf ears at the White House.

Now we learn that there is another crisis that "requires" American intervention. This time the call comes not from a threatened ally, a loyal friend or even a recognized country, but from a province within a sovereign country. When will it end? Or will this new policy or well meaning enlargement, simply encourage any group with a gripe to choose separation over the harder course of honest dialogue and true democracy. There is no doubt in my mind that Serbian President Milosevic is a brutal and oppressive thug who is guilty of crimes against humanity and genocide. However, an invasion of his country to embrace a "county" in search of independence can only speed our sinking into a Balkan quagmire.

Though we would like to think we can, America cannot erase, merely by its presence, the animosity between religious and ethnic enemies. We cannot cause a love of freedom and devotion to democracy to bloom in this fallow land. We cannot make thugs and tyrants believe that "it takes a village". U.S. troops separating warring factions does nothing to soothe the root cause of the hatred. It only delays the explosion of vengeance and mistrust. As I see it, these conflicts will eventually explode. We can only choose whether the explosion happens with U.S. troops at ground zero or not.

With regard to the prestige and effectiveness of NATO. The only action which weakens our most important alliance is this President's repeated use of empty threats of therapeutic air strikes and endless promises that twenty thousand troops can solve in 1 year—problems which have defied solution for thousands.

As the American presence lengthens in these "peacemaking" and "nation building" missions, the animosity inevitably broadens to also be directed at our troops. Soon the referee is taking blows from both of the fighters. Our troops must eventually defend themselves, but in that self-defense they will only serve to increase the hate of both sides toward America. In these situations, there is no resolution for America, but shameful retreat or total war. Has the tragedy of Somalia been that long ago? I cannot support this flawed political effort without a clear goal, a believable exit strategy and guarantee that this mission will not further degrade fragile military readiness.

In this case, the best way to support our troops is to keep them home.

Mr. GILMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Chairman, I heard somebody on the other side of the aisle say this is a partisan decision. Not so. Republicans have mixed emotions. This is a serious decision. Our chairman is voting for the resolution. Some of us question it very seriously. It is only partisan if the Democrats decide that they are going to support whatever the President might do.

It seems reasonable that the President of the United States should come to not only Congress, but the American people, and present some of the reasons why it is in America's interest to send our young men and women into this land of Serbia, into one of the regions of that sovereign country called Kosovo, to risk their lives. There needs to be a compelling reason. Dr. Kissinger yesterday said that we might have to bomb our way in and then not really know which side is going to shoot at us. The President is planning to deploy U.S. troops without a clear objective or exit strategy.

Before we deploy any troops, we need clear answers to basic questions like how will our presence advance lasting peace, and how long will our troops remain in the region. Serbs and Albanians have fought in Kosovo, an Albanian-dominated region of southern Serbia, for centuries. Conflict in the last year between ethnic Albanian rebels and Serb police has resulted in over 2,000 deaths.

If the President is not willing to come to Congress, and explain; here is the plan, here is the strategy, here is how long we expect to be there, here is what we expect American taxpayers to pay; what is going to happen when we start taking out some of our young men and women in body bags? One question I had to Dr. Kissinger is why is NATO willing to commit 24,000 of their troops? His answer was partly the U.S. demand and the U.S. initiative.

Mr. Chairman, we can not be the police force for the world. We can not keep spending the Social Security trust fund money. One day, if we are not careful we will not even have these options of helping those in need.

While some remain optimistic about the potential peace agreement, I have serious reservations. Ethnic Albanian leaders in Kosovo have said that they will settle for nothing less than independence. Serbia refuses to sign an agreement which dismembers the country. As Dr. Kissinger stated, "the projected Kosovo agreement is unlikely to enjoy the support of the parties involved for a very long period of time."

The long history of the ethnic conflict in the Balkans makes a lasting peace in Kosovo unlikely, with or without a NATO presence. If our goal is to quell the hostilities that have persevered for centuries, than we will find ourselves in the same situation that we face in Bosnia, where our troops deployed for an unlimited amount of time, with no end in sight. U.S. troops have been in Bosnia-Herzegovina since 1995 at a cost of more than $9 billion to the U.S. taxpayer. Roughly 6,900 troops are still in Bosnia, even though President Clinton promised that U.S. participation would be limited to one year.

Despite the massive cuts made to our military, we have more troops deployed to hostile regions now than during the Cold War. Dr. Kissinger made the point that "each incremental deployment into the Balkans is bound to weaken our ability to deal with Saddam Hussein and North Korea."

If NATO intervenes with troops in Kosovo, the U.S. can assist its NATO partners with communications and intelligence support and back a political strategy aimed at boosting Serbian opposition to Serbian President Milosevic. However, I will not support Congressional authorization to deploy ground troops into a civil conflict with a sovereign nation to enforce a peace agreement that neither side supports.

Mr. HOEFFEL. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. ENGEL).

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

As I mentioned before, I think this resolution is ill-timed and we should not be doing this, but since it is on the floor I rise to support the Gilman resolution.

Carnage has gone on in Kosova for too long, and by the way, I say Kosova with an "A" because 92 percent of the people that live there are ethnic Albanians and pronounce it Kosova. Ethnic and cleansing and genocide has gone on for too long. The butcher of Kosova, Slobodan Milosevic, continues to kill people. We continue to see genocide on the face of Europe. We cannot sit still and continue to allow this to happen. Until the United States stepped in in Bosnia, we saw 200,000 people ethnically cleansed by Milosevic and his people, murdered, and we are going to see it again unless the United States grabs the bull by the horns.

We were told by some on the other side of the aisle that when U.S. troops went to Bosnia there would be many, many American casualties. That has not happened. It will not happen in Kosova, but we will prevent innocent civilians from dying.

I support independence for the people of Kosova because I believe that is the only long-range plan that works, they are entitled to the same things that we hold dear, they are entitled when Yugoslavia broke up the former Yugoslavia, the Croats, and the Slovenians, and the Bosnians, and the Macedonians all had the right to independence and self-determination. The Kosovar Albanians should have that same right. This agreement does not do that, but at least it stops the killing, it stops the ethnic cleansing, it gives them half a loaf.

Milosevic does not want it. He does not want U.S. troops or NATO troops because he wants to keep the killing and he wants to keep the stranglehold on the people of Kosova that have no political rights, no economic rights, no human rights.

NATO has to lead, and the United States has to lead in NATO. NATO cannot do it alone. If we are not the leaders, we will not be successful, NATO will not be successful, and I say to my colleagues we cannot be in favor of stopping genocide and helping the Albanians if we are not willing to have NATO troops on the ground with U.S. leadership and U.S. participation. This is in the vital interests of the U.S. We do not want a larger war.

We need to support the Gilman resolution. It is time to step up to the plate.

Mr. GILMAN. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. SPENCE), the chairman of our Committee on Armed Services.

Mr. SPENCE. Mr. Chairman, I have some prepared remarks I would like to make on this subject, but, if I might, I would like to submit my remarks for the RECORD and try to sum up how I feel about this very important resolution we have before us today.

Of course, as chairman of the Committee on Armed Services, I know that each and every Member will support our men and women in uniform whenever and wherever they are called upon to go in harm's way. That is why I am in opposition to sending ground forces to Kosovo, however my colleagues want to pronounce it. My abiding concern is for the ability of our fighting forces to respond to crises that amount to real wars. We are right now stretched thin all over the world with all kind of commitments. The op tempo is great. We have torn down our forces to the extent that I have very real grave concerns about our ability to carry out our national strategy of being able to fight and win two nearly simultaneous major regional contingencies, or whatever they call them.

We ask our military leaders are we capable, what is our position, our readiness from the standpoint of being able to carry out this mission, and they tell us that they can do it, but the risk will be high to moderate. Mr. Chairman, high to moderate means hundreds of thousands of casualties I am not prepared to take.

Mr. HOEFFEL. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. HALL).

Mr. HALL of Texas. Mr. Chairman, I rise today to express my dire concern and the concern of many of my constituents in my district and in my State regarding any further deployment of U.S. troops to Kosovo. I would like to thank the Speaker for providing us with the opportunity to state our beliefs at this time on this controversial issue, and I thank the gentleman from Pennsylvania (Mr. HOEFFEL) and the leadership of my party for giving

me this opportunity to differ with my party on this very important item.

I have always supported our uniformed service members and will continue to do so, but I just cannot support the deployment of our sons and daughters to locations around the world where we, as an administration, we, as a Congress, we, as a country, have not explicitly spelled out our objectives.

Do I regret suffering around the world? Of course. Everyone here does on both sides of the aisle. But would I sacrifice one American life for all of Bosnia, Iraq or Kosovo? I absolutely would not without a true national interest, or a plan to successfully enter, a plan to successfully succeed and a plan to successfully leave.

Originally the administration assured Congress that it would not send troops to Kosovo without first providing this body a chance to consider such an action, but the administration knows that this Congress will always support our troops once they are deployed, so off they went. And I would like to ask the President what is our strategy in Kosovo, what are our objectives, how long are we going to keep our men and women in uniform away from their families, what action dictates their return and, finally, what is the overriding national interest in Kosovo that has prepared him to risk the life of a single American.

In 1996 there were 15,000 American soldiers in Bosnia. Today there are still some 7,000. We promised our troops an end to Bosnia, yet they remain a broken promise. At some time we are going to have to keep our promises to the young men and women of arms of this country.

Mr. GILMAN. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. BURR), a member of our Committee on International Relations.

Mr. BURR of North Carolina. Mr. Chairman, I thank the gentleman for yielding this time to me.

I had remarks to make, and I cannot make them. As I have sat here, I found that this is an ever-changing process and some are not relevant. I would only say to many of my colleagues who suggest that this is ill-timed, to debate whether we send troops is not ill-timed. It is, in fact, a debate that I believe our process demands.

That process also demands us to ask questions like my colleague from Texas just asked: Does a deployment to this region make us too thin for the mission of protecting our national interests? What is our exit strategy? Will a peace agreement that may be reached be agreed to by both sides? These are legitimate questions that we need answers to before we agree to anything.

I found myself going through this process when I sat down with people that I have a great deal of confidence in: Senator Dole, Jeane Kirkpatrick, Henry Kissinger, those mountains of the past in foreign policy and, more important, in United States policy.

As my colleagues know, Mr. Chairman, there are people around the world that will watch what we do. They will watch what we do, and they will watch how we act. They realize, as we do, that as we see more and more evidence of genocide on the TV, that we reach out not necessarily because of national interests, but because of injustice, injustice in a region where we have seen martial law take doctors and teachers and eliminate their profession.

We have many questions to find answers to. I am hopeful that the resolution that we have got we can perfect and that we can have unanimous support, but until that point we have a tremendous amount of work to do, and this administration has a tremendous number of questions to answer.

Mr. HOEFFEL. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Chairman, at least 2,000 people have been killed and 400,000 have been displaced over this past year by Slobodan Milosevic's genocidal campaign of violence and human rights abuses against the 2 million ethnic Albanians in Kosovo. The peace process now underway represents our best hope for ending this bloodshed. We do not know if this peace process will succeed, but we do know that NATO is the best and most credible peacekeeping force, and we know that U.S. participation may be critical to the viability of NATO operations.

□ 1530

A vote at this point against authorizing the deployment of troops will embolden Milosevic, disrupt the peace process, and call into question our commitment to NATO.

It used to be said, Mr. Chairman, that politics stopped at the water's edge. It used to be that if a President said, as this President has, that a divisive vote of this sort would undermine delicate negotiations and would harm national security, that that vote would be deferred.

This raw display of partisanship, this calculated attempt to undermine the President, and this reckless disregard for the consequences of our action are unworthy of this body and should be rejected.

This resolution should not be on the floor in the first place, and bringing it up is an irresponsible act. But since it is before us and since the delicate peace negotiations are at risk, the only responsible vote is yes.

Mr. GILMAN. Mr. Chairman, I yield 1½ minutes to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Chairman, I rise in opposition to House Concurrent Resolution 42. This is not a partisan issue. I oppose sending our troops to Kosovo. However, I strongly support the Speaker's call for debate on this issue.

Enough is enough. We can no longer expect some of the Nation's finest men and women to travel halfway around the world to accomplish a mission without objectives.

Mr. Chairman, my district, the 8th of North Carolina, is steeped in military tradition. We hail Fort Bragg and Pope Air Force Base as our own, two installations that have sent their fair share into combat. I visit these bases frequently and I am sure these young men and women I speak to there are no different than the million and a half soldiers we have stationed all over the world.

What amazes me every time I speak with these young soldiers is, without exception, the can-do spirit they demonstrate. They so quickly forget the sacrifices we asked of them yesterday to accept the challenges of tomorrow, never once questioning why their government continues to ask for more while giving less.

In the forty years leading up to 1990, the United States deployed our troops 10 times. Since then, in only nine years, this country has deployed more than 25 times; 19 under this administration.

Mr. Chairman, today I am doing what all of our men and women in this service proudly resist. I am asking why? I am asking why do we continue to send our troops on missions navigated by an administration with seemingly rud-derless foreign policy?

Nearly 20 years ago, Secretary of Defense Caspar Weinberger laid out a doctrine of criterion that must be met before our forces are sent into combat.

Is a vital national interest at stake? Will we commit sufficient resources to win? Will we sustain the commitment? Are the objectives clearly defined? Is there a reasonable expectation that the public and Congress support the mission? Have we exhausted our options? And I would add we must have a clear exit strategy.

Mr. Chairman, on the eve of yet another deployment I ask my colleagues to join me in sending the administration a strong message. Do not approve, do not send our troops to Kosovo.

Mr. HOEFFEL. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise today to express my support for this resolution and for the attempts to bring peace and stability to Kosovo. While valid questions have been asked whether or not this is a reasonable time to debate this issue, we now must act and send a message to Milosevic and to the world community that enough is enough.

The U.S. must demonstrate leadership. We can only help bring about democracy, peace and stability, the cornerstones of our society, if we engage, if we send troops, as part of a NATO peacekeeping force.

Mr. Chairman, our purpose in sending troops if a peace agreement is reached is clear, to help implement and enforce that peace. We must not shrink from this responsibility. We must not allow politics to undermine our leadership abroad. We must stand tall.

Just yesterday, as I sat as a member of the Committee on International Relations, I heard Ambassador Kirkpatrick say that it is important for Congress to vote yes. I urge all of my colleagues to do so.

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

Mr. GILMAN. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH), the distinguished chairman of our Subcommittee on International Operations and Human Rights.

Mr. SMITH of New Jersey. Mr. Chairman, I rise in support of the resolution before us. Frankly, the administration, the Congress, our allies and the international community as a whole have no easy choices regarding Kosovo.

Many of our colleagues agree that the United States has the responsibility to assert its leadership in the world. In asserting this leadership role, I believe that it is in the interest of the United States to include protection of human rights, especially the mitigation of atrocities and the cessation of slaughter, and this sometimes requires the prudent use of force.

As we debate the deployment of American troops in Kosovo, however, those of us who had advocated last summer and in the fall that NATO should intervene, not as peacekeepers but peacemakers, to stop the Serbian offensive against innocent civilians in Kosovo feel that we have lost some very significant ground.

NATO has threatened to intervene time and time again and its credibility regrettably has been tarnished by inaction. Innocent lives have been lost as a result of indecision, and now one of the seemingly only alternatives is the deployment of NATO forces, including our own troops, in an environment in which one side or another may test NATO's resolve.

Many of us felt the same frustration regarding the United States, policy towards Bosnia. The Dayton agreement of late 1995 was no substitute for action. Even just lifting the arms embargo might have made a significant difference in stopping that genocide in those early years.

At yesterday's hearing in the Committee on International Relations regarding Kosovo, Senator Bob Dole and Ambassador Jeane Kirkpatrick made very convincing arguments for participation in a peacekeeping force. I have sympathy with those who take the side that Former Secretary of State Henry Kissinger made about not being involved in all of the conflicts around the world. We must, however, consider involvement where we can make a difference. Kosovo fits that category.

I want to say very clearly, unambiguously, I respect everyone's position on this. This is one of the harder, more difficult issues that we have to decide, and we need to listen to all sides, obviously, as we work through this policy decision.

I intend, Mr. Chairman, to vote for H. Con. Res. 42 as introduced. I think many of us do have some misgivings about our own Commander-in-Chief. It is very often not said but thought, but we need to factor in that fact.

I do believe this is the right thing to do at this particular time. Failing to participate could mean a further slaughter, perhaps on a larger scale, of innocent civilians in the Balkans. Failing to participate could lead to a renewed Balkan conflict which could spread to neighboring Macedonia and elsewhere. Failing to do so will send a signal that the United States will not take the lead, even when matters of principle are being challenged, when people are being killed in droves, to the detriment of NATO and the other alliances we have around the world.

This is a resolution that I think deserves support and I hope Members will consider doing so.

Mr. HOEFFEL. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise this afternoon to save lives. I rise in particular to acknowledge the gentleman from New York (Chairman GILMAN), and the ranking member, the gentleman from Connecticut (Mr. GEJDENSON) for realizing the importance of this commitment.

I would, however, disagree that we should even be on the floor today precipitously raising this issue, because I believe that we still have the opportunity for a peace agreement, and we should have awaited what the details of that peace agreement would be.

There is not one American, Mr. Chairman, that has not acknowledged and has not shared in the hurt and the pain of the disaster in Kosovo and the terrible strife between Albanians and Serbs; there is not one. There is not one that has not watched the bloodshed, has seen the reports of massacres, seen the untold graves that have been discovered, there is not one American that does not realize that we hold a very privileged position in this world. It is one where others look to us.

Mr. Chairman, I do not come here out of guessing, reading news articles and looking at news reports. I went to Bosnia. I went there on behalf of the President at the start of us trying to determine how we in this Congress and the United States could best respond to the terrible plight of innocent people, women and children.

It was my belief, my heartfelt and studied belief, that the Dayton Peace Treaty was right. Why? Was it because I sat in rooms behind closed door? No. Because I walked the streets of Sarajevo and talked to the people there who said, please help us.

I, too, do not want to see American lives lost. I do not want to send young men and women in harm's way, but I say we have got a wonderful bunch in the military, proud, determined, fine. I think we should get behind them in a bipartisan way, Mr. Chairman, and support this resolution but let us not do danger to the peace operations that are going on.

I rise in support of H. Con. Res. 42. This resolution authorizes the President's use of approximately 4,000 troops for a peacekeeping operation with Kosovo.

This Body can send an invaluable message to the peace negotiations, which begin next week. In sending our troops we signal our willingness to participate as partners in peace. In sending our troops we signal our continued resolve to see that all of the people of the Balkans enjoy the benefits of their human rights. In sending our troops we signal our willingness to be accountable to our NATO commitments and to the world as its sole remaining super power.

If this Body fails to adopt this resolution now it would be interpreted as a vote of no confidence for our foreign policy in the Balkans. It would send confusing signals about our national resolve to persevere to friend and foe alike. I wish we were not considering this bill in the middle of the peace talks in Kosovo. But if we are to consider this resolution let us send a clear signal of America's resolve to be a partner for peace.

The conflict in Kosovo has caused great human suffering and if left unchecked this conflict could potentially threaten the peace and stability of Europe. Despite the seriousness of this conflict there are those who oppose the use of troops. I wonder if those who are opposed to the use of troops are paying attention to the daily reports of atrocities, as some 2,000 people have been killed. Are those in opposition to the use of our troops listening to the international aide workers who are trying to aid the thousands of refugees fleeing the war-ravaged province.

Tension in this ethnic Albanian region has been increasing since the government of Yugoslavia removed Kosovo's autonomous status. Belgrade's decision came without the approval of the people of Kosovo, which has a population consisting of 90% ethnic Albanians. Several human rights groups have made ominous reports of Serbian forces conducting abductions and summary executions. These reprisal killings and the continued human rights violations gives rise to the specter of ethnic cleansing.

The United States and its allies need to take concrete steps to ensure that this continued violence in the Kosovo region does not spread to Albania, Macedonia, Greece, and Turkey. In supporting the President's use of troops, this body would signal a determination to take proactive measures in the Balkan region and encourage an immediate peaceful resolution to the conflict.

Mr. Chairman, this bill expresses the sense of the United States Congress that it deeply

deplores and strongly condemns any loss of life or the destruction of property. In supporting this bill this body does not choose sides but indicates a willingness to choose the side of human rights and human dignity.

Mr. Chairman, I urge my colleagues to support this bill and continue the U.S. role as a active participant in the Balkan peace process.

Mr. HOEFFEL. Mr. Chairman, I yield the balance of our time to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, it is in our interest to engage in Kosovo. It is in our interest because the reason we enjoy world peace and domestic prosperity is that we gain from worldwide peace and prosperity more than any other nation in the world today. If there were war and depression in Europe we would pay the higher price. We are the leader of this free world because we have defined ourselves as a principled nation; because we believe in democracy and free enterprise and freedom of expression and respect for human rights. And because we do more than just believe in it and talk about it. We are willing to stand up for those principles.

One might say we do not belong in the Balkans, that we have nothing to do with the Balkans. To say that, though, we would have to conveniently ignore the fact that two world wars were started in the Balkans, but we cannot ignore it because the reason Europe is stable today is that we invested after World War II to make sure that it would not come apart; that it would not be taken over by fascists. We did that through the Marshall Plan. We did it through investing in the European powers, and we did it by establishing the North Atlantic Treaty Organization, NATO.

We established NATO, have invested in it sustained it, and must lead it. The nations of Europe depend upon the strength of our leadership. A free democratic Europe might not exist today if it were not for the United States, and it might not exist as free democratic states in the future if we do not lead through NATO in defense of democracy and human rights.

The other countries of the world recognize they have to look to us for leadership. They also have to look to us because we are the principal military power in this world. We have the capacity to enforce peace, and the moral compass to insist that it be a principled peace.

We should not be empowering a war criminal, a bully, somebody who has gained power by using the situation in Kosovo to divide Yugoslavia and to appeal to the Serbian peoples' worst instincts.

He took away the autonomy of Kosovo in the late 1980s and Milosevic knew exactly what he did. He bred upon the hatred of ethnic fears. He used Kosovo to rise to power and he wants to use Kosovo to stay in power.

It is not in our interest that war criminals have that kind of power. As we all know, when one stands up to a bully they back down. This is our opportunity to stand up to that bully. He should not be given the kind of credibility he has been given. He cannot compete with us militarily, and he understands that we are acting out of principle; that if we act, if we lead, the rest of the European powers will follow. He is counting, though, on the U.S. Congress doing the politically expedient thing by tying the President's hands and refusing to stand up to him.

We need to do the right thing in Kosovo today because if we do not do the right thing in Kosovo today, tomorrow it will be some place else because other bullies around the world will be empowered by Milosevic's success in Kosovo. They will learn from this that the United States is not as determined, we are not as resolved, we are not as principled that we are not the same Nation that rebuilt Europe after World War II.

The fact is we are the same Nation. We must be the same Nation. We must not allow this situation to implode so that we enter the conflict after thousands more people have died and when our troops will be subjected to far greater danger. Do the right thing in Kosovo today.

The CHAIRMAN. All time of the gentleman from Connecticut (Mr. GEJDENSON) has expired. The gentleman from New York (Mr. GILMAN) has 1 minute remaining.

Mr. GILMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Chairman, I rise in opposition to the resolution for military involvement in Kosovo.

Mr. Chairman, I rise in opposition not only to this resolution, but to the principle of governing that has brought it to the floor today.

As we all know, this resolution binds no one; it is fundamentally meaningless. Its passage or failure may make a sound, but that sound will not be heard outside this chamber.

Right now, American troops are deployed all over the globe on missions of dubious value with questionable rules of engagement. We will do our business here today, close the doors, turn out the lights, and go home; yet American troops will still be deployed all over the globe, on missions of dubious value, with questionable rules of engagement.

We can listen to college professors, government bureaucrats, diplomats, and pundits talk about international law for days. However, once they're silent, we'll still be left with the cold, hard fact that it is our job to determine when to commit American troops to military action.

Once again, we seek to tiptoe around a tough decision. We're trying to avoid doing our job so we won't sustain any political damage that might come as a side effect.

What are we afraid of? The Constitution gives us—the Congress—exclusive power to commit American military forces to action. Congress certainly hasn't shown similar reticence to use its appropriation powers, or its power to tax, or its power to regulate.

Personally, I have carefully considered the merits of using American troops as policemen in Kosovo. I have come to two simple conclusions.

First, the job of a soldier is not to act as a referee, an arbiter, a builder of societies or nations, or a policeman. The job of a soldier is to protect America's interests by destroying America's enemies on the battlefield. It is even more insulting to ask a soldier to serve as a policeman under the aegis of some international organization instead of the American flag. Such actions do nothing to further vital American strategic interests. The role of such international groups is to perpetuate themselves by talking, sopping up U.S. tax dollars, and satisfying the goals of some committee of leaders more concerned about the shape of the table they are sitting around that with the interests of the United States.

The second conclusion I have come to is that no amount of American involvement in Kosovo is going to eliminate ethnic conflicts that have raged for centuries. We've been trying to resolve this problem for three years and have gotten nowhere. The 4,000 American troops serving in a NATO occupation are exactly where they started. In a few short years, Kosovo will take its place in history books along with Bosnia, Haiti, and Somalia as examples of a foreign policy that has no principled framework, and which bounces from one so-called crisis to another, as a drunk bounces off the walls going down a flight of stairs.

The only people who will rate this action a success are the foreign policy bureaucrats in the Clinton Administration. Because their foreign policy is not saddled with the burden of concrete goals and objectives, they therefore can—and will—define anything as a "success" whenever pollsters tell them the "public" needs a dose of "success." This is not a recipe for measured military action; it is a recipe for failure, as defined by sound historical standards of politics among nations. Doubtlessly, as this operation sputters to close—whenever that might be—it will be praised in panel discussions and campaign speeches as a resounding success, when the facts indicate it was a tremendous waste of time, resources, prestige, and possibly lives.

However, no matter how strong my feelings on this issue are, I'm willing to agree that sensible people can disagree over the merits of military action in Kosovo. What I am not willing to do is agree that Congress should have a non-binding vote on this matter, wash our hands of it, move on to other issues that test better in focus groups, and then periodically return to this issue when bullied by the Administration into pouring more money into it.

Right now, our soldiers are risking their lives in a country many Americans have never heard of. My constituents feel very strongly about this issue. Sadly, their opinions will not be a part of American foreign policy. While I urge a no vote on the resolution today, it is far more important for Congress to reassert its role in determining when and where American forces are committed. To do otherwise is to knowingly reject a specific, constitutional, and moral duty.

Mr. GILMAN. Mr. Chairman, I yield as much time as he may consume to the gentleman from California (Mr. HORN).

Mr. HORN. Mr. Chairman, I commend the chairman of the Committee on International Relations for bringing this resolution to the floor.

The conflict in Kosovo is taking place within a sovereign nation. If we are going to go to war with a sovereign nation, we ought to provide a declaration of war. That is what the Constitution of the United States would have us do. I think all of us in this Chamber know that Serbian leader Milosevic is a war criminal that should be tried by an international tribunal. The issue here today is, by what criteria should Congress and the President of the United States judge whether American troops should go there?

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When is the success known by American troops sent to Kosovo? The President repeatedly broke promises regarding the length of service in Bosnia before admitting our troops will be there indefinitely. Are they going to spend 50 years in the Balkans around Kosovo to bring peace as we have in Korea? Korea was where another Nation invaded South Korea.

This is the time to ask the President to face up to the tough questions and give us the answers to the questions that have been submitted to him. I would keep American troops out of Kosovo.

Mr. SPRATT. Mr. Chairman, we should not be asked to vote on this ill-timed resolution, asked to sign a blank check for this deployment; and were it not for the consequences, I would not vote for it, certainly not in the form it comes to us. But if at this critical point, we vote down this resolution, the winner will be Slobodan Milosevic. He will read our action as his warrant to act with impunity, to stonewall the peace negotiators and move with vicious aggression against Kosovo. The best we can make of the choices before us is to vote for the Gejdenson-Turner Amendment, and make this resolution turn on the achievement of a genuine peace agreement.

I would gladly vote for more conditions, for conditions like those proposed by Mr. COX and Mr. NETHERCUTT in the amendments they filed in the record. At the very least, before we send ground troops, we should know: are they peace-keepers or peace-makers? The words sound similar, but the missions differ dramatically. I am opposed to sending ground troops to be peace-makers. But if a durable agreement is reached, I can support, reluctantly, the deployment of our troops as peace-keepers. I say "reluctantly" because if there were a reasonable division of labor between us and our European allies, they would take on this mission. We have at least made the minor precedent of committing only 4,000 troops out of a force of 28,000.

Like everyone in this House, I would prefer to send none. I would prefer not to put any of our young men and women in harm's way. But we have learned that if the United States wants things to happen, we have to lead; and if we want to be the leader among our allies, we have to participate.

As Senator Dole told us yesterday, if we want to remain the "leader of NATO," the "United States cannot ignore serious threats to stability in Europe." I think the U.S. should remain the leader of NATO, and I will, therefore, vote for this resolution, as amended by GEJDENSON and others.

Mr. BORSKI. Mr. Chairman, I rise today to express support for the peace process in Kosovo and our troops in the Balkans. Failure to pass this resolution would seriously hamper the efforts of the United States to seek a peace agreement in Kosovo.

Ten years ago, Slobodan Milosevic stripped Kosovo of its autonomy—an action which precipitated the collapse of Yugoslavia and ethnic violence throughout the Balkans. Since that time, the Kosovars have been struggling to attain self detemination—a principle we cherish so deeply here in the United States. Milosevic has responded with brutality, using the Yugoslavian army to crush the aspirations of the Kosovars. His forces have terrorized and murdered innocent civilians and forced thousands from their homes. Indeed, the region today is on the verge of massive violence and human suffering.

The U.S. is currently leading international negotiations to achieve a peace agreement between the Serbian Government and Kosovo's ethnic Albanian population. America and its allies have given Milosevic every opportunity to resolve this conflict through peaceful means. We are not asking him to grant anything new to Kosovo—only to restore the autonomy that we stripped from Kosovo in 1989. Yet Milosevic remains resistant to an agreement and the presence of an international peacekeeping force to implement it. Without forceful diplomatic effort from the U.S. and our allies, peace will never be achieved in Kosovo.

Mr. Chairman each member of this body has reservations anytime we commit U.S. troops to peacekeeping forces, or to any deployment in a potentially hostile area. In fact, I have always believed that our European allies should commit a higher proportion of the peacekeepers in the Balkans. Fortunately, the Kosovo plan takes a step in that direction by calling on our European allies to contribute over 24,000 troops—86 percent of the total force.

While U.S. troops would comprise, a small portion of the overall force, the absence of U.S. troops in a NATO peacekeeping force would have great consequences. NATO's members continue to look to the U.S. as a leader—imagine the consequences of not honoring our obligations as leader of this security alliance. If we fail to respond to new challenges in the Balkans, our allies will leave the Balkans. If we abandon our responsibilities in the alliance, we greatly jeopardize our national interests in Europe, and weaken our leadership role in the world.

As a new member of the House delegation to the North Atlantic Assembly, I have been studying our role in NATO in the post-cold-war world. We recently celebrated the 50th anniversary of NATO—the most successful security alliance in our Nation's history. But like all successful institutions, NATO must adapt to the new challenges it confronts.

In the post-cold-war Balkan world, ethnic conflicts know no boundaries. Violence in Kosovo greatly jeopardizes the fragile peace in neighboring Bosnia and Macedonia. It also threatens to place Greece and Turkey—our NATO allies—at odds with each other. Without peace in the Balkans, NATO's credibility as a guarantor of peace and stability in Europe is at risk.

We are at a crucial juncture today in this delicate and complex peace process. All parties will reconvene on Monday, March 15, to hopefully achieve an agreement. Any actions taken by Congress between now and next week will have a profound impact on the final outcome of the peace process.

Fortunately, the U.S. and its allies are negotiating from a position of strength. Thanks in large part to the efforts of Bob Dole, the Kosovars are reportedly united and ready to sign a peace agreement. Clearly, the pressure is now on Milosevic to make concessions and sign on the dotted line.

But if we fail to approve this resolution, the pendulum will shift the other way, and possibly destroy all hopes of achieving a peace agreement. Defeat today would clearly strengthen Milosevic's hand, diminish our ability to keep the Kosovars united and greatly weaken our position of leadership in NATO.

Peace in Kosovo is not a Democratic or Republican priority—it is in the interests of all of us who support the values of freedom and the growth of democracy. I would remind my Republican colleagues that President George Bush in 1992 took forceful steps to warn Milosevic against the use of force in Kosovo—an action supported in a bipartisan manner by Congress. I would certainly hope that this same bipartisan spirit would prevail on the floor today.

Mr. Chairman, instead of sniping at the foreign policy of our President, we should be expressing our strongest possible support for the men and women of the U.S. Armed Forces. They will not go to Kosovo if there is no peacekeeping agreement to enforce. But should they be called upon to serve in Kosovo, our troops should know that they are strongly supported by Congress.

Mr. HORN. Mr. Chairman, earlier today I expressed my views on why the American military should not be sent to Kosovo.

The conflict in Kosovo is taking place within a sovereign nation. If we are going to go to war with a sovereign nation, we ought to provide a declaration of war. That is what the Constitution of the United States would have us do. I think all of us in this Chamber know that Serbian leader Milosevic is a war criminal that should be tried by an international tribunal. The issue here today is, by what criteria should Congress and the President of the United States judge whether American troops should go there? When is the success known by American troops sent to Kosovo? The President repeatedly broke promises regarding the length of service in Bosnia before admitting our troops will be there indefinitely. Are they going to spend 50 years in the Balkans around Kosovo to bring peace as we have in Korea? Korea was where another Nation invaded South Korea.

This is the time to ask the President to face up to the tough questions and give us the answers to the questions that have been submitted to him. I would keep American troops out of Kosovo.

The President has failed to explain the urgent national interest which requires the introduction of U.S. forces into Kosovo. He has failed to even attempt a full explanation of this policy to Congress. The Constitution has given Congress a clear role to play which the President has ignored.

The Administration argues that if the House votes against authorizing its experiments in peacebuilding today, it will undercut ongoing negotiations and perhaps even lead to more bloodshed. This is insulting. It is the Administration's refusal to consult with Congress and its inability to form a strong policy against Serbian aggression that has led to the debate today. The Administration has rejected all attempts by Congress to assert its Constitutional role on every occasion it has put our forces in harm's way without a clear explanation of its mission or on what our forces were supposed to accomplish. The current objections by the White House are more of the same rhetoric from an Executive Branch derisive of consultation with Congress.

The conflict in Kosovo is taking place within a sovereign nation. Intervention in Kosovo, even following an agreement forced upon both sides, is the intervention in a civil war to mediate between two sides which we are trying to force into an agreement that will require our forces to uphold.

By what criteria would the President judge success in this mission whereby American troops could be recalled from Kosovo? The President repeatedly broke promises regarding the length of service in Bosnia before admitting that our troops will be there indefinitely. Once a peacekeeping force enters Kosovo to uphold a forced agreement, that force will serve indefinitely unless Congress acts to responsibly to restrict yet another open-ended commitment to achieve nebulous goals.

While the House debates the commitment of forces to Kosovo, we are also wrestling with the question of funding our armed forces, forces stretched thin by multiple commitments around the world. We are debating how to protect our nation from missile attack, perhaps from missiles improved with stolen American technology. How, then, will another open-ended commitment of American forces help American security. I have heard the argument on why American forces must be present to make a peacekeeping force work, and while these arguments have merit, they also point out the failure of Europe to deal with issues in its own backyard.

Under the agreement being negotiated now, the peacekeeping force would attack Serbia if its forces or sympathizers violate the agreement, but what would happen if elements of the Kosovo Liberation Army violates the agreement? How would the United States with NATO punish Kosovar violations?

The United States presumably has a responsibility to end the bloodshed in Kosovo because it is the only nation left with the resources to do so. So why, then, is the Administration not seeking to put peacekeepers on the ground in Turkey, where thousands of innocent Kurds have been killed in Turkey's attempt to destroy the terrorists of the PKK? Why have American peacekeepers not been dispatched to Sierra Leone, where the killing continues? Why were international peacekeepers not part of the Irish or Basque peace agreement? What makes Kosovo different?

Let us keep American troops out of Kosovo. If lives are to be in harm's way let the European members of NATO handle regional conflicts in their own backyard.

Mr. CROWLEY. Mr. Chairman, for the past decade, ethnic Albanians of Kosovo, a province of Serbia, the dominant republic of Yugoslavia, have fought a courageous campaign to regain the rights they had taken away by Yugoslav President Slobodan Milosevic who in 1989 stripped away the autonomy they had enjoyed under the Yugoslav Constitution. Milosevic, the architect of this crisis who also produced the Bosnian tragedy, and presided over the dissolution of what was once Yugoslavia, has brought poverty and misery to his own people and has sown the seeds of strident nationalism throughout the Balkans.

Milosevic has met all attempts to reach a peaceful settlement with the ethnic Albanian community with forceful vengeance and repression. President Milosevic escalated this campaign of terror about one year ago when he launched a brutal crackdown on the majority Albanian population. Civilians were terrorized, tortured and murdered by Serbian police and military forces while hundreds more were driven from their homes. This systematic campaign of repression manifested itself this past January, when Serbian security forces brutally massacred 45 Albanian citizens in the village of Racak.

Spurred on by Milosevic's campaign of terror, the United States and its European allies initiated peace talks between the two sides which ended with both agreeing to resume negotiations on March 15. As part of a proposed peace agreement, the United States would contribute 4,000 American troops to an international peacekeeping force of 28,000 that would be responsible for implementing the provisions of the peace accord.

This possible deployment of American troops to Kosovo has created a contentious debate within congress. Critics of an American participation in Kosovo claim that the United States lacks a vital national interest in this conflict, that we ''don't have a dog in this fight''. But I would argue that we do indeed have a vital national interest in this conflict, as this region has previously been the source of great pain and suffering. Twice before in the 20th century we have seen American soldiers drawn to Europe to fight wars that either began in the Balkan region or ignited fighting there. When this region was again the source of conflict after World War I, the United States did not intervene and subsequently hundreds of thousands of brave Americans and Europeans paid the ultimate price. As George Santayana once said, ''those who cannot remember the past are condemned to repeat it.'' Experience dictates that turning a blind eye to this region can be fraught with peril.

I believe that the current crisis in Kosovo, if not confronted now, could have devastating and disastrous effects on this region. We must remember that violence in southern Europe has no boundaries. There is a strong possibility that the current fighting in Kosovo could trigger a chain reaction of conflict that might engulf the entire region. A spreading conflict could re-ignite fighting in neighboring Albania and destabilize fragile Macedonia where the UN peacekeeping force mission has ended. In addition, our NATO allies Greece and Turkey, longtime adversaries with historical ties to both sides, could also be brought into the conflict. Increasing hostilities would cause massive suffering, displace tens of thousands of people, undermine stability throughout South Central Europe and directly affect our key allies in the region.

As we have learned in Bosnia and seen in Kosovo, the only language that President Milosevic understands is that of force. Additionally, what we have seen in the former Yugoslavia in the last decade is that it is very difficult to stop internal conflicts if the international community is not willing to use force. The United States must be willing to show Mr. Milosevic that we will not stand idly by while his forces systematically murder and displace innocent civilians.

President Clinton once said that the United States is the world's indispensable nation. I strongly believe this to be true. Our country has a moral obligation to stand up and act when innocent civilians are being murdered and their basic fundamental rights are being violated. As the leading voice in the world for democracy, respect for the rule of law and fundamental human rights, we are sometimes confronted with difficult decisions.

This I believe, is one of those decisions. And while I do not take lightly the decision to dispatch our armed forces abroad, I strongly believe that the United States must lead the efforts to halt the bloodshed and violence in Kosovo.

Mr. BONILLA. Mr. Chairman, our responsibility is to protect America. Our responsibility is to act prudently before placing any of our fellow Americans in harm's way. We have no responsibility to referee bloody disputes wherever they crop up.

The fuse on Kosovo has been lit. The Serbs have no interest in relinquishing their historic claims on the territory. The Albanians speak with so many voices that the only certainty we have is that any Albanian leader we deal with will not be speaking for most of his armed compatriots. When we make ourselves this region's policeman we make our young men and women targets for armed fanatics. And committing them will continue to place greater strains and burdens on our over-stretched military.

Neither side there likes us. Neither side respects us. Neither side wants us there. Who are we protecting?

There is no reason to believe that the Albanian and Serb positions are reconcilable or that either side wants reconciliation.

The risks of this strategy are that transparent. The benefits in contrast are little more than wishes and hopes which we have no reason to believe will materialize. Some have argued that defeating this resolution today will kill the peace process. Let me just say that if killing the so-called peace process saves American lives I will always make that choice.

We should oppose this deployment because it will only erode our military strength, weaken

our nation's credibility and place our military forces at great risk.

If you vote to approve this resolution, you should know why, because you may have to explain that to the family of an American soldier. That's not a pleasant thought. I hope, with all my heart, it will never come true, but that's your responsibility if you vote for this resolution.

The administration has failed diplomatically. Please don't send our troops over to make some diplomats look good.

Please reject this misguided policy which threatens the lives of our military and the security of our nation.

Mr. EVANS. Mr. Chairman, I support H. Con. Res. 42 and encourage my colleagues to vote for it. At this delicate moment, our support of the President is critical to the success of this peace agreement.

I am always wary of committing our uniformed men and women into conflict. However, I strongly believe that we cannot turn a blind eye to a genocide that is steadily destroying Kosovo and threatening the peace throughout the region. Rejecting this resolution is complying with the continued slaughter of hundreds of thousands of men, women and children. To date, over 400,000 people have been driven from their homes, 200,000 have perished and entire villages have been pillaged in the name of ''ethnic cleansing.''

As the sole remaining superpower, we have a responsibility to the people of the Balkins, NATO and the greater global community to take our proper role in helping to end this tragedy. I believe that our allies have truly stepped up to the plate—the bulk of the peacekeeping forces will not be American, but European. Our participation will help achieve a European solution to this crisis—something that we must encourage.

Now is not the time to step away from our responsibility, but to seize it. I urge my colleagues to support the resolution.

Mr. HILLEARY. Mr. Chairman, I rise today in strong support of our troops, as always, but I stand absolutely opposed to yet another black hole-undefined U.S. troop deployment, this time to Kosovo, for peacemaking and peacekeeping reasons.

The debate today mirrors what we have debated the last 4 years over Bosnia, and yes Mr. Speaker, it is not a news flash that thousands of U.S. troops are right next door and will unfortunately remain there indefinitely.

I remind my colleagues of what the President said before he dispatched thousands of troops to Bosnia. It was to only be a temporary operation of 12 months and only cost the American taxpayers $1 billion dollars. As we all know, we are now in year 4 and the price tag is over $10 billion. We should not be fooled again.

Asked what the plans are now, the Administration says about one year and about $2 billion. Two billion dollars to merely detour warring factions. If and when the United States ever does leave the region, some estimates are that fighting would be restarted within months, if not weeks.

Mr. Chairman, Kosovo is a dangerous place. If there are questions about troop safety and regional stability in the Balkans (Bosnia and Kosovo), I encourage my colleagues to please take a look at a recently released classified GAO report entitled ''International Security; NATO's Operations and Contingency Plans for Stabilizing the Balkans'' (GAO–C–NSIAD–99–4).

However, I have also asked that the GAO provide an unclassified version of this report for the public record. I hope that my colleagues will consider reading one of these versions before we vote.

The President's plan to add more than 4,000 U.S. ground troops to Kosovo on top of the 6,900 troops next door in Bosnia, is wrong.

Much to my dismay, this geographic region is increasingly becoming a permanent forward deployment area and it is conceivable that within the next few years, we might be in half a dozen countries because of a Balkan domino effect.

The Administration failed to answer many key questions before U.S. troops were sent into Bosnia. I ask my colleagues to consider the following three questions which were never answered before.

What is the mission?

Is the mission in our national security interest or is it a European security interest?

What is the exit strategy and when does it kick in?

Mr. Chairman, Congress needs to regain control of this peacemaking/peacekeeping situation, because I think we have a White House with an itch to disperse U.S. troops worldwide with insufficient American security interests at stake.

I hope my colleagues on both sides of the aisle will join me in opposing this important Kosovo resolution.

Mrs. ROUKEMA. Mr. Chairman, I rise to speak on this most serious issue that confronts us today.

There is little disagreement on the brutal behavior of the Serbs and the inhuman atrocities they have inflicted upon the Albanian Kosovars. There is a great human tragedy unfolding in the region.

But the placement of American troops on the ground as a part of peacekeeping force in a sovereign state torn by civil war must be a decision that has been fully debated and consented to by Congress. The President must include Congress in the formulation of this policy.

The Washington Post stated this morning that, ''We think the stakes are sufficient to make it highly desirable that the president's policy be supported by a strong bipartisan vote in Congress. The president ought to be asking forthrightly for congressional approval, not trying to evade a congressional judgment on his policy in Kosovo.''

Some argue that those in this House that have reservations about sending American ground forces to Kosovo are isolationists. I emphatically disagree with this assertion. I firmly support a strong U.S. presence throughout the world on every stage, including military, economic, and political. I worked hard in this body on issues such as full participation in the IMF, being a leader in world trade, economic support to many nations, humanitarian relief and the fight against hunger throughout the world, and the strengthening of NATO to mention a few.

There is no doubt a brutal bloody ethnic civil war is occurring in Kosovo and that there is the need for a greater debate on this issue. These ethnic animosities have existed for centuries of time. But to place American troops in the middle of this ethnic war without a defined mission, without a defined goal, and without an exit strategy is highly questionable. It is a question that must be answered by both the President and Congress before any action it taken.

I question the use of NATO to coerce a sovereign nation to consent to our position on their own internal issues. Europe should take the lead on dealing with the Kosovo situation. Europe should supply the ground troops. I have no problem with the United States providing logistic, technical, and intelligence assets to support our European allies.

As Henry Kissinger stated in his widely read article, Kosovo, in terms of security, is a European interest not an American interest. ''Kosovo is no more a threat to America than Haiti was to Europe and our NATO allies were not asked to help there.''

Let me add this . . . if the President decides to send troops to Kosovo, with or without the consent of Congress, once young Americans hit the ground I will strongly support them with the knowledge that America's sons and daughters will perform with true fidelity to honor, duty, country. They will as always do their best and make us proud.

So I caution my colleagues that this debate is about policy not support of our troops in the field and it is about Congress' role in foreign affairs not isolationism.

With that, Mr. Chairman, I must state my great reservations about sending American troops to Kosovo.

I include the Kissinger editorial in the RECORD of this debate.

[From the Washington Post, Feb. 21, 1999]

NO U.S. GROUND FORCES FOR KOSOVO—LEADERSHIP DOESN'T MEAN THAT WE MUST DO EVERYTHING OURSELVES.

(By Henry Kissinger)

President Clinton's announcement that some 4,000 American troops will join a NATO force of 28,000 to help police a Kosovo agreement faces all those concerned with long-range American national security policy with a quandary.

Having at one time shared responsibility for national security policy and the extrication from Vietnam, I am profoundly uneasy about the proliferation of open-ended American commitments involving the deployment of U.S. forces. American forces are in harm's way in Kosovo, Bosnia and the gulf. They lack both a definition of strategic purpose by which success can be measured and an exit strategy. In the case of Kosovo, the concern is that America's leadership would be impaired by the refusal of Congress to approve American participation in the NATO force that has come into being largely as a result of a diplomacy conceived and spurred by Washington.

Thus, in the end, Congress may feel it has little choice but to go along. In any event, its formal approval is not required. But Congress needs to put the administration on notice that it is uneasy about being repeatedly confronted with ad hoc military missions. The development and articulation of a comprehensive strategy is imperative if we are to avoid being stretched too thin in the face

of other foreseeable and militarily more dangerous challenges.

Before any future deployments take place, we must be able to answer these questions: What consequences are we seeking to prevent? What goals are we seeking to achieve? In what way do they serve the national interest?

President Clinton has justified American troop deployments in Kosovo on the ground that ethnic conflict in Yugoslavia threatens ''Europe's stability and future.'' Other administration spokesmen have compared the challenge to that of Hitler's threat to European security. Neither statement does justice to Balkan realities.

The proposed deployment in Kosovo does not deal with any threat to American security as traditionally conceived. The threatening escalations sketched by the president—to Macedonia or Greece and Turkey—are in the long run more likely to result from the emergence of a Kosovo state.

Nor is the Kosovo problem new. Ethnic conflict has been endemic in the Balkans for centuries. Waves of conquests have congealed divisions between ethnic groups and religions, between the Eastern Orthodox and Catholic faiths; between Christianity and Islam; between the heirs of the Austrian and Ottoman empires.

Through the centuries, these conflicts have been fought with unparalleled ferocity because none of the populations has any experience with—and essentially no belief in—Western concepts of toleration. Majority rule and compromise that underlie most of the proposals for a ''solution'' never have found an echo in the Balkans.

Moreover, the projected Kosovo agreement is unlikely to enjoy the support of the parties for a long period of time. For Serbia, acquiescing under the threat of NATO bombardment, it involves nearly unprecedented international intercession. Yugoslavia, a sovereign state, is being asked to cede control and in time sovereignty of a province containing its national shrines to foreign military force.

Though President Slobodan Milosevic has much to answer for, especially in Bosnia, he is less the cause of the conflict in Kosovo than an expression of it. On the need to retain Kosovo, Serbian leaders—including Milosevic's domestic opponents—seem united. For Serbia, current NATO policy means either dismemberment of the country or postponement of the conflict to a future date when, according to the NATO proposal, the future of the province will be decided.

The same attitude governs the Albanian side. The Kosovo Liberation Army (KLA) is fighting for independence, not autonomy. But under the projected agreement, Kosovo, now an integral part of Serbia, is to be made an autonomous and self-governing entity within Serbia, which, however, will remain responsible for external security and even exercise some unspecified internal police functions. A plebiscite at the end of three years is to determine the region's future.

The KLA is certain to try to use the cease-fire to expel the last Serbian influences from the province and drag its feet on giving up its arms. And if NATO resists, it may come under attack itself—perhaps from both sides. What is described by the administration as a ''strong peace agreement'' is like to be at best the overture to another, far more complicated set of conflicts.

Ironically, the projected peace agreement increases the likelihood of the various possible escalations sketched by the president as justification for a U.S. deployment. An independent Albanian Kosovo surely would seek to incorporate the neighboring Albanian minorities—mostly in Macedonia—and perhaps even Albania itself. And a Macedonian conflict would land us precisely back in the Balkan wars of earlier in this century. Will Kosovo then become the premise for a NATO move into Macedonia, just as the deployment in Bosnia is invoked as justification for the move into Kosovo? Is NATO to be the home for a whole series of Balkan NATO protectorates?

What confuses the situation even more is that the American missions in Bosnia and Kosovo are justified by different, perhaps incompatible, objectives. In Bosnia, American deployment is being promoted as a means to unite Croats, Muslims and Serbs into a single state. Serbs and Croats prefer to practice self-determination but are being asked to subordinate their preference to the geopolitical argument that a small Muslim Bosnian state would be too precarious and irredentist. But in Kosovo, national self-determination is invoked to produce a tiny state nearly certain to be irredentist.

Since neither traditional concepts of the national interest nor U.S. security impel the deployment, the ultimate justification is the laudable and very American goal of easing human suffering. This is why, in the end, I went along with the Dayton agreement in so far as it ended the war by separating the contending forces. But I cannot bring myself to endorse American ground forces in Kosovo.

In Bosnia, the exit strategy can be described. The existing dividing lines can be made permanent. Failure to do so will require their having to be manned indefinitely unless we change our objective to self-determination and permit each ethnic group to decide its own fate.

In Kosovo, that option does not exist. There are no ethnic dividing lines, and both sides claim the entire territory. America's attitude toward the Serbs' attempts to insist on their claim has been made plain enough; it is the threat of bombing. But how do we and NATO react to Albanian transgressions and irredentism? Are we prepared to fight both sides and for how long? In the face of issues such as these, the unity of the contact group of powers acting on behalf of NATO is likely to dissolve. Russia surely will increasingly emerge as the supporter of the Serbian point of view.

We must take care not to treat a humanitarian foreign policy as a magic recipe for the basic problem of establishing priorities in foreign policy. The president's statements ''that we can make a difference'' and that ''America symbolizes hope and resolve'' are exhortations, not policy prescriptions. Do they mean that America's military power is available to enable every ethnic or religious group to achieve self-determination? Is NATO to become the artillery for ethnic conflict? If Kosovo, why not East Africa or Central Asia? And would a doctrine of universal humanitarian intervention reduce or increase suffering by intensifying ethnic and religious conflict? What are the limits of such a policy and by what criteria is it established?

In my view, that line should be drawn at American ground forces for Kosovo. Europeans never tire of stressing the need for greater European autonomy. Here is an occasion to demonstrate it. If Kosovo presents a security problem, it is to Europe, largely because of the refugees the conflict might generate, as the president has pointed out. Kosovo is no more a threat to America than Haiti was to Europe—and we never asked for NATO support there. The nearly 300 million Europeans should be able to generate the ground forces to deal with 2.3 million Kosovars. To symbolize Allied unity on larger issues, we should provide logistics, intelligence and air support. But I see no need for U.S ground forces; leadership should not be interpreted to mean that we must do everything ourselves.

Sooner of later, we must articulate the American capability to sustain a global policy. The failure to do so landed us in the Vietnam morass. Even if one stipulates an American strategic interest in Kosovo (which I do not), we must take care not to stretch ourselves too thin in the face of far less ambiguous threats in the Middle East and Northwest Asia.

Each incremental deployment into the Balkans is bound to weaken our ability to deal with Saddam Hussein and North Korea. The psychological drain may be even more grave. Each time we make a peripheral deployment, the administration is constrained to insist that the danger to American forces is minimal—the Kosovo deployment is officially described as a ''peace implementation force.''

Such comments have two unfortunate consequences: They increase the impression among Americans that military force can be used casualty-free, and they send a signal of weakness to potential enemies. For in the end, our forces will be judged on how adequate they are for peace imposition, not peace implementation.

I always am inclined to support the incumbent administration in a forceful assertion of the national interest. And as a passionate believer in the NATO alliance, I make the distinctions between European and American security interests in the Balkans with the utmost reluctance. But support for a strong foreign policy and a strong NATO surely will evaporate if we fail to anchor them in a clear definition of the national interest and impart a sense of direction to our foreign policy in a period of turbulent change.

Mr. EWING. Mr. Chairman, I rise today to express my concern with the possibility that U.S. troops my soon be deployed to Kosovo. The U.S. has promised to send approximately 4,000 troops to Kosovo to enforce a cease-fire that has not yet been agreed to. We are told that our servicemen and women will be in Kosovo for at least three years, but are given no indication of the expected cost, or the goals of the mission.

I am troubled by the fact that the administration appears to be rushing towards a quick deployment without explaining to the Congress and the country why our troops need to be sent to Kosovo. I have yet to hear a clear explanation of what our interests are in Kosovo—why does the most powerful nation in the world need to put its troops in harm's way to enforce a peace agreement that doesn't even exist?

I am not convinced that it is in our best interest to send U.S. troops to Kosovo. We have many potential trouble spots brewing around the world that beg for our attention—North Korea, China's missile race, and the deteriorating situation in Russia are national security problems vital to our interests, and they beg for strong U.S. involvement. Yet Congress is being told that the situation in Kosovo is a vital national security concern, and this threat justifies placing our troops in harm's way.

We have had troops in Bosnia since 1995, at a cost of more than $12 billion. This is money that is taken directly from DoD accounts, reducing our readiness in other crucial areas. Even worse, the long and repeated tours of duty in Bosnia have convinced many soldiers in the active and reserve branches to retire, depleting our ranks of dedicated and experienced people. Congress is now told that the Army wants to lower its recruitment standards and begin hiring high school dropouts to make up for shortages in manpower.

The same crowd that ridiculed the ''Domino Theory'' of communist expansion now appear to be advancing their own ''Domino Theory'' for the region around the former Yugoslavia—first it was Macedonia, then Bosnia, now Kosovo, and then what?

Mr. Chairman, a convincing case has not been made for the necessity of U.S. troop involvement in Kosovo. The U.S. does not need the best trained and most powerful army in the world sitting in Kosovo playing peacekeeper. If Europe is so concerned about the destabilizing effects of Kosovo, then let them handle the problem. When it is said that ''NATO'' will be providing the troops, that usually can be translated as ''the U.S.'' America pays the bills and undertakes most of the difficult missions—virtually all the bombing and other air missions are handled by our Air Force.

Our troops have been in Bosnia since 1995, at a huge cost to our military readiness and to the Defense budget. We must resist the urge to use military force to resolve every humanitarian problem that crops us. We need to take our troops out of the equation in Kosovo and begin focusing on real national security concerns.

Mr. COSTELLO. Mr. Chairman, I rise in opposition to consideration of this resolution authorizing the use of U.S. ground troops in Kosovo.

I do not support putting American ground troops, even as part of a NATO force, in the middle of a civil war in central Europe. But I object to this resolution on other grounds, as well. This very debate may hamstring our negotiators as they seek a peaceful resolution of the Kosovo conflict with the Serbian government and ethnic Albanians.

It makes no sense to me that the Congress is debating a resolution on use of force before our negotiators have even concluded their attempts to resolve the Kosovo situation peacefully. I hope we do not damage their efforts by even taking this resolution under consideration.

I am not opposed to NATO forces being involved in enforcing an agreement. Our air forces have effectively been used to enforce the United Nations resolutions involving Iraq, for example. However, I do not believe it is in our best interests—or in the interest of the European Community—for Americans to be part of a ground force in Kosovo. That is why I will cast my vote against this resolution today.

Mr. FRELINGHUYSEN. Mr. Chairman, while there may be no desire by President Clinton and his Administration to recognize Congress' role in determining whether or not to deploy troops to Kosovo, we all know that their decision will require Congress to find the necessary dollars to pay for this mission. And there is no question that Congress will provide the necessary dollars to support our men and women in uniform.

But we need to be prepared for the tough choices that lie ahead.

Let's take the U.S. mission in Bosnia as an example. We have been in Bosnia for almost four years and there is still no end-date in sight. Yet, the Administration has not included funding for this mission in their budget until this year. This open-ended mission, while it has saved lives, it has also cost $19 billion to date.

The Administration may be embarking on this mission in Kosovo to save lives and prevent open warfare in the Balkans, but we here in Congress will be responsible for making the tough decisions about how to pay for it.

There is no money in the President's budget to pay for this deployment. The Administration has requested increased spending on all sorts of new programs from education to health care but there is no money for our troops that may be deployed in Kosovo.

And from the hearings I have attended so far as a Member of the Defense Appropriations Subcommittee, we are already facing real shortfalls in funding and manpower in several other ongoing missions, including the Persian Gulf. And don't be fooled by claims that this mission will be far more limited than the one in Bosnia and thus, less costly. In a recent hearing with Secretary of Defense Cohen, I asked him about the U.S. commitment to deploy 4,000 troops as part of a larger NATO force. In reality, he told me that the number is closer to 12,000 because for every one of our men on the ground, 3 more of our soldiers are required in support.

So, I rise to forewarn my colleagues that we will face some very tough choices about how to pay for these missions, as well as the proposed pay raise for our military personnel and to address the many other shortfalls in our military readiness. The President has failed to do so in his budget, but we will not. The President has not only failed to consult Congress, but he has failed in his budget proposal to say how he will pay for this critical decision.

Mr. LIPINSKI. Mr. Chairman, I rise today in opposition to H. Con. Res. 42, a concurrent resolution regarding the use of U.S. Armed Forces as part of a NATO peacekeeping operation implementing a Kosovo peace agreement.

Let me first say that I am a strong supporter of the brave and hard-working men and women of our armed services. I salute them for all they have done for our great nation, and I am extremely proud of them.

However, this is an initiative that NATO was never intended to undertake. As Henry Kissinger said at a House International Relations Committee hearing, this would be an ''unprecedented extension of NATO's authority.''

More importantly, I believe that inserting our troops in the middle of an ethnically charged civil war is very dangerous. Neither the Albanians nor the Serbs are interested in any sort of compromise. The Albanians want only independence and the Serbs, who view Kosovo as the cradle of the Serbian civilization, are unwilling to give up their ancestral homeland. If neither side is interested in working out a peaceful agreement, the introduction of American troops into the conflict will probably inflame anti-American sentiments and Albanian nationalism with disastrous results. They don't want our help and don't want to work towards peace. I do not believe that we should risk the lives of our troops for intangible goals that have no basis in reality.

Now, I certainly do not advocate the actions of Yugoslav President Slobodan Milosevic. There is a compelling body of evidence to believe that Milosevic is guilty of crimes against humanity and other war crimes, and I am deeply concerned about this affront to human rights. This chamber has voted to support the International Criminal Tribunal for the former Yugoslavia in its efforts to bring Milosevic to justice. However, without a well thought out plan on how we should utilize our troops, I cannot support this action.

Mr. Chairman, look at the other conflicts we have gotten involved with. Somalia was a disaster. Iraq continues in its defiance. American troops are still inextricably entangled in Bosnia. Haiti dissolved its democracy and now has an authoritarian regime. The track record for this Administration is not good.

The Administration has not explained how dragging American troops into another ethnic conflict will protect American interests, and until that is done in a satisfactory fashion, I cannot and will not support the Administration's attempts to put American troops in harm's way.

Mr. Chairman, we are not the emergency 911 number for the world, and I urge my colleagues to oppose this resolution.

Mr. FORD. Mr. Chairman, I rise today in support of the Gejdenson Amendment to H. Con. Res. 42. Three months before he died, in his fourth inaugural address, President Franklin Roosevelt expressed his hope for a ''just, honorable, and durable'' settlement to World War II. But he cautioned against acting impetuously to bring about this settlement, knowing that ''peace could not be achieved immediately.''

President Roosevelt was aware that peacemaking is a delicate process. We have learned, as a country and as a people, that peace is a difficult goal to achieve. Peace takes engagement. Most of all, peace takes time.

As most of you know, I am the youngest member of the House. Many people have tried to find a name for my generation, because in earlier times there was the World War I generation, the World War II generation, and the Vietnam Generation. There are no wars to name us by. Why is that? Because we have learned that U.S. forces should only be used when there is a clear goal and U.S. interests are threatened. And even then, we must use force judiciously and effectively.

I myself have some concerns on the extent of our commitment, our exit strategy, and our rules of engagement. But how can we dictate the terms of our involvement when a settlement has not yet been reached?

Unfortunately, the majority has brought this resolution to the floor at this time, against the blatant wishes of all those involved in the process, from Senator Dole to the President to the Kosovars to the Serbs. This is an obstruction of the peace process. I support this amendment because I support the Administration's efforts to secure a just peace.

At the same time, we must play our constitutional role responsibly. Let the Administration continue its efforts toward reaching a settlement. As Speaker HASTERT himself said two weeks ago, let's give them the "room to negotiate." I would be surprised to learn that Speaker HASTERT considers two weeks enough time to resolve a conflict that spans centuries.

The President should continue taking steps to bring the parties to a fair and just agreement. If and when such an agreement is reached, we should give our full support for the deployment of U.S. troops. For these reason, I support the Gejdenson Amendment to H. Con. Res. 42.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the concurrent resolution is considered read for amendment under the 5-minute rule.

The text of House Concurrent Resolution 42 is as follows:

H. CON. RES. 42

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

SECTION 1. SHORT TITLE.

This resolution may be cited as the "Peacekeeping Operations in Kosovo Resolution".

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) The conflict in Kosovo has caused great human suffering and, if permitted to continue, could threaten the peace of Europe.

(2) The Government of Serbia and representatives of the people of Kosovo may agree in Rambouillet, France, to end the conflict in Kosovo.

(3) President Clinton has promised to deploy approximately 4,000 United States Armed Forces personnel to Kosovo as part of a North Atlantic Treaty Organization (NATO) peacekeeping operation implementing a Kosovo peace agreement.

SEC. 3. AUTHORIZATION FOR DEPLOYMENT OF UNITED STATES ARMED FORCES TO KOSOVO.

The President is authorized to deploy United States Armed Forces personnel to Kosovo as part of a NATO peacekeeping operation implementing a Kosovo peace agreement.

The CHAIRMAN. No amendment to the concurrent resolution is in order except those printed in the portion of the CONGRESSIONAL RECORD designated for that purpose and pro forma amendments for the purpose of debate. Amendments printed in the RECORD may be offered only by the Member who caused it to be printed or his designee, and shall 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.

Are there any amendments to the concurrent resolution?

AMENDMENT NO. 7 OFFERED BY MR. GEJDENSON

Mr. GEJDENSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. GEJDENSON:

Page 2, after line 3, insert the following:

(3) Former Senator Robert Dole recently traveled to the region to meet with the Kosovar Albanians and deliver a message from President Clinton encouraging all parties to reach an agreement to end the conflict in Kosovo.

(4) Representatives of the Government of Serbia and representatives of the Kosovar Albanians are scheduled to reconvene in France on March 15, 1999.

Page 2, line 4, strike "(3)" and insert "(5)".

Page 2, strike line 9 and all that follows and insert the following:

SEC. 3. DEPLOYMENT OF UNITED STATES ARMED FORCES TO KOSOVO.

(a) DECLARATION OF POLICY RELATING TO INTERIM AGREEMENT.—The Congress urges the President to continue to take measures described in (b) to support the ongoing peace process relating to Kosovo with the objective of reaching a fair and just interim agreement between the Serbian Government and the Kosovar Albanians on the status of Kosovo.

(b) AUTHORIZATION FOR DEPLOYMENT OF ARMED FORCES.—If a fair and just interim agreement described in subsection (a) is reached, the President is authorized to deploy United States Armed Forces personnel to Kosovo as part of a NATO peacekeeping operation implementing such interim agreement.

(c) DECLARATION OF POLICY RELATING TO SUPPORT FOR ARMED FORCES.—The Congress unequivocally supports the men and women of the United States Armed Forces who are carrying out their missions in support of peace in the Balkan region, and throughout the world, with professional excellence, dedicated patriotism, and exemplary bravery.

SEC. 4. LIMITATION.

The authorization in section 3 is subject to the limitation that the number of United States Armed Forces personnel participating in a deployment described in that section may not exceed 15 percent of the total NATO force deployed to Kosovo in the peacekeeping operation described in that section, except that such percentage may be exceeded if the President determines that United States forces or United States citizens are in danger and notifies Congress of that determination.

POINT OF ORDER

Mr. GILMAN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. GILMAN. Mr. Chairman, subsection 3 of the proposed amendment includes language that goes beyond the jurisdiction of the Committee on International Relations and extends into the jurisdiction of the Committee on National Security. Additionally, the subject matter of the amendment is different from the underlying text.

For both of these reasons, I urge the Chair to sustain a point of order.

PARLIAMENTARY INQUIRY

Mr. GEJDENSON. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GEJDENSON. Mr. Chairman, is it my understanding that the objection relates to the statement that the Congress unequivocally supports the men and women of the United States Armed Forces who are carrying out their mission in support of peace in the Balkans and throughout the world with professional excellence and dedicated patriotism?

Mr. GILMAN. Mr. Chairman, regular order.

Mr. GEJDENSON. Mr. Chairman, is that the section the gentleman is objecting to?

The CHAIRMAN. The gentleman will suspend.

If the gentleman has a parliamentary inquiry, or if the gentleman would like to be heard on the point of order, the Chair would recognize him.

Mr. GEJDENSON. Mr. Chairman, my question is, is that the section that the gentleman objects to?

Mr. GILMAN. Yes. That is correct, Mr. Chairman.

The CHAIRMAN. The gentleman is not making a proper parliamentary inquiry of the Chair. The Chair will rule on the germaneness of the amendment after hearing argument.

Does the gentleman wish to be heard on the point of order?

Mr. GEJDENSON. I do wish to be heard, Mr. Chairman.

The CHAIRMAN. The gentleman may proceed.

Mr. GEJDENSON. Mr. Chairman, it is my understanding that the Chairman has just indicated that he objects to this one section that commends the armed forces for the excellence that they are involved in in carrying out their mission and their commitment. I would, at the appropriate time, ask for unanimous consent that we allow this language to be retained, because I do think, no matter which side of this issue people are on, that they want to express their support and admiration for our troops.

So I would ask unanimous consent at the appropriate time, or ask the gentleman to withdraw his point of order so that we can go forward with our amendment. It does not really change the policy or the amendment itself; it is simply, I think, the kind of support we have always included in times when we are dealing with foreign policy issues, and we ought not let jurisdictional battles in the Congress preclude us from making a positive statement about the troops.

The CHAIRMAN. Is there any other Member who wishes to be heard on the point of order?

The Chair recognizes the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Chairman, I want to express support for our forces, as all of our colleagues do, and as a veteran, I know the sacrifices that our men and women are asked to make.

I would support a separate resolution on this matter at an appropriate time,

but I do not think that this is an appropriate part of this resolution, and I raise the point of order.

The CHAIRMAN. If there are no other Members who wish to be heard on the point of order, the Chair is ready to rule.

The gentleman from New York makes the point of order that the amendment offered by the gentleman from Connecticut is not germane.

The concurrent resolution authorizes the President to deploy United States Armed Forces to implement a Kosovo peace agreement. Its provisions fall exclusively within the jurisdiction of the Committee on International Relations. That committee has jurisdiction over ''intervention abroad'', which includes the deployment of armed forces by the President. Conditions, limitations or other attributes of such deployment are within the ambit of ''intervention abroad.''

The amendment offered by the gentleman from Connecticut includes a provision declaring the support of Congress for the armed forces who are carrying out their missions in the Balkan region. As evidenced by the referral of House Resolution 306 in the 104th Congress which was considered by the House, such a provision falls within the jurisdiction of both the Committee on Armed Services and the Committee on International Relations. The sentiment contained in section 3 of the amendment is not a condition, limitation or attribute of the deployment of armed forces to Kosovo.

As noted in section 798a and 798c of the House Rules and Manual of the 105th Congress, to be germane, an amendment must relate to the same subject matter and the same jurisdiction as are addressed in the concurrent resolution. The Chair finds that the amendment fails both of these longstanding tests. Therefore, the Chair holds that the amendment is not germane. Accordingly, the point of order is sustained.

Mr. GEJDENSON. Mr. Chairman, I move to appeal the ruling of the Chair.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the Committee?

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. GEJDENSON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 218, noes 205, not voting 10, as follows:

[Roll No. 47]

AYES—218

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
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
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
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
McHugh
McInnis
McIntosh
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
Pryce (OH)
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (FL)

NOES—205

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gejdenson
Gephardt
Gonzalez
Goode
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
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
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wynn

NOT VOTING—10

Becerra
Bilbray
Capps
Frost
John
Mollohan
Quinn
Reyes
Wu
Young (AK)

□ 1614

Mr. MORAN of Virginia, Ms. LOFGREN, Ms. BERKLEY, and Ms. KAPTUR changed their vote from ''aye'' to ''no.''

So the decision of the Chair stands as the judgment of the Committee.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. GEJDENSON

Mr. GEJDENSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. GEJDENSON:

Page 2, after line 3, insert the following:

(3) Former Senator Robert Dole recently traveled to the region to meet with the Kosovar Albanians and deliver a message from President Clinton encouraging all parties to reach an agreement to end the conflict in Kosovo.

(4) Representatives of the Government of Serbia and representatives of the Kosovar Albanians are scheduled to reconvene in France on March 15, 1999.

Page 2, line 4, strike ''(3)'' and insert ''(5)''.

Page 2, strike line 9 and all that follows and insert the following:

SEC. 3. DEPLOYMENT OF UNITED STATES ARMED FORCES TO KOSOVO.

(a) DECLARATION OF POLICY RELATING TO INTERIM AGREEMENT.—The Congress urges the President to continue to take measures described in (b) to support the ongoing peace

process relating to Kosovo with the objective of reaching a fair and just interim agreement between the Serbian Government and the Kosovar Albanians on the status of Kosovo.

(b) AUTHORIZATION FOR DEPLOYMENT OF ARMED FORCES.—If a fair and just interim agreement described in subsection (a) is reached, the President is authorized to deploy United States Armed Forces personnel to Kosovo as part of a NATO peacekeeping operation implementing such interim agreement.

At the end of the resolution, add the following new section:

SEC. 4. LIMITATION.

The authorization in section 3 is subject to the limitation that the number of United States Armed Forces personnel participating in a deployment described in that section may not exceed 15 percent of the total NATO force deployed to Kosovo in the peacekeeping operation described in that section, except that such percentage may be exceeded if the President determines that United States forces or United States citizens are in danger and notifies Congress of that determination.

PARLIAMENTARY INQUIRY

Mr. TRAFICANT. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. TRAFICANT. Mr. Chairman, I have a perfecting amendment to the Gejdenson amendment or to the Fowler amendment. It is not a substitute. It is in fact an additional section that would leave the Gejdenson amendment in effect.

What would be the process here since the Fowler amendment is in fact a substitute for Gejdenson? Is it? It is not?

The CHAIRMAN. The Chair informs the gentleman from Ohio (Mr. TRAFICANT) that the amendment pending is the amendment offered by the gentleman from Connecticut (Mr. GEJDENSON). No other amendment or substitute has been offered to the amendment offered by the gentleman from Connecticut. The gentleman from Connecticut is entitled to speak for 5 minutes on his amendment.

Mr. TRAFICANT. Mr. Chairman, further parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. TRAFICANT. Mr. Chairman, I will have, then, an amendment, a secondary amendment to the Gejdenson amendment in the form of an addition, and I would like to be protected for an opportunity to provide that amendment.

The CHAIRMAN. The Chair cannot guarantee recognition of any Member for the purpose of offering second degree amendments. The Chair's job is to follow regular order, and that is what the Chair intends to do.

The Chair recognizes the gentleman from Connecticut (Mr. GEJDENSON) for 5 minutes on his amendment.

Mr. GEJDENSON. Mr. Chairman, let me first say to my friends that the gentleman from Ohio (Mr. TRAFICANT), while he referenced it as a perfecting amendment, I would say that is a term of the parliamentary procedures. I would not see it as an improvement on the underlying amendment. He has a right to offer it, but I disagree with that. I will just get that out on the table.

Let me tell my colleagues a story about my father. My father will turn 87 in the next 5 days. Although he never spoke about World War II much, he told me this one story of a day that raised his hopes, and then of course there was a lot more calamity after that day. It was December 7, 1941.

He was a prisoner in a work camp run by the Germans, the Nazis in World War II. He was one of thousands of Jews across Eastern Europe who had been rounded up. In his small village of Profonia, there was about 400 Jews and 400 non-Jews. The Jews were put into a labor camp.

On that day or shortly after December 7, he heard that American ships had been bombed in Pearl Harbor. While in this country there was obviously great anxiety, my father saw great hope, because for the first time in the darkness of World War II, he had the vision and hope that America would be rapidly in this war and that it would soon be over. But he was wrong.

Before American forces could liberate concentration camps and work camps across Europe, virtually every member of his family and every Jewish member of that village, except for a few, were shot to death in a small depression in their town.

A friend of mine, Senator WYDEN's father, found me a letter from a Nazi who witnessed the executions. He said the first person he shot was a woman who had given birth the day before. They had her stand naked. They shot her and her child and proceeded to shoot every other member of the village that they had rounded up.

What we do here today is not an academic exercise. It is not simply a function of parliamentary procedures between the executive and the legislative. This has a real life and death impact for people on this planet.

We are going to decide whether or not today these negotiations have a chance at succeeding. There is no guarantee they will succeed. There is a hope that they will succeed, but there is a guaranteed failure if the House shuts off the administration's abilities to move forward.

There is no constitutional demand that we vote on this, but we are here by the procedures that have been forced upon us. So having them before us, we had better vote yes.

We are not asking to assert American forces in a live fire zone. We have had on both sides of the aisle broad bipartisan support to send Americans in harm's way where many would perish. We are sending the smallest percentage of Americans in a conflict in my memory, and the President and the Secretary of State say they only enter if a peace agreement has been signed.

So whatever my colleagues' inclinations are, whatever my colleagues' philosophies are about war powers in the Constitution, that small village in Profonia may be replayed again, and it will be on our head what happens to those people.

Think carefully before one makes their final vote today. This is not about relationships with the White House, Democrats versus Republicans, those who believe in intervention and nonintervention. This is about whether we give peace a chance and whether we have an opportunity to let children grow into adults.

Mr. Chairman, I yield to the gentleman from Texas (Mr. TURNER), the cosponsor of this resolution.

Mr. TURNER. Mr. Chairman, it is a pleasure to offer this amendment which I think embodies the intent of many Members of this body. This amendment very clearly states that if a just and fair interim agreement is not reached we will not deploy troops.

The President made that very clear as his position on February 4 in a speech made here in Washington at the Baldridge Quality Awards Ceremony. No troops unless there is first an agreement. We believe this amendment should be adopted to make that clear.

Secondly, we believe that there is a limited involvement that the United States should have and that that involvement should be limited to 15 percent of the total troop force assembled by the NATO forces for this mission

AMENDMENT OFFERED BY MRS. FOWLER TO AMENDMENT NO. 5 OFFERED BY MR. GEJDENSON

Mrs. FOWLER. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mrs. FOWLER to Amendment No. 5 offered by Mr. GEJDENSON:

Page 1, strike line 1 and all that follows through line 9 and insert the following:

(1) President Clinton is contemplating the introduction of ground elements of the United States Armed Forces to Kosovo as part of a larger North Atlantic Treaty Organization (NATO) operation to conduct peacemaking or peacekeeping between warring parties in Kosovo, and these Armed Forces may be subject to foreign command.

(2) Such a deployment, if it were to occur, would in all likelihood require the commitment of United States ground forces for a minimum of 3 years and cost billions of dollars.

(3) Kosovo, unlike Bosnia, is a province of the Republic of Serbia, a sovereign foreign state.

(4) The deployment of United States ground forces to enforce a peace agreement between warring parties in a sovereign foreign state is not consistent with the prior employment of deadly military force by the United States against either or both of the warring parties in that sovereign foreign state.

(5) The Secretary of Defense, William Cohen, has opposed the deployment of United States ground forces to Kosovo, as reflected

in his testimony before the Congress on October 6, 1998.

(6) The deployment of United States ground forces to participate in the peacekeeping operation in Bosnia, which has resulted in the expenditure of more than $10,000,000,000 by United States taxpayers to date, which has already been extended past 2 previous withdrawal dates established by the administration, and which shows no sign of ending in the near future, clearly argues that the costs and duration of a deployment to Kosovo for peacekeeping purposes will be much heavier and much longer than initially foreseen.

(7) The substantial drain on military readiness of a deployment to Kosovo would be inconsistent with the need, recently acknowledged by the Joint Chiefs of Staff, to reverse the trends which have already severely compromised the ability of the United States Armed Forces to carry out the basic National Military Strategy of the United States.

(8) The Congress has already indicated its considerable concern about the possible deployment of United States Armed Forces to Kosovo, as evidenced by section 8115 of the Department of Defense Appropriations Act, 1999 (Public Law 105–262; 112 Stat. 2327), which sets forth among other things a requirement for the President to transmit to the Congress a report detailing the anticipated costs, funding sources, and exit strategy for any additional United States Armed Forces deployed to Yugoslavia, Albania, or Macedonia.

(9) The introduction of United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities may occur, clearly indicates authorization by the Congress when such action is not required for the defense of the United States, its Armed Forces, or its nationals.

(10) United States national security interests in Kosovo do not rise to a level that warrants the introduction of United States ground forces in Kosovo for peacekeeping purposes.

Page 1, strike the second amendatory instructions and insert the following:

Page 1, strike line 8 and all that follows through line 3 on page 2.

Page 2, strike line 4 and all that follows through line 8.

Page 1, line 10, strike ''**DEPLOYMENT**'' and insert ''**LIMITATION ON DEPLOYMENT**''.

Page 1, line 14, strike ''described in (b)'' and insert '', subject to the limitation contained in subsection (b),''.

Page 2, strike line 1 through line 6 and insert the following:

(b) LIMITATION.—The President is not authorized to deploy ground elements of the United States Armed Forces to Kosovo as part of a North Atlantic Treaty Organization (NATO) operation to implement a peace agreement between the Republic of Serbia and representatives of ethnic Albanians living in the province of Kosovo.

(c) RULES OF CONSTRUCTION.—Nothing in this concurrent resolution shall be construed—

(1) to prevent United States Armed Forces from taking such actions as the Armed Forces consider necessary for self-defense against an immediate threat emanating from the Republic of Serbia; or

(2) to restrict the authority of the President under the Constitution to protect the lives of United States citizens.

Strike the second line 1 and all that follows:

Mrs. FOWLER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Florida?

Mr. GEJDENSON. Mr. Chairman, reserving the right to object, we have not yet seen the language of this amendment, and we would like our counsel to just have a moment.

The CHAIRMAN. Does the gentleman object to the dispensing of the reading?

Mr. GEJDENSON. No, Mr. Chairman.

The CHAIRMAN. Without objection, the amendment is considered as having been read.

There was no objection.

The CHAIRMAN. The gentlewoman from Florida (Mrs. FOWLER) is recognized for 5 minutes on her amendment.

Mrs. FOWLER. Mr. Chairman, the amendment that I am putting forward today with the gentlewoman from Missouri (Ms. DANNER) would make it clear that the House does not support the deployment of United States ground forces to Kosovo and would spell out the reasons why.

There is no question that the situation in Kosovo is a tragedy. My heart aches for the people there just as it does for those who are caught in the midst of the civil war in Sierra Leone, the victims of religious strife in Kashmir and Indonesia, the hundreds of thousands suffering from induced famine in North Korea, the masses subjected to suppression of human rights in China and Cuba, the many who have been violated by enslavement in Sudan.

But as much as we would like to see all of these tragedies resolved and as much energy as our diplomats and other officials might appropriately expend to accomplish that, we have not sent our troops to those places because it is not within our power to solve all the world's problems.

□ 1630

It does not make sense to me to compound the tragedy in Kosovo by deploying American troops there and subjecting them to hostilities and potential casualties. That would be an even greater tragedy.

Simply put, while I am willing to provide other forms of support, including air, intelligence, communications and logistics support to a European initiative to deploy ground forces to Kosovo, steps which my amendment would permit, I do not believe that our national security interests in Kosovo rise to a level that warrants the commitment of U.S. ground troops.

I am deeply concerned that U.S. ground forces are about to be deployed on the sovereign territory of a dictator who is essentially being blackmailed to accept a NATO military presence. The administration is pressuring Milosevic and the KLA to negotiate by literally holding a gun to their heads. Even if an agreement on Kosovo is reached, it is a recipe for resentment, not reconciliation, and it will be our troops on the ground in the cross hairs.

Furthermore, I am deeply concerned that the administration has not articulated an exit strategy and that there has been no determination made regarding the cost of the operations or the source of funds to pay for it. The administration's initiative would draw the United States further into commitments in the Balkans that have already cost U.S. taxpayers some $10 billion. After violating two self-imposed deadlines for the withdrawal of our military forces from Bosnia, the administration today offers no end in sight to our commitment there.

I would note that the Congress is already on record in requiring the administration, in Section 8115 of the fiscal year 1999 Defense Appropriations bill, to provide a report to the Congress on the national security justification, exit strategy, cost, source of funds, and other key considerations before the deployment of any additional U.S. forces to Yugoslavia, Albania or Macedonia. That is Public Law that we voted on in this House and the President signed.

The President has indicated that the size of any U.S. ground presence will be small. The fact is the deployment will last for a minimum of 3 years. It will increase already sky-high military personnel deployment rates. It will place a significant additional strain on our troops and will further compromise the Nation's military readiness.

For those who have not been out in the field to see our troops firsthand, today our military is undermanned, is undertrained, and is underequipped. Our service people have had it with constant deployments, chronic shortages and cannibalized equipment.

For me, the bottom line is this: Could I look one of my neighbors in the eye and tell them, with conviction, that their loved one died in Kosovo in defense of America's vital interests? The answer is no. I urge Members to vote ''yes'' on the Fowler-Danner amendment.

Mr. LANTOS. Mr. Chairman, I rise in opposition to the gentlewoman's amendment.

I have visited our troops in Bosnia on several occasions. One of the great miracles of the Bosnia venture is that not one single American soldier has been injured or killed as a result of that participation, but our presence, along with our NATO allies, has prevented the continuing bloodbath that has inflicted that territory.

Now, no one is arguing that American troops should go to war in Kosovo. What we are advocating is a conclusion of an agreement between the Albanians and the Serbs in Kosovo, after which, upon invitation, a 28,000 person force would go to that country to keep the

peace. Of the 28,000 soldiers, 4,000 should be members of our own armed forces.

Kosovo, in a sense, is becoming a secondary issue in this debate. What we are talking about is the survival and the vitality of NATO. As I mentioned earlier today, some of us will be in Independence, Missouri, tomorrow at the Truman Library with the ambassadors and governmental leaders of Poland, the Czech Republic and Hungary, as we invite them to join NATO. They will ask the question: Why should they join NATO if NATO is unwilling, upon invitation, to take part in a peacekeeping mission?

The gentlewoman is talking about military readiness. What is the military readiness for if it is not to prevent the continuance of bloodshed upon reaching an agreement between the Albanians and the Serbs?

This debate today in this House makes me awfully glad that some of my colleagues were not here when the decision was made to participate in the Second World War or the Korean War or the Persian Gulf War. Isolationism is rampant in this body. I repeat that. Isolationism is rampant in this body. If the Congress of the United States is not prepared to participate in a NATO peacekeeping mission, upon the invitation of the two parties, for goodness sake, what is NATO prepared to do? What is the purpose of NATO if it is not minimally to preserve peace in Europe?

I ask my colleagues to reject my colleague's amendment and to accept the responsibility of the one remaining superpower for making a modest contribution, and I underscore it is a modest contribution, to a NATO effort to preserve the peace.

Our friends in the United Kingdom are ready to send 8,000 people to Kosovo, twice as many as we are, yet the Brits' population is one-fifth of ours. What do we tell our friends in London when they are ready to send 8,000 people into that peacekeeping force; that they should do it all? Well, they have told us there will not be a NATO peacekeeping force unless we participate. It is only rational that this minimal participation on the part of the United States be approved overwhelmingly by this body.

The voices of isolationism have often carried the day in the Congress of the United States. I hope to God this will not be one of those days.

Mr. BEREUTER. Mr. Chairman, I move to strike the last word, and I rise in support of the Fowler amendment.

I particularly want to claim the right to speak after the distinguished gentleman from California (Mr. LANTOS), because the gentleman knows perfectly well that this Member is not an isolationist, since the gentleman from California and I were among the two Members who probably had more impact on the President's decision to have a preventive force sent into Macedonia, or the former Yugoslavian, Republic of Macedonia (FYROM), if one prefers, under United Nations auspices. And, of course, this Member voted for deployment of our troops to the Persian Gulf area for Desert Shield and Desert Storm because, in fact, one country, a member of the United Nations, invaded another.

But I do think the gentlewoman's amendment is entirely appropriate, and it does not go to totally restricting American involvement in Kosovo. It simply says no ground troops. It does not prevent all kinds of support, such as logistical, intelligence or even air support.

Now, I would like to address the issue of why the Europeans think American forces should be involved on the ground in Kosovo. Our European friends and allies say they cannot act without American leadership. As a long-term member of the North Atlantic Assembly from the House, I regularly have heard from our European friends that nothing can be done without America. Frankly, this is nonsense. NATO has established and has had in place for the last 2 years a concept or procedure called Combined Joint Task Forces, CJTF, where, out of area, some members of NATO can participate in a mission, out of area without all of them participating. This is an ideal time for the CJTF concept to be employed.

I also would note that the press reports coming out of the negotiations have some of our European friends insisting that the administration's willingness to offer several thousand troops is far too small—that several times that number are necessary. The Europeans desperately want to be treated as equals but they seem terrified to act on their own. While I firmly support the Alliance, we have to break our friends of their undue reliance on U.S. military superiority.

This Member is also concerned about the deployment of more U.S. armed forces on yet another peacekeeping mission. Really, however, in Kosovo it is peace enforcement. There is not going to be any peace to be kept because both these parties, the Government of Yugoslavia or Serbia and the KLA and the Kosovars are being coerced. That peace enforcement mission for U.S. ground forces in Kosovo will exacerbate the detrimental impact these missions are having on our military readiness to respond to a major attack against our direct interests.

Mr. Chairman, peacekeeping is wholly different from war fighting. Military units deployed on peacekeeping assignments must undergo extensive training to regain, renew and reestablish their fighting skills. Reliance on the U.S. to spearhead and to put teeth into peacekeeping or peace enforcement missions is, frankly, eroding the war fighting capability of the United States armed forces. The ever-increasing number of peacekeeping operations threatens to erode it. And, in fact, I would have to say that what has been done by moving this country's armed forces more and more into peace enforcement activities. It is damaging the capability of the U.S. military.

This Member would also mention that frequent and recurring recalls of reservists and National Guardsmen to support these missions will eventually take its toll on U.S. businesses, American productivity and personal careers. Perhaps the Members understand that the gentleman from Washington (Mr. NETHERCUTT) already has a tax credit bill introduced to try to assist businesses whose National Guard personnel and military reservists are abroad all the time. That is an understandable concern. I guess we have had about 10,000 lawsuits filed now against enterprises by Guardsmen or reservists who have not been able, in the eyes of the Guardsmen or the reservists, to be placed back in the job they left for deployment or in a comparable job when they return. Now that should tell us something.

The Administration appears intent to act independent of Congress to commit troops to Kosovo. This is both unconstitutional and it is shortsighted. It jeopardizes the very interests President Clinton has vowed to preserve and protect, placing at risk not only the Balkans but also the U.S. war-fighting capacity.

And I would say that what is happening in Macedonia today, with Serbian troops on their border with tanks and artillery as a result of American and coalition threats, certainly does not stabilize Macedonia; Certainly does not prevent the possibility of Greece and Turkey coming in on opposite sides; it makes a destabilized Macedonia more likely. What is happening there today because of this so-called peace enforcement, peace arrangement between Serbia and the KLA, or the Kosovars, is really destabilizing.

The Kosovars, particularly the KLA, do not have any interest in autonomy. Their interest is independence. And, in fact, we have Members standing up in our committees insisting that the Kosovars should be acting for independence. What is that going to do to the stability of Albania, Turkey, Macedonia and Bulgaria? It is not positive.

Mr. Chairman, I thank my colleagues for listening.

Mr. Chairman, this member has yet to be convinced that this mission is well-thought-out or that it is necessary to risk the lives of U.S. armed forces men and women in another country's civil war. This Member is also mindful of assertions that a civil war in Serbia could spread to Macedonia and then bring two NATO allies into conflict—Greece and Turkey. While this might make a case if the conflict were occurring in a country adjacent to a

NATO ally, Serbia does not meet this criteria. The use of this argument, to deploy U.S. armed forces to Serbia, is nothing more than veiled, highly speculative justification. In this Member's mind, it is a poor display of leadership for the world's only superpower. The Clinton Administration is too quick to resort to the heavy hand of U.S. military intervention. Just because we can, doesn't mean we should!

While some liken the circumstances leading to our potential involvement in Kosovo as similar to those that resulted in U.S. troops deploying to Bosnia, this Member disagrees with this assessment. Unlike Bosnia, Kosovo is not a sovereign nation—it is a province within the sovereign nation of Serbia. The Kosovo Liberation Army (KLA) is an armed separatist group that appears focused on a singularly important objective—independence for the approximately two (2) million ethnic Albanians living in Kosovo. Kosovar leaders, in Serbia, want independence, not peace. Serbs are led by one man, Slobodan Milosevic, who is adamantly opposed to independence for Kosovo and who is willing to militarily oppose the presence of foreign troops in Serbia. With tension on both sides, and a history of failed attempts to establish an accord between Serbs and Kosovars, it is highly likely that the already sizeable casualty count will continue to rise. This Member has not been convinced we should risk adding the names of U.S. personnel to that growing casualty list.

The high tension between KLA and Serb forces, compounded by recent action by the Serbs to amass 4,500 heavily armored troops with artillery on the southern Kosovo border with the Former Yugoslav Republic of Macedonia (FYROM), will turn this into peace-enforcement—a police action. This brings back haunting memories of Korea, Vietnam, and Somalia. As history has shown, peace-enforcement does not lend itself to an exit strategy. Police presence is rarely a temporary situation. In 1995, the Administration indicated that U.S. troops would be home from Bosnia within a year. The fact is that about 6,200 American military personnel remain deployed within Bosnia nearly four years later. The successful resolution of the crisis in Serbia will guarantee a continuous, long-term U.S. military presence there, as well as in Bosnia.

This Member has previously voiced, and still has, enormous difficulties, for many reasons, with the proposal to deploy several thousand U.S. troops as part of a NATO peacekeeping force for Kosovo. Those reservations have nothing to do with whether Serbian misbehavior merits punishment. This Member certainly does not condone anything the Serbs have done recently, or over the past decade, to foment Kosovar unrest. Belgrade has been condescending toward, and abusive of, the rights of ethnic Albanians, giving rise to the KLA. Yet, Secretary of Defense William Cohen correctly has noted that "the notion that only the Serbs have engaged in atrocities is incorrect." While acknowledging that both sides are contributing to the conflict, this member would quickly point out that the KLA forces were not the ones to displace nearly 400,000 people, they did not destroy more than 19,000 homes, nor did they destroy nearly 500 villages. The Serbs accomplished this brutality, now under the ultimate direction of one individual, Slobodan Milosevic.

Despite the precedents set by this Administration's previous actions, or by previous presidents, President Clinton has avoided the constitutional framework for determining whether it is of vital national interest to devote a significant portion of our military capability keeping the peace at two places in the Balkans. Why is this important? It is important because it jeopardizes the continuity of American policy. Policy set by the Administration acting alone in this case becomes susceptible to change upon election of a new president, which will occur in less than 2 years. Congressional approval of any American or NATO invasion of Kosovo, on the other hand, enables continuity of our foreign policy and use of combat force, even after the end of the president's term.

Last, and far from least, we are on the verge of what this Member considers to be a much more serious breech of peace in the Balkans. The People's Republic of China has used its veto power on the U.N. Security Council to kill extension of the first-ever United Nations Preventive Deployment Force (UNPREDEP) in the former Yugoslav Republic of Macedonia (FYROM). Continuation of the international peacekeeping presence in Macedonia (FYROM) has now come into question. Yesterday, the distinguished gentleman from the 12th District in California, the Honorable Tom Lantos, joined this Member in signing a joint letter to the Secretaries of Defense and State, urging, in the strongest possible terms, that a continued U.S. "preventative" peacekeeping force remain in Macedonia. It is this Member's hope that the Scandinavian forces of UNPREDEP will also remain.

Macedonia is surrounded by countries—Albania, Bulgaria, Yugoslavia, Greece, and Turkey—that, themselves, are experiencing internal or external difficulties, or both. Macedonia is a highly volatile friction point, and it is no coincidence that the Macedonian region has been the starting point for past wars. Therefore, it is vitally important that the presence of a stabilization force be maintained. A continuation of the U.N. mandate may no longer be an option, but the U.S. may find it necessary to expand its force structure in this sovereign country, where we, legitimately, have been invited, where we have unambiguous national interests because of threats to the integrity of the NATO alliance, and where we absolutely cannot afford an escalation of conflict. Were Macedonia to become engulfed in ethnic conflict, it is quite possible that Greece and Turkey, two key NATO allies, would become engaged on opposing sides—and Albania and Bulgaria might become involved, too. The potential is that instability in Macedonia would cause the southern Balkans to erupt into yet another conflict, potentially leading to a much broader conflagration, or even war. It is a possibility that must be avoided.

There are appropriate places in the Balkans to deploy U.S. troops: Macedonia, for example. This Member is not convinced, yet, that it is appropriate to further tax the U.S. or its armed forces by allowing this Administration to risk the lives of U.S. service personnel in Serbia, including Kosovo.

Ms. DANNER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today to express my strong support of the Fowler-Danner amendment and in opposition to sending troops to Kosovo. We must always question the wisdom of putting our military in harm's way, most particularly in what is essentially a civil war.

I would like to share with my colleagues today a letter I received from a constituent whose husband and family are much closer to this situation and its ramifications than those of us here today.

□ 1645

I like many of my colleagues have also traveled to Bosnia, but let me tell you the story of someone who has served there.

She writes:

> Congresswoman Danner, I would like to commend you for your stance on the issue of sending troops into Kosovo. You may remember that Bob was with one of the first units to serve in Bosnia. Ten days after we were married, he left for 11 months there. At the time, I supported it, believing that the troops would be out in a short period of time and that real peace would be achieved. After the experience of spending time in Europe, my position has changed. I have watched soldiers spending multiple tours in Bosnia away from families. The divorce rate is high, children do not have their fathers and mothers with them, and families are breaking apart due to the strain. Please work to encourage your colleagues to think about the ramifications of sending troops to Kosovo in human terms.

Mr. Chairman, we were told that our military commitment to Bosnia would last 1 year. We are now approaching the fourth year. We were told it would cost $1 billion. It has now cost $10 billion. Thus, we must have, I think, great concern for any commitment with regard to Kosovo. There is no reason to believe that a mission in Kosovo would not drag on indefinitely with a high possibility of American casualties.

I strongly urge my colleagues to support this amendment.

Mr. SAM JOHNSON of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we keep talking about a peace agreement. There is not one. If there were one and our forces were sent in, that is fine. But without a peace agreement, we are going to coerce those other nations into signing one, and I do not think that that is a very American way to deal with this problem, not by force. And I do not think that we ought to be bombing over there in an effort to try to coerce them to comply with our peace agreement that we put forward.

NATO is not at risk. NATO is a defensive organization, not an offensive organization. We appear to be aggressors. I really worry after talking with our people over there that we are going to lose an airplane or two. It may not be from ground fire but ultimately we could lose one from engine failure, and we may. And if that guy gets down in

that area, those people are not going to be very nice to him. They do not like us over there.

Yesterday, Secretary of State Madeleine Albright told the Congress to put off today's debate because it might harm the negotiations. I would tell the Secretary the reason this debate is necessary is because the real danger is recklessness with our foreign policy.

The President is about to put our troops in the middle of an ethnic and religious war that has been going on for thousands of years. It is a lose-lose situation for America. We lose because our troops will be deployed to a country without a clear mission. Just as in Bosnia, the President has no entry or exit plan, he has failed to explain the cost of the mission, and he has failed to explain what effect it will have on the already sinking morale of our fighting men and women. The President's continued use of hollow threats of force only guarantees that our soldiers will be put in harm's way and that dictators will continue to control how our foreign policy is run. Despite this, the President continues to state he will send 4,000 U.S. troops to Kosovo if a peace agreement is signed.

Mr. Chairman, I fought with our Air Force in both Korea and Vietnam, and I am opposed to the use of U.S. military force where we are not threatened in this country. I am disturbed that the President would use NATO to attack a sovereign nation. NATO was not designed to and should not be used for those purposes. The President knows this, and he has continually ignored the Congress when making decisions that impact our ability to keep peace throughout the world. Our fighting men and women are being used as pawns in a failed foreign policy by this administration. Our soldiers are leaving the services in droves. Recruiting is down, morale is low, and the main reason is failed policies that ship our soldiers, sailors and airmen around the world with no purpose or plan.

Mr. Chairman, we should not send troops, we should not send bombs, we should not get involved. It is a conflict that is destined to follow the rest to failure. The President ought to think long and hard before he puts our troops in a bottomless pit. He has a responsibility to our fighting men and women and to this Nation to admit there is no defined mission in Kosovo and our troops do not belong there. I know that, however, if our fighting men and women are called to duty, they will go and they will serve with honor as they always do. But under our Constitution, I believe we in the Congress have as much responsibility as the President and we must not ask our soldiers, sailors and airmen to serve in Kosovo without a defined mission or national interest.

Mr. ENGEL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the other side talks about all kinds of reasons why the United States should not send any of its troops into Kosovo. We know that there has been ethnic cleansing. We know there has been genocide. I was always taught that two wrongs do not make a right and to me it is ridiculous to say, well, there is genocide going on in all parts of the world so therefore we should not intervene in any part of the world. That does not make sense to me at all.

I rise in opposition to the gentlewoman from Florida's amendment which in effect guts the gentleman from Connecticut's amendment. The isolationist attitude that I hear amongst some of my colleagues is indeed troubling and puzzling. We have heard these arguments time and time and time again. We heard these arguments during the Second World War when 6 million people plus were ethnically cleansed and the Holocaust was there. I am not saying that this is on the same level, but when innocent people are killed because of their race, or ethnicity, we have a right and a duty, I think, to respond. We saw in Bosnia that until the United States grabbed the bull by the horns, Europe was not capable of stopping the carnage, and we saw 200,000 people ethnically cleansed because of their ethnicity, and we will see it again in Kosovo unless we are willing to step in.

Now, we talk about burdensharing, and I accept the argument that it is not fair to ask us to do the lion's share. But here we are only proposing 4,000 troops out of 28,000. This is the poster child for burdensharing. Our NATO allies are doing the bulk of the troops. And for the United States to pull out now or for this Congress to send a wrong message now does such harm to the negotiations, I think probably destroys the negotiations, and how many more thousands of people will have to be killed until we step in a year or two or three years away? Isolationism did not work during World War II, it did not work during other wars, and it will not work now. I can never understand my colleagues who say that somehow people who volunteer for the armed forces and do not want to go, somehow that is a reason not to send troops. If you volunteer, you know you are volunteering, and in the future you know you may have to go. So to me because somebody wants to be with their family, I would want to be with my family, too, but that is not a reason for United States troops not to do what we need to do, which is in our national interest. It is in our interest to stop genocide. It is in our interest to stop a wider war which will surely happen if we let it go unchecked. We have allies, Greece and Turkey and other allies, that can be sucked into a wider Balkan war. But if we take steps now along with NATO, we can prevent all this.

I also do not understand some of my colleagues who are always one to have more money for the defense budget, they always fight for more money for defense but yet they never seem to want to use the defense. It does not make sense to me at all. If we are the superpower in the world, and we have a strong defense, and we need to beef up our defense, then there are times we need to use our defense. This is such a time. We heard when we were debating Bosnia here in Congress that there would be hundreds if not thousands of American casualties. That has not happened. It will not happen in Kosovo, either. The naysayers, the doom and gloom people, it will not happen because our forces are the best. There is a mission here, and it is a specific mission here. We are going to Kosovo to keep the peace. Mr. Milosevic has slaughtered hundreds and hundreds and thousands of Albanians. People there have no rights. They have no civil rights. They have no human rights. Men, women and children are slaughtered. We have seen the carnage. Only the United States leadership can stop it. This is not the time to be isolationists.

I appeal to my colleagues, and again I think this is the wrong time to be debating this, because there is no peace agreement. That is just the point. The gentleman from Texas said there was no agreement. I think if we pull the rug out from under the President and say we do not want troops before there is an agreement, there surely will not be an agreement. We should have waited until there was an agreement to debate this in the United States House of Representatives.

I sincerely hope that our colleagues will understand the gravity of this issue and support the gentleman from Connecticut and support the gentleman from Texas. No more than 15 percent United States participation is needed.

Mr. DELAY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today to voice my complete opposition to sending American troops to Kosovo. There is simply no vision to this mission. Even the casual observer can see that the proposed Kosovo initiative has no timetable, no rules of engagement and no greater strategic plan for that region. Unfortunately, the undefined Kosovo mission is symbolic of the lack of direction of our recent American foreign policy. There is a 6-year trend to send American troops anywhere for any reason, but there are no consistent goals that tie all of these missions together.

Ronald Reagan once said that changing America's foreign policy is a little like towing an iceberg. You can only pick up speed as the frozen attitudes and mistakes of the past melt away. America needs to quickly change directions and leave behind the chilling

comedy of errors that has defined our recent foreign policy.

Ronald Reagan is a statesman. During his administration, the United States was the dominant force on the world's stage because there was no mystery to American foreign policy. During that time, America boldly told the world that we would bring peace through strength. Ronald Reagan stood up to the tyranny of communism and said that the American way would triumph, but not through conciliation and not through appeasement. The United States won that Cold War because of the truth of our principles. In every corner of the world we pushed for freedom and democracy.

Oh, how American policy has changed since the days of Ronald Reagan. Today there is simply no cohesion and no consistent principles that form the basis for everything we do on any spot of this map of the world. American foreign policy is now one huge big mystery. Simply put, the administration is trying to lead the world with a feel-good foreign policy. This feel-good foreign policy tears us away from peace through strength and it has resulted in creating chaos through weakness. This administration makes threats and never follows up on them. They set deadlines that are broken and reset, just to be broken again. American foreign policy failures over the last 6 years litter the international landscape. Mission-creep in Somalia cost the lives of American soldiers. North Korea continues to flaunt international law by speeding ahead with their nuclear program with no consequences whatsoever. Haiti is still not the beacon of democracy, despite sending U.S. Marines there. Afghanistan and the Sudan were bombed in the blink of an eye. Yet Osama bin Laden still represents a threat to thousands of American lives.

We continuously bomb Iraq, without any clear goals, and without getting any closer to our ultimate objective of Saddam Hussein being removed from power. Russia, with its massive nuclear capability is coming apart at the seams and selling weapons and technology to scrape by, and we do nothing. China is walking all over us, pure and simple. Currently we are stuck in a never-ending peacekeeping mission in Bosnia that was proposed as a 1-year commitment. That promise was made 4 years ago. And now we have Kosovo.

□ 1700

Kosovo is not a hopeful nation aspiring to democracy. It is a big dangerous quagmire. The ethnic Albanians wanted total independence, and the Serbs do not want to give up any important parts of their country. Both parties have consistently rejected any chance of a real cease-fire.

Mr. Chairman, American soldiers are trained to be warriors, not baby-sitters. The administration has no plan to do anything but just go to Kosovo, hold the hands of both sides and hope that they will behave when we leave. But of course they will not. The killing and mayhem will continue as soon as NATO pulls out.

So how long does the President plan to keep our troops there any way? No occupation can or should last forever.

There is a litany of reasons why we should not send troops to Kosovo, but the most compelling are the new power and responsibilities the mission unthinkingly gives to NATO. There are serious concerns about this new peace making direction for NATO. Its purpose is always to be a defensive alliance, not an offensive force.

The CHAIRMAN. The time of the gentleman from Texas (Mr. DELAY) has expired.

(By unanimous consent, Mr. DELAY was allowed to proceed for 2 additional minutes.)

Mr. DELAY. Mr. Chairman, NATO's purpose has always been a defensive alliance, not an offensive force going into nonmember nations uninvited. Once NATO starts meddling in the internal affairs of sovereign nations, where does it stop? Think about this question for a moment. Outside of the questions of time and cost and objective, the Kosovo policy we are debating here today would have tremendous ramification on NATO's overall mission. We have to take a stand against these kinds of deployments now to ensure that we stop them before they ever get started.

NATO is starting to resemble a power-hungry imperialist army. Originally designed to defend member nations from attack, it is now setting itself up to be the attacker. Despite the fact that the two parties in Kosovo refuse to negotiate even directly amongst themselves and have rejected a cease-fire, the administration threatens to bomb the Serbs to make them cooperate at the peace table.

There is one major catch here. There is no peace table, just like there is no peace. The two sides continue to attack one another with a vengeance. It does not matter how many soldiers NATO sends over there, no number of troops can keep peace if there is no peace to begin with. The proposed Kosovo mission is just another bad idea in a foreign policy with no focus.

As with all the recent failures in American diplomacy, the administration is trying to obscure its lack of a comprehensive agenda, and they are doing it with bombs. Bombing a sovereign nation for ill-defined reasons with vague objectives undermines the American stature in the world. The international respect and trust for America has diminished every time we casually let the bombs fly. We must stop giving the appearance that our foreign policy is formulated by the Unabomber.

Mr. Chairman, sending U.S. troops to Kosovo is a lose-lose situation. No matter how we look at it, it is dangerous, it is costly.

America has no strategic interests in the matter, and no one wants us to be there in the first place. Support the gentlewoman from Florida's amendment.

Mr. DEFAZIO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the underlying amendment, the Gejdenson amendment limiting the U.S. share of the operation 15 percent, and in opposition to the second degree amendment.

I was a bit puzzled by the gentleman from Texas (Mr. SAM JOHNSON), who preceded me in the well, who stated that we were voting on an agreement that was not yet complete and, therefore, we should vote against it. I share part of that concern. I wish that the leaders of the House had held this debate until the agreement was complete. I talked to the White House today. They assured me that if an agreement is reached, and I believe if we vote in opposition to this resolution an agreement will not be reached, that there would be a minimum, absolute minimum, of 3 days before U.S. troop deployment could begin. That would give the House more than ample time. We could stay here this weekend and conduct the Nation's business with the full facts of the peace agreement before us instead of having to vote in the context of are we undermining the peace agreement that might happen or are we not, which is what we are doing right now in this debate.

There is no one in this House whose been a stronger proponent for more than a decade of the restoration of the rightful powers of the Congress when it comes to war powers. As my colleagues know, there are a few who have been more critical of the lack of participation of our wealthy NATO allies in many things, including their own defense during the years of threat by the Soviet Union. But that said, the timing of the resolution before us and the debate are very troubling. As my colleagues know, we should not be having a debate on authorizing the use of U.S. troops under not yet totally clear conditions while the negotiations are ongoing.

Mr. Chairman, I really fear that a no vote here by the House of Representatives tonight will embolden Mr. Milosevic and his genocidal henchmen and keep them from signing an agreement. Some say we are bullying him. Well, someone has got to stand up to the bullies in this world, and perhaps it is time that the United States did.

On the other hand, a yes vote is problematic in that we do not have the final agreement before us. The gentleman spoke the truth. What should

happen is we should stay in town. If an agreement is signed on Saturday, we can meet on Saturday, we can meet on Sunday, we can meet on Monday, and then we can consider a proper authorization which could have conditions on length, duration, size of the deployment, scope of deployment, objectives and all those things in it for an up or down vote.

That would be the proper way to proceed in this matter.

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

Mr. DEFAZIO. I yield to the gentleman from Nebraska.

Mr. BEREUTER. We may come out on different sides of this, but I thought the gentleman ought to know that one of the reasons why we are in this debate from my perspective and I think from the perspective of many people is that we were told the same sort of thing: Wait until the Dayton accord is concluded. This is a very delicate negotiation; do not get involved. But by the time the signature ended up on the line at Dayton, troops were already on the way, Congress was precluded from action, and we were told, ''You must now support our men and women, the troops abroad.''

Mr. Chairman, that is the reason why we are at this stage in my judgment.

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman for that, but we always reserve the power, and I have come to this floor many times to question precipitous deployment without lawful consultation with Congress and without an authorization of Congress. I have gone so far as to sue past Presidents over this issue, but we were denied standing in the courts.

So in this case, as my colleagues know, I believe that we would be given that opportunity. We can certainly grasp that opportunity by staying in town and going into session the moment we hear the accords have been signed, and then framing a resolution that properly addresses the concerns around those accords. That is the way we should proceed. So we are being given a pretty crummy choice here tonight, which is to undermine the peace negotiations by voting no or vote yes on something when we do not fully absolutely 100 percent understand the conditions and terms.

Mr. Chairman, I wish that the leadership on the other side would reconsider perhaps, pull the bill, keep us in town and take up this issue when it is more timely.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, when a member of my own party tried to stop COLAs for our military, the gentlewoman from Florida (Mrs. FOWLER) was the first one to jump and say, ''Duke, I'll support you. Let's get a coalition together, and let's stop it.'' She cares deeply about our military and our troops.

I have an article right here that they started fighting last night again in Kosovo. They are burning houses, they are burning bridges.

I rise in support of the gentlewoman's resolution. Do my colleagues know who rejected it? Not the Serbs. Holbrooke, Mr. Holbrooke, had to cancel the peace talks last night. He canceled them until the 23rd because the Albanians rejected it. They will stop nothing short of having a separate Kosovo. They do not want just Kosovo. They want Montenegro, and they want parts of Greece.

I said on the floor before, ''Look at Bin Laden, look at the terrorist leaders speaking openly and how they then filtrated around Itzebegovic in Bosnia, 12,000 mujahedin in Hamas. That is a threat to Europe, it is a threat to Greece, and it is a threat to this country. Bin Laden, active in Albania with the KLA; they have genocided Montenegrins, Serbs, gypsies and Jews recently, and they continue to do that. They have been fighting for 500 years.

As my colleagues know, the gentleman talked about some of us fight for defense dollars. Absolutely right. Look at the emergency state that our national security is in right now. The President has not asked for one dime that our defense are going down, and helping building the roads and working our DOD and other agencies. In Honduras, millions of dollars, and I support them doing that. I mean they have made a marvelous expansion down there in helping people in poverty. But when we look at Haiti, as my colleagues know, we are still spending $25 million a year there building schools and bridges. That comes out of the defense dollar. In Somalia, billions of dollars. And look what four times going to Iraq, the billions of dollars. In the Sudan, a billion dollars did not do very much. Knocked out a pharmaceutical plant. But all of these things come out of that defense dollar, and what has that set us back to?

Our kids, our men and women in the military, we are keeping only 23 percent of them because our deployments exceed by 300 percent the deployments during the height of Vietnam, and yet we are going to ask only 4,000 of them. Do my colleagues know the families and what they are going through right now? We are keeping only 30 percent of our pilots. The number one issue is family separation. We are driving our military into the ground in a very balanced budget amount that we allow, and then we take 16, not 8 billion, 16 billion, if we take the cost of bringing on the reserves and we take the other costs associated with going, 16 billion just for Bosnia, and that does not include next year. That all comes out of defense, and then again we are going to have to go in here.

And they were talking about giving a billion dollars to Russia to stop some nuclear weapons. Well, let Europe. My colleagues say Europe had not done it. Leadership would force Europe to pay their fair share and do what we are trying to do. Russia has offered to put more troops in there. KLA did not want that. Well, the hell with the KLA. Let the Europeans, France, run by a Socialist-Communist group when they took over the conservatives' coalition, and they refused to do their part, let them go in and do it, and let us not send our men and women in harm's way.

My colleague talked about not understanding the gentleman from Texas (Mr. SAM JOHNSON). I do not expect my colleague would. He was a POW for 6½ years, and he was a war hero. He was tortured, he was shot down in Vietnam, and he knows what it is to put our kids in harm's way instead of sitting here in a soft, cushy chair saying, ''Let's send them.''

Mr. CROWLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Gejdenson amendment. I support the gentleman from Connecticut's amendment, but I have strong reservations, strong reservations of the Republican leadership's timing on this legislation. Bringing this measure to the floor for debate while negotiations are still underway is totally irresponsible.

Mr. Chairman, if and when a peace agreement is signed by both sides, I believe an American presence as part of a larger international peacekeeping force in Kosovo is and will be necessary.

□ 1715

The Kosovar Albanians have already made clear that they will not agree to any peace proposal without American participation in an implementation force.

In addition, we have seen that the threat of force is the only language that President Milosevic understands. A strong U.S. presence in Kosova would demonstrate to Mr. Milosevic that we would not tolerate noncompliance with any of the agreements, provisions or a return to the brutal campaign of repression and genocide that he has brought upon the ethnic Albanian community.

Mr. Chairman, while our NATO allies have already pledged to provide the bulk of a post settlement force in Kosovo, we must recognize that some U.S. participation is not only desired but is expected by our allies. Quite simply, such participation may be essential to securing the confidence of all the parties involved.

Mr. Chairman, I have a strong and vibrant Albanian and American community in my district in the Bronx and Queens. Many of these families have relatives in Kosovo who have been raped, maimed and murdered by Serbian forces.

The United States, and we as a Congress, cannot turn our backs or jeopardize the peace process in Kosovo.

While I strongly support an American presence in an international implementation of force, I believe to debate this issue at this time is both irresponsible and damaging to our ability to conclude a peaceful agreement.

Mr. Chairman, I include for the RECORD the following New York Times article.

[From the New York Times, Nov. 6, 1998]

FAR FROM KOSOVO, ANGUISHED VIGILS AND MOURNING; CONCERN FOR FAMILY MEMBERS RESHAPES IMMIGRANTS' LIVES

(By Barbara Stewart)

Nearly every week, all summer long, Ismer Mjeku, a Bronx entrepreneur from Kosovo, attended at least one wake, as one Albanian compatriot after another learned of relatives back home killed by Serbian soldiers. By late August, it was practically routine. He would meet his uncle and cousins at one of the small, dim clubhouses where Albanian men sit, smoking cigarettes and drinking tiny cups of sweet Turkish coffee and where traditionally, they have also held wakes.

For the last few months, these spaces have been rented time and again by immigrant Albanian men, who would spend a day or two of mourning there. While the women remained home, receiving the condolences of their female friends, the men would spend the day at the club in a ritual called pame, ''to see,'' or ngushellime, ''condolences.''

By Labor Day, Mr. Mjeku, 38, had attended 10 or 11 pamet within 9 weeks. Like the others in his group, he shook the hands or hugged the shoulders of each grieving man, sat and drank a single cup of coffee and smoked one cigarette, rose and offered his condolences to each man again, and then left, making room for the next group.

But a few weeks ago, after the older cousin who had been a second father to him was shot and killed in his home village, Mr. Mjeku refused to hold a pame. ''We cannot keep doing these one by one,'' he said in his small walk-up office on Arthur Avenue in the Belmont section of the Bronx, where he produces an Albanian business directory. ''So many people died in Kosovo the last three months. It's not special, each death. It's not—wow. It's war.''

For many of the approximately 200,000 Albanians in and around New York and New Jersey—70 percent of whom come from Kosovo, a Serbian province of Yugoslavia in which 90 percent of the population are ethnic Albanians—death is no longer special. After eight months of Serbian attacks on their relatives in Kosovo, even the deaths of children have become numbingly routine.

Yet the deaths back home have reshaped the lives of immigrants here, making them less festive, less social: gone are the big weddings, the nights of folk dancing, the gay music.

''When I hear Albanian music, it hurts me,'' said Al Haxhaj, an Albanian who is a co-owner of the Mona Lisa, a restaurant in the Murry Hill section of Manhattan that was formerly called the Piazza Bella. ''It reminds me.''

Since the first Serbian attacks were reported in February, Albanians around the world have watched events back home with anguish: the looted and torched villages, the murdered civilians, the hundreds of thousands of people forced to take refuge in the surrounding mountains. The violence peaked in the summer, with 500,000 Albanians living as refugees, according to international relief agencies. These agencies also say that 1,000 to 2,000 ethnic Albanians have been killed, though many agency representatives say they believe that figure is low.

Reports last week that Yugoslav soldiers were withdrawing from ethnic Albanian villages because of NATO bombing threats offered scant comfort. Local immigrants say they do not believe that the Serbians, their ancient enemies, will stop their attacks.

All along Arthur Avenue and Pelham Parkway in the Bronx, in New Jersey cities like Paterson and Garfield and in neighborhoods throughout Manhattan, ethnic Albanians are trying to deal with their personal tragedies in the midst of this international drama.

Weddings and other celebrations are being canceled. When their world is right, Albanians frequently celebrate with huge parties, hiring Albanian musicians so that hundreds of guests can do traditional folk dancing until morning. But nobody has the heart now for celebrating.

Last fall, the Piazza Bella hired an Albanian band to play traditional music, attracting expatriates from miles around. In February, after the first massacres were reported, Mr. Haxhaj and Bilbil Ahmetaj, the co-owners, stopped the music.

''We can't be over here dancing and getting drunk when little kids are being killed and villages are being trashed,'' said Fekrim Haxhaj, the owner's 18-year-old son.

In normal times, the vast majority of the big wedding parties at Il Galletto, a banquet hall in North Bergen, N.J., are held by Albanian parents, said Vymer Bruncaj, who is a part owner. But lately, he said: ''The wedding invitation for Albanians is zero—no invitations. The last five, six months, you cannot find one.''

Young couples are postponing their weddings or marrying quietly, with fewer guests and afternoon parties without music. Last spring, Alta Haxhaj, Fekrim's cousin, canceled the elaborate wedding for 1,000 guests that she had been planning for a year. Instead, she and here fiance married quietly, in street clothes. ''No big pouf,'' she said. ''No tail behind me, no white pearls.''

When ethnic Albanians get together these days, it is probably for a candlelight vigil outside the United Nations or the White House. Conversation never strays far from their worries. At home and in offices, the computer stays on; the Web site www.kosova.com carries updates on news from the region in Albanian and lists the most recent victims. (Kosova is the ethnic Albanians' preferred spelling.)

Mr. Mjeku, the Bronx businessman, checks the Internet when he gets to work. On Sept. 30, he spotted his cousin's name on the list of casualties. ''I closed the office,'' he said. ''I told my uncle in Riverdale. He started to cry. I felt very bad.''

Now, a month later, Mr. Mjeku said he was having a hard time focusing on his work. His mind is occupied by memories of his cousin.

While the Internet brings daily updates, many Albanian-Americans have been able to reach family members in Kosovo through satellite cell phones that allow them to connect even with refugees in the mountains.

The conversations have often been eerie. A few months ago, Dervish Ukehaxhaj was summoned from the kitchen of the Madonia Brothers Bakery in the Bronx, which he manages, to the office downstairs, where Peter Madonia, the owner, handed him a phone.

''It was his brother in Kosova, and he was in the middle of shooting.'' Mr. Madonia said. ''He's sitting here in this office, talking to his brother who is in the front lines, in the middle of a war.''

In July, there were other calls. One brother and two cousins had been fatally shot.

The Kosovan Liberation Army, with the help of European expatriates, obtained dozens of powerful cell phones and distributed them to the villages, according to Isuf Hajrizi, managing editor of Illyria, and Albanian newspaper based in the Bronx. When Mr. Hajrizi's parents, along with about 40 other relatives in the village, climbed high into the mountains above the village to escape Serbian soldiers, they carried the cell phone with them. ''They had no food,'' he said. ''But they had that phone—their only link to life.''

But with only one cell phone for at least 1,000 refugees, it can take hours, or even days to get through. Mr. Hajrizi last reached his family after spending 10 straight hours dialing, and then persuading the person who answered to hike over to his parents' campsite to deliver the phone.

When he finally hear his 74-year-old mother's voice, she told him that their home and their village had been looted and burned. They had no food or shelter. She begged for help. ''Why is it like this?'' she asked, as her son listened helplessly.

That was two weeks ago. Since then, he has not been able to get through despite trying every day. They must have returned to the village and are trying to cobble together shelter there, he tells himself.

''I check the Internet constantly,'' he said. ''I haven't seen their names on the lists. As long as they don't show up on the lists, they probably are O.K.''

Mr. FOLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the amendment by the gentlewoman from Florida (Mrs. FOWLER). Obviously, she does not come to this issue as a casual observer. In fact, she represents Mayport Naval Station, which is often the first to deploy forces in times of conflict.

I join her in opposition to sending American ground forces to the wartorn province of Kosovo. I would remind my colleagues that four years ago the President sent thousands of American troops to Bosnia for what he assured us would be a 1-year mission.

I underscore the comments of the gentleman from Nebraska who was quite concerned that while we were negotiating a peace agreement at that time of the Dayton Accords, American troops were deployed in Bosnia. There was no way to recall them because we were told by the Administration to support the troops because they are already over there.

We are again falling into the same trap. Four years have passed and our troops are still over there. It has become a mission with no end in sight.

If we send troops to Kosovo, I fear the same thing will happen again, an open-ended commitment of thousands of young American soldiers to yet another bloody conflict in the Balkans.

The President wants to send 4,000 American troops to Kosovo if a peace

plan is agreed to by the two warring factions. Of course, we were all sickened by atrocities that have been committed by both sides in this war. However, we cannot put our troops in the middle of a conflict where the rules of engagement are ambiguous.

If American forces go to Kosovo, they will very likely end up in combat situations. I think we should remember 1993, the disaster in Somalia where 18 U.S. Army rangers were killed tracking down a Somalian warlord. These lives were lost because the Administration placed those forces under international command and refused to provide the heavy armor and air support that would have given our forces the upper hand in combat.

Mr. Chairman, too many questions exist as to how our troops will be deployed. There are too many questions about the rules of engagement and too many questions about a successful exit strategy.

Mr. Chairman, our Armed Forces are stretched very thin across the globe in a multitude of deployments. We should be very, very careful before we commit to another one.

This past weekend, 44 Haitians drowned at sea in an attempt to come to Florida, to the United States of America. Once again, we have problems in Haiti but nobody is addressing it.

Cuba shot down two Brothers to the Rescue aircraft, and now we are sending a baseball team to promote peace and prosperity in Cuba.

The gentleman from Texas (Mr. SAM JOHNSON) and the gentleman from California (Mr. CUNNINGHAM) spoke on this floor and these two gentlemen, Members of Congress, have the right to speak about the deployment of our troops in conflict because they themselves have represented this great Nation in combat. They speak with authority and I respect their views.

The December bombing of Iraq occurred and the Administration told us it had to be done because Ramadan, the Muslim holy month, was fast approaching. They said we must attack now because if we don't, it would create an international incident.

What about Hanukkah, which was being celebrated at the time of our bombing in Iraq?

So I would suggest to the Congress that we carefully consider the amendment of the gentlewoman from Jacksonville, Florida (Mrs. FOWLER) and that we support it before we become engaged, before we are drawn into another conflict with no end in sight.

Mr. OLVER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment by the gentlewoman from Florida (Mrs. FOWLER). Barely 11 years ago, Slobodan Milosevic seized power in what was then Yugoslavia, and he remains today the last old line, unrepentant Communist dictator in Europe.

Just 10 years ago, in March of 1989, using tactics that would have made Joseph Stalin proud, Milosevic surrounded the elected assembly of Kosovo with Yugoslav Army tanks and secret police and forced that elected body at gunpoint to renounce the autonomy that was guaranteed to Kosovo by the Constitution of Yugoslavia. Milosevic did not even bother to change the Constitution.

In rapid succession, all ethnic Albanian public employees were dismissed from their jobs, 100,000 of them. The Albanian language was proscribed for public purposes. The Albanian schools and the university were closed and systematic repression of the ethnic Albanians began.

Remember that ethnic Albanians were already a majority of the citizens of Kosovo when Yugoslavia was freed after World War II, and now are more than 90 percent of that population.

Then the Milosevic regime was distracted in 1991 and 1992 by its attacks upon two other U.N. members, namely Croatia and Bosnia, that led, as we know, to 200,000 deaths and 2 million refugees that have been spread all over Europe.

It is in that context that President George Bush, on December 27, 1992, warned Milosevic that the U.S. would act if he attacked Kosovo in a similar way. I quote from the letter that President Bush delivered to Milosevic, quote, in the event of conflict in Kosovo caused by Serbian action, the United States will be prepared to employ military force against the Serbs in Kosovo and in Serbia proper, and it was that policy that President Clinton has been following and reiterated, reaffirmed in 1993 and has been following.

In that context, the then minority leader, later majority leader and Republican candidate for President, Robert Dole, has always supported the strongest possible action, American action, to contain Milosevic's regime.

In Kosovo, Milosevic used his army and secret police under a renewed rein of terror to impose thousands of arbitrary arrests, beatings and extrajudicial killings on ethnic Albanians. We should remember that just last October, Milosevic signed agreements in regard to Kosovo and because there were no enforcement provisions there has violated every provision of those agreements signed only four months or so ago.

All told, at least 2,000 have been indiscriminately killed, men, women, aged, children, baby in arms and in the womb and at least 400,000 driven from their homes. For all those reasons, the contact powers have agreed to a NATO effort to establish an enforceable peace in Kosovo, and if this NATO effort is subverted, and the amendment by the gentlewoman from Florida (Mrs. FOWLER) clearly subverts the effort to impose a peace in Kosovo, then later this spring this Congress will have contributed to the creation of hundreds of thousands of more refugees and to the deaths of a whole new cadre of victims of the national socialist regime of Slobodan Milosevic.

Milosevic's right-hand deputy, President Seselj, has already told the Yugoslav parliament that they will drive all of the ethnic Albanians, citizens of Yugoslavia, from Kosovo.

I implore this Congress not to make this great United States of America complicit, complicit in these deaths, and creating these refugees and in aiding in Milosevic's brutal campaign of ethnic cleansing.

Mr. GOSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise regrettably opposed to the amendment, the well-crafted amendment from my good friend and colleague, the gentlewoman from Florida (Mrs. FOWLER). It is a good amendment and has led to good debate, but I have a different view of this situation.

I think that the underlying resolution, H.Con.Res. 42 that we are talking about cannot be supported in its present form because it is essentially a blank check that grants the Clinton administration authorization to send troops to Kosovo without any limitations or restrictions. I think that is much too broad.

The Fowler amendment, on the other hand, would go to the opposite end of the spectrum denying the administration the authority to send troops under nearly all but the most dire circumstances.

While the President is the primary architect of American foreign policy, and we all understand that, Congress nevertheless has very important obligations in this area, most notably oversight, overseeing the deployment of our troops. That is one of the reasons we are here. We do this on behalf of the people we represent back home.

Finding the right balance is never easy, as we know, but I do believe that the people in my district feel that we should seek something that is more akin to a middle ground solution to either the underlying resolution or the Fowler amendment.

The Clinton administration is intent on deploying U.S. troops to Kosovo and maintains that it does not require congressional approval to do so. In response, I believe Congress should be careful not to deal itself out of the process altogether, and I think this debate has been useful and is going to be more constructive as we go along.

Many members are concerned about the administration's plan and are not satisfied with standing on the sidelines, which is the practical effect of both the resolution that underlies H.Con.Res. 42 and the Fowler amendment. It is either yes or no.

I believe that it is incumbent on Congress to seize this opportunity to offer

constructive input and to put into place reasonable requirements before our troops are committed. Rather than providing a blank check or obstructing the way altogether, Congress should require an explicit statement of the national interests involved, the rules of engagement, for example, for our troops; the cost of the mission, for example, of interest to our taxpayers; as well as the entry strategy, the exit strategy, the amount of protection provided to make sure our forces will be as safe as possible; those kinds of questions.

As the debate progresses, I anticipate there will be a series of amendments to do just those kinds of things. I am going to oppose, somewhat reluctantly, the Fowler amendment because I think there is a better way to achieve proper accountability from the President about using our troops in Kosovo.

I urge my colleagues to understand that there are good choices between the carte blanche of the underlying H.Con.Res. 42 and the no deployment proposal by the gentlewoman from Florida (Mrs. FOWLER).

Those amendments are printed. I urge that my colleagues look at them and in the meantime I urge a no vote on the Fowler amendment.

Mr. TAYLOR of Mississippi. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to commend my colleague from Florida (Mr. GOSS) for his well thought out, articulate view on this. I want to tell him that I am in total agreement.

□ 1730

I urge my colleagues to vote against both the Gejdenson amendment and the Fowler amendment for all the reasons that the gentleman articulated.

I think the Gejdenson amendment would have us rush into something that has yet to have been written. The Fowler amendment would have us condemn it. I do not think that is a very adult thing to do.

Mr. Chairman, I would urge my colleagues to give strong consideration to an amendment by the ranking minority member on the House Committee on National Security, the gentleman from Missouri (Mr. SKELTON). I think it gives us the best of all of these worlds. It says to those of us, including myself, who are reluctant to commit troops, Mr. President, you cannot send troops right now. It gives those of us who would like to see the details of the peace agreement the opportunity to wait until it is written, wait until it is brought before this body, wait until our Supreme Allied Commander, General Wesley Clark, can come to Washington and explain our concerns about the safety of the troops, what our mission is, how much it is going to cost, and yes, how long we are going to be there. Then and only then it calls on Congress to vote on it.

I applaud my colleagues who say that yes, it is time that Congress finally starts fulfilling our duties as given to us by the Founding Fathers in Article I, Section 8, where it says we must decide where and when young Americans are put in harm's way. We have let both Democratic and Republican Presidents walk all over us. We have failed in our duties.

So I applaud those of my colleagues who say, let us do our job. I also want to applaud the people, including the troops who went to Bosnia, who showed me that I was wrong when I opposed our intervention there. It was not a general, it was not an admiral, it was not a bureaucrat, and it was not a State Department official that showed me that I was wrong, it was an 18-year-old kid from Ocean Springs, Mississippi. When I went over there with a notebook looking for kids to tell me why we should not be there and how stupid it was, and a young man by the name of Rhodes who might have been all of a corporal, I said, should we be here? And I was shocked when he said yes. I said, why? Fresh out of high school, he says, Because I am keeping women from getting raped, I am keeping little kids from getting tortured, I am keeping old men from being murdered just because of their religion. That is why I joined the army, to be a good guy.

Folks, I was dumbfounded. That mission has never been articulated better by anyone anywhere and to Corporal Rhodes, wherever you are, God bless you for saying it, and to his parents, God bless you for bringing such a kid into this world.

Folks, this is the only rational way to go about this. Let us do our job. Mr. President, you have no authority to send troops; therefore, you cannot. Mr. President, bring us a proposal that we can read, take a look at, and then yes, Mr. President, we owe you the respect of at least looking at it and then voting on it.

I urge my colleagues to reject the Fowler amendment, I urge my colleagues to reject the Gejdenson amendment, but I rise in very strong support of the very rational position brought to us by the gentleman from Missouri (Mr. SKELTON).

Mrs. CHENOWETH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the argument that the United States should become militarily involved in Kosovo at all, and I support the Fowler amendment. For an administration that places so much stock in political polls, I wonder if the President does not find it ironic that most Americans cannot even find Kosovo on the map. Not only that, but most Americans could not articulate one reason why we should send other Americans to risk and very possibly lose their lives.

What is the vital interest over there which is being advanced by our getting involved in the middle of this dispute? We have not heard a clear answer to this question. Yet, President Clinton has made very clear what his intention is. He intends to intervene in Kosovo with an open-ended occupation force, perhaps preceded by air strikes.

We have absolutely forgotten the rules of engagement that were laid out in the War Powers Act. We do not have an exit strategy. He has made it clear that he does not think he needs congressional authorization for this mission. Well, I think, as my colleague, the gentleman from Mississippi (Mr. TAYLOR) just articulated, in the Constitution, Article I, Section 8, it clearly states that it is the Congress that shall raise up armies and declare war. In the War Powers Act, presidential executive powers are defined with the ability for the President to deploy troops without congressional authority only when there has been a declaration of war, a specific statutory authorization, or, and this is very important, Mr. Chairman, a national emergency created by attack upon the United States, its territories, its possessions, or its armed forces. The situation in Kosovo certainly does not match statutory authority.

Mr. Chairman, if we are to prevail under the rule of law, the President must obey the law, like everyone else, and certainly in this situation that could get us into a quagmire that we may never get out of.

The administration policy absolutely goes against the fundamentals of constitutional government and the rule of law. On February 10, for instance, in testimony before the Committee on International Relations, Thomas Pickering, who is the Under Secretary of State for Political Affairs, confirmed that Kosovo is sovereign territory of Serbia, and that attacking the Serbs because they will not consent to foreign occupation of a part of their territory would be an act of war. An act of war, Mr. Chairman.

The Constitution of the United States gives sole power to declare war to the Congress, not to the President. Nothing in the laws or the Constitution of the United States suggests that a determination by the United Nations Security Council or by the North Atlantic Council is a substitute for our country's laws. The mission in Kosovo intended by this administration is contrary to the principle of national sovereignty and is a major step towards global authority. The United States and NATO are demanding that a sovereign state consent to foreign occupation of its territory, or be bombed if it refuses. This distinction should be a key one for all Americans concerned about the threat of the growing power of international institutions and what they present to national sovereignty.

What kind of precedent are we going to set with this action? What country are we claiming the right to attack next if we determine that its behavior does not rise to some international standard? Should we attack Turkey to protect the Kurds? China, to protect Tibet or Taiwan? Sri Lanka to protect the Tamils, India to protect the Muslims in Kashmir? I think not, Mr. Chairman.

Do all of the Members of the House fully appreciate the complicated quagmire of Kosovo? The history of Kosovo with its competing claims of Albanians and Serbs is at least as tangled as that of Bosnia, and both groups are passionately attached to their irreconcilable differences of what is right and wrong, in their view.

The administration and its supporters tell us all about the sufferings of the Albanians under the Milosevic regime, and those should not be minimized, and I concur and identify with their argument there. But they also tell us almost nothing about the attacks committed by the Kosovo Liberation Army against Serbian civilians and against moderate Albanians as well. They tell us nothing about the ethnic cleansing of Christian Serbs by radical Albanian Muslims under the Turks, Nazis and Communists alike.

Mr. Chairman, this is a dangerous step that we must not take.

They tell us nothing about the drug-trafficking and other criminal activity that funds the KLA. They tell us nothing about the support of Islamic radicals like the Osama bin Ladin network, which, with other radical forces, is well-established in the KLA's staging area in northern Albania and is promising to strike at Americans wherever they are found.

Do we need to put Americans down in a place where they'll be convenient targets for terrorism?

Putting American troops into this quagmire, where we have no legitimate interests, is a dangerous and needless risk to American personnel. Kosovo is not America's fight.

The Congress should reject any measure that is retrospect will be seen as a blank check for Bill Clinton—a Gulf of Tonkin Resolution for the Balkans.

Mr. POMEROY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, at the outset, I want to commend my colleague, the gentleman from Mississippi (Mr. TAYLOR) for very well articulated remarks. I come to a slightly different conclusion. I rise to speak in favor of the Gejdenson amendment and in opposition to the Fowler amendment.

First, let me speak to the alternative amendment advanced by the gentlewoman from Florida (Mrs. FOWLER). I believe that it is extremely ill-advised of this House to be debating this resolution at all. We are debating involvement in a peace agreement that has yet to be finalized, so it is not timely right from the outset.

To even try and interject this House into the negotiations underway by placing proscriptions on what the negotiators might come up with is, in my opinion, the direct intervention of this House into the formulation of foreign policy, something placed in the executive branch under the Constitution for very good reasons. We are not constituted as individual representatives representing this country to try and steer negotiations even as they unfold.

Senator Dole, certainly someone who knows the legislative process as well as any American, advised the Committee on International Relations yesterday that the time for congressional involvement in these matters is after the agreements themselves have been reached. Let us look at what the President might bring back, evaluated and debated at that time, but not before.

I favor the Gejdenson amendment, because in the absence of orderly consideration of this matter, it is appropriate, I think, that we not extend a blank check, but rather a measured authorization, and that is the Gejdenson amendment before us. It would encourage a conclusion of the peace process and authorize a NATO force with U.S. involvement of up to 15 percent. That is clearly a minor supporting role in this process, but an essential one, in light of the standing of the United States of America in the world today.

To try and absolutely foreclose any participation by the United States in a peacekeeping force that might be agreed to under the agreement, should an agreement be reached, would I believe give great comfort to those who are the enemies of peace in this region, and who want no peace agreement.

All of us are involved in our legislative responsibilities in negotiations, and we know that negotiations are, in large part, about leverage. Why would we want to give Slobodan Milosevic, a perpetrator of unspeakable horrors in this region, the leverage at this time in the peace process that, precluding any U.S. troop involvement, would extend to this evil leader.

Mr. Milosevic 11 years ago went down to Kosovo and began his own ascendancy in the region by commencing a reign of terror on the Kosovars of Albanian ethnicity. During the course of that reign of terror, their autonomy has been stripped and they have been the victims of unspeakable horrors. We need to bring this to a conclusion with a negotiated peace, but that is made infinitely more difficult by the House debate today, and if we should adopt the Fowler amendment it would be made, in my opinion and the opinion of many observing this process, it would be made impossible.

The Scriptures tell us, blessed are the peacemakers, and we in the House want to do everything we can to make their job more difficult, if not altogether impossible, at this terribly important time.

So let me conclude by saying, let us oppose the Fowler amendment. I believe it would forestall a conclusion of the peace process. Let us support the Gejdenson amendment, which would place very significant and appropriate strictures on the U.S. involvement in what might be a NATO force, an involvement not to exceed 15 percent; a limited, minor supporting role, but an essential one, to stop the killing and the atrocities that have plagued that region.

Mr. HUNTER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this situation, regardless of which route we take, stay out or go in, has potential dangers. Many people have argued that going in is going to cause more of a conflagration than if we stayed out. There are good intellects on both sides of the debate. It is a very difficult debate. It is a very close question, I think.

I am going to support the base bill. I think in the end the organization that we created, NATO, that we have always been the guts, the leadership of, that was put together to handle then the Soviet Union, has a role in this post-Cold War environment in keeping stability in Europe. If we do not participate in this operation, and it is a very dangerous operation, one in which I think we may take casualties, I think NATO will dissolve as a real entity.

□ 1745

It may be a debating society, it may have a location, but I think that NATO will dissolve, and maybe the stability that NATO could bring to Europe over the long haul will be gone.

So I am going to support the base resolution. All of the dangers that we see and all of the problems with this deployment or with the nondeployment are things that we really cannot do much about. We cannot change the situation, the political situation, in Kosovo. We cannot change the military offsets. We can do something by participating in this force.

There is something we can do something about. That is to provide our men and women who carry out American foreign policy after debates like this one the wherewithal to be effective. We, the government of the United States, have not been doing that. Let me show the Members what we have been doing.

Since Desert Storm, we have cut our military almost in half. We have gone from 18 army divisions to only 10; 546 naval ships to only 325 now. We have cut another 20 since this chart was put together. We have gone from 24 fighter air wings to only 13 fighter air wings, cut our air power almost in half.

Our mission capability, that is the capability of our aircraft to fly off of their runways or off their carrier decks, like the gentleman from California (Mr. CUNNINGHAM) used to, to

fulfill our mission, whether bombing or recon or something else and return to that home base, that mission capability that I want 83 percent in the Air Force has now dropped to 74 percent.

It used to be 77 percent in the Marine Corps. It is now down to 61 percent. Mission capability used to be 69 percent in the Air Force, it is now 61 percent. A lot of our planes are hanging around as old hangar queens. They are like old hay balers that we are taking spare parts off of so the few we have left on the runway will work.

Military aircraft crashes. I can tell the Members, we are now crashing more aircraft, some 55 in the last 13 months, 14 months, than we are building, along with the 55 Americans who died as pilots and crews in those crashes.

Equipment shortages. We are building, and President Clinton's defense budget continues that this year, if we follow it, we are building to a 200-ship Navy, down from 600 ships. The marines are $193 million short in basic ammunition. The Army is short about $1.6 billion in ammunition.

We have aging equipment. We are living off the old equipment of the Reagan years. Our CH–46 helicopter is over 40 years old. The Clinton administration intends to fly B–52 bombers with no replacement until they are 80 years old.

Personnel shortages, we are 18,000 sailors short in the Navy. We are going to be over 700 pilots short in the Air Force. We are going to be short in marine aviation, and we are down about 140 helicopter pilots in the Army.

Here is something we have not been paying attention to. We have a 13.5 percent pay gap between the people who wear the uniform and the people in the private sector. I want to ask all of the patriotic folks who have gotten up and spoken about going into Kosovo, and I am going to vote to go into Kosovo, to really support our troops. I am going to give the gentleman from Connecticut (Mr. GEJDENSON) a substitute amendment that says, let us support them with a pay raise, with new equipment, by building military construction to house their families while they are gone, and maybe we will even give them a little ammunition go. Let us support the troops.

The CHAIRMAN. The time of the gentleman from California (Mr. HUNTER) has expired.

(On request of Mr. CUNNINGHAM, and by unanimous consent, Mr. HUNTER was allowed to proceed for 2 additional minutes.)

Mr. HUNTER. Mr. Chairman, the Joint Chiefs have done something this year that they have not done in a long time. I think it is because the services are desperate, they are desperate for help. The 10,000 uniformed service men and women on food stamps are desperate for help.

They have told us what they need. The Army has come forth and said, we need an additional $5 billion a year just to maintain this downsized military of 10 divisions. The Navy has come forth and said, to maintain 305 ships, we need an additional $6 billion a year. The Air Force has said, to maintain this downsized Air Force of only 13 active fighter wings, we need an additional $5 billion a year. The marines have said that to maintain this downsized Marine Corps, that now has the highest operating tempo of any time since World War II, we need an additional $1.75 billion a year. They said that on top of that they need a pay raise for our troops, to start cutting into that 13½ percent pay gap.

If we add those together, and if we add the cost of Bosnia, which we should not take out of ammunition and operations and maintenance, that is $21.95 billion or $22 billion a year more that our service people need to be well-equipped and well-paid to serve our country.

So however Members vote on these resolutions, and let me really commend the brilliant gentlewoman from Florida (Mrs. TILLIE FOWLER). I wish I could support her amendment. I think her conditions are excellent. But I am going to support the base bill.

However Members vote on this, we should follow up very quickly with a series of votes, manifested in our budget and in supplemental appropriations bills, to provide our military what they need, so they can provide us what we need.

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

Mr. HUNTER. I yield to the gentleman from Colorado.

Mr. HEFLEY. Mr. Chairman, I will not take the 5 minutes to do it, but I want to thank the gentleman for presenting this picture, because that is the picture I wanted to present. He did it better than I could.

Who is going to pay the bill for these kinds of things? If we are going to do them, and we are going to do them, obviously, around the world, who is going to pay the bill? We need to pony up and do what we should for our troops.

Mr. MENENDEZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to oppose the Fowler amendment and to support the Gejdenson amendment.

As we have this debate in this House at this time, a time that is poorly timed in terms of what the national interests of the United States are and ultimately how that may lead to the national security of the United States, we simply should not be having this debate at this time.

Right now, as we debate, I am sure that Slobodan Milosevic is looking at this debate, and how we decide today sends him a signal as to how he will move, and move militarily. Even before we give an opportunity for peace to have a chance, we snuff it out with the actions on the Floor.

The gentleman from Connecticut (Mr. GEJDENSON) recognizes that the representatives of the respective parties are supposed to reconvene next week in France. We could not hold off until there was the opportunity for those parties to be brought together by the international community, led by the United States, to see if there is a chance to avoid countless numbers of murders, countless numbers of deaths? We could not give that simple opportunity for peace to take place? It was so compelling to proceed today?

Mr. Chairman, this is not about enforcing our will. It is about enforcing, hopefully, an agreed commitment, an agreed commitment to peace. This is a test of NATO, and ultimately, maybe in some different context, at some different time, Members are going to want NATO to work.

If Members do not step up to the plate now, the portion of the amendment offered by the gentleman from Texas (Mr. TURNER) to the amendment offered by the gentleman from Connecticut (Mr. GEJDENSON) which limits us to 15 percent, and says, in a clear message to the Europeans, this is clearly your problem, but we are part of NATO and we are going to participate in it, if Members want NATO to be put at risk, they will not respond.

The Fowler amendment is ultimately, in my mind, with all due respect, should it pass, a death sentence to thousands of people in Kosovo, because in essence what we are saying by virtue of that amendment, it is a vote on the ultimate question, to not permit troops to be deployed, even before we know that in fact an agreement in which we would be invited in as part of NATO could take place.

We are already sending a message to Slobodan Milosevic that in fact he does not have to make an agreement; go ahead, just hold out there, do what you want, and at the end of the day we will have that on our minds and in our consciences and in the national security interests of the United States, because the conflagration that will take place if we do not act under an agreed-upon peace will be incredibly dangerous to the United States. This is, after all, the location in which World War II started.

Let me just finish by saying that I am reminded of that quote that said, during World War II, ''First they came after the trade unionists, and since I was not a trade unionist, I did not object; and then they came after the Catholics, and since I was not a Catholic, I did not object; and then they came after the Jews, and since I was not a Jew, I did not object; and then they came after me, and there was no one left to object.''

I agree with the previous speaker, we need to assist our military. I think many of us are willing to put our votes

there. But we need to make sure that we stand ready not to cast today a vote that in essence precipitates the chance for peace, that ends it, that gives it a blow before there is even a chance; and that in essence this vote that we will be casting, particularly on this amendment, ends up being a death sentence to thousands of people. We have an opportunity for peace, and we need to preserve that opportunity for peace.

I urge my colleagues very seriously to vote against the Fowler amendment, because if not, they are already voting on the ultimate question; and to therefore, in voting against her amendment and giving peace an opportunity, then vote for the Gejdenson amendment.

Mrs. WILSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there are a lot of thoughtful and difficult issues that people have been trying to address here on all sides this afternoon. I think there is sincerity on all sides.

The underlying proposal that we are asked to endorse today is to endorse, without conditions, the indefinite assignment of 4,000 Americans as part of a NATO force of 30,000 in the territory of a sovereign country with which we are not at war, and over the objections of that country, on the grounds that the administration of the province of Kosovo is not in accordance with international humanitarian standards.

I am a supporter of NATO, and I am a supporter of American involvement in the world. In fact, I used to serve in the United States mission to NATO. I have worn the uniform of a member of the armed services. But let us not make any mistake here, this deployment is an extraordinary departure from what is envisioned in the NATO charter, and it is a departure from much of American diplomatic history.

There are several questions that I asked myself and that I will share with the Members as a contribution to this debate that I think we are faced with answering today: What is threat to U.S. security or to U.S. vital national interests? Clearly, there is no threat to U.S. security directly, so we are talking about vital U.S. national interests.

We have to answer this question not in some rhetorical way, but in a very practical, pragmatic, personal way. Put it this way: If a young person in the hometown of one of us does not come home from Kosovo, what do we tell their parents they died for? Every man and woman who has worn the uniform knows that there are things that are worth dying for. I do not believe that this is one of them.

The administration has said that this is about maintaining stability in Europe. They are right, the Balkans have been a cauldron of war in this century. But the threat that they draw from Serbia is overdrawn. We are not talking about a power on the rise, as we faced in the 1930s in Europe, but a vicious leader in decline. It is equally probable that our intervention in Kosovo will itself spread the conflict beyond the borders of Kosovo and Serbia.

Let there be no doubt that Milosevic is an evil man who has wreaked havoc on his own people, but the question must be, what is in the U.S. national interest, and our foreign policy must be based on that.

□ 1800

The second question is, what are the political objectives that we hope to achieve, and will the use of military force help us to achieve those objectives? In Korea, our forces are there to deter aggression from North Korea. In Desert Storm, our objective was to expel Iraq from Kuwait.

This is unlike Bosnia where, after 3 years of war, we had exhausted parties ready to sue for peace, Bosnian Serbs who were being beaten back and who were eager to free the lines of ethnic enclaves where they were.

In Kosovo, we have two groups, two ethnic groups that claim the same territory. There are no enclaves. Into this, we are thrusting U.S. and NATO forces with no lines to be defended. There is no clear objective. We are the beginning of a political process, not a peacekeeping operation, as has been suggested.

Third, what is the size and the structure of the military force, and is it adequate? What are their rules of engagement, and are these all clearly defined? If they are not, not one American should go in not understanding exactly what the rules of engagement are.

If a 19-year-old kid confronts a KLA member who refuses to give up his or her weapon, what is that 19-year-old kid to do? Do they walk away? Do they fight? Until we have the answers to basic questions like that and are confident that our troops know what to do, they should not go in.

Kosovo is a much more dangerous situation than we faced going into Bosnia. We need to recognize those risks there and mitigate against them. There are too many unanswered questions on a deployment of questionable national interest, and I cannot support the underlying amendment.

Mr. ACKERMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I stand here today, not as a Democrat, and I hope that my colleagues do not stand there as Republicans, and I would ask all of our colleagues, indeed, to question why do we stand here. What is this all about? What are our values? Where do we fit in this world?

We think sometimes about heroes. Indeed, what are heroes? A hero is usually an ordinary person who steps out of the crowd, having no gain for himself, and tries to stop a maddened mob from destroying somebody else's life and interjects himself into the fray. These are some of the values that we try to impart to our children. We should not mind only our own business, we should be trying to help other people.

I have heard the question asked over and over again by so many colleagues on both sides of the aisle, what is in the U.S. interest? What are we as a country? I think there is probably not a person in this body who would dispute the fact that they would like to see the U.S. recorded in permanent history as a Nation that is both mighty and just. What is the purpose of our might if we do not use it for good? Is justice not just a state of mind unless we use it for the greater good?

I have been, most of my life, a passivist, opposed to so many of the things that so many of my friends have supported. This is a time for peace. This is a time to use our might and our strength and the unique position that the United States of America is in today for good, for something decent, to help save the lives of people in a place so far away, where human beings have been destroyed, where ethnic cleansing has taken place, where genocide has existed. Is that not in the American interest?

Mr. Chairman, I come from a very small people, a people who, in our lifetime, were almost totally annihilated by forces of evil. So much of the world turned its back. Oh, they had excuses. We did not know. We did not see. We did not believe. No one told us.

We have been disabused of those excuses, Mr. Chairman, today, because we know what is going on and what has gone on and what will go on unless the forces of justice and reason somehow intervene.

It was not until the world intervened and democratic countries stepped up to the plate that the people that I come from were liberated, snatched from the jaws of death in concentration camps.

So many of the countries, including the United States, for whom all of us are so grateful, stepped up to the plate because it was in America's national interest, and to do the right thing.

So many of us and so many others took an oath when that happened, Mr. Chairman, that said, never again, never again were we going to allow something like this to happen. We swore this to ourselves, and we swore this to our God. Others swore along with us.

What does that mean? Did we mean this only for ourselves? Did we mean that we would step up to the plate only if we were going to be wiped out? I do not think so, Mr. Chairman.

The CHAIRMAN. The time of the gentleman from New York (Mr. ACKERMAN) has expired.

(By unanimous consent, Mr. ACKERMAN was allowed to proceed for 2 additional minutes.)

Mr. ACKERMAN. Mr. Chairman, we could not mean that only for ourselves, because that would be ingenuous. Never again will I want to remind my friends who have said that, which include probably everybody in this House, that never again is upon us yet again.

What is it that we are to do? Are we to shrug our shoulder? Are we to examine costs? Are we that people that would let others die unjustly, unpleasantly, because we are cheap, because we are thoughtless? I do not think so. This is the time to act in the interests of justice and in the interests of peace lest the notion that we are a mighty and just Nation be but an illusion.

Mr. CALLAHAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will admit I am in somewhat of a dilemma. I have spoken to this House in situations such as this on several occasions during Desert Storm, when we first sent our troops into Bosnia, and now here we are back again this year talking about a similar situation.

I read with interest, and in great depth the resolution of the gentleman from New York (Mr. GILMAN), and I know that we are talking about probably a substitute or an amendment to the substitute of the gentleman from Connecticut (Mr. GEJDENSON).

But, Mr. Chairman, in reading the original resolution, I find myself in a State of confusion because I do not know what to do. Certainly no one can disagree in the first part original resolution that this may be cited as peacekeeping operation. I agree with that. Certainly the part that the Congress makes the following findings about the conflict in Kosovo causing human suffering. I agree with that. The government of Serbia and the representatives of the peoples of Kosovo may reach some agreement soon. I agree with that.

Then it says President Clinton has promised to deploy 4,000 troops to Kosovo. I disagree with that. But it is correct. When I was approached, as chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations, I disagreed with the President about sending our troops into Kosovo. I have expressed this to him. I have expressed it to the Secretary of State and to the Secretary of Defense.

That is my prerogative as a Member of Congress, just as it is my colleagues' prerogative to introduce the amendments and the resolutions as they have today.

But I think it is a very serious mistake for us to send at this time a message to the world and to the people negotiating the hopeful peace agreement that ultimately will be arranged whereby we can provide some vehicle for peace in Serbia and whereby the Albanians and the citizens of Kosovo can someday live in harmony.

I disagree with the President. But I agree with the mission he is trying to undertake, and that is to reach some type of peace agreement before he sends the troops in there. If they reach a peace agreement, he is going to send the troops in there. If they do not reach a peace agreement, he is going to send the troops in there.

The Constitution and this Congress has given the Administrative Branch of government the authority to do that. So we are not here saying let us change the authority. We are expressing a message that could be interpreted by Milosevic or by any of the principles of disagreement as an advantage to his side.

For us to hamstring the President, to hamstring our negotiations I think at this time is a very serious error that we should not be doing that. At the same time, if I vote for the agreement, the original resolution that we have, it indicates that I am supportive of sending troops into Kosovo, which I am not.

So I think that this is ill-timed. I do not know what I am going to do, but I expressed myself on the floor here today. I think a simple ''present'' vote will convince the people of the district I represent that I am concerned, as they are, about where we are headed.

But I am concerned, as they are, that the Constitution of the United States of America leaves foreign policy to the President of the United States, and that Congress is the check and balance.

I did not vote for Bill Clinton in the last election, nor the time before. But a majority of the people of the United States of America did. As a result, we gave him the authority to be the Commander in Chief of our armed services. We cannot deny him the authority that is granted to him in the Constitution.

So I think I am going to vote ''present.'' It is not an indication of lack of support. It is an indication that is not the correct time to be debating this when they are in negotiations trying to resolve a peace agreement.

So my message is, to my colleagues, is that I applaud their willingness to stand and express their views. But I think this Congress is making a mistake to be handling a resolution about this matter at this time.

To the President, I will tell him I still do not support sending troops to Kosovo.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number or words.

Mr. Chairman, I rise to oppose the Fowler amendment. I absolutely agree with the last speaker. Let me tell my colleagues, I want to make quite clear where I come from. I regard Mr. Milosevic as a sociopath. If I had my way, NATO would have gone after him a long time ago. I think he ought to be tried as a war criminal. I think he is one of the most useless leaders to ever walk on the face of the earth. That is what I think about him when I am in a mild mood.

But let me tell my colleagues my problem today. My problem is that I totally agree with what the administration is trying to do in the region, but I am not happy, frankly, with their implementation.

□ 1815

I think they have not accurately gauged the position of the Russians in this situation, and I think that they misjudged the reliability of the Kosovars. And under those circumstances, I am not convinced, while I agree with what they are trying to negotiate, I am not yet convinced that their negotiating partners have demonstrated enough maturity to rely on them in a sensitive situation like this.

My problem is, like the gentleman from Alabama, I believe this should not be here today. And the reason I say that is this: I think it is here because a lot of us have a fundamental misunderstanding of our constitutional role. You can make a very respectable argument that we ought to have a vote before we do something such as bomb Mr. Milosevic. I would vote for such an explicit action. I think he has got it coming, and I think NATO needs to lead and we need to lead NATO. But I also do not believe that this Congress has any business whatsoever interposing its judgment on questions that involve the President's Commander-in-Chief responsibilities.

With all due respect to the Fowler amendment and the Gejdenson amendment, both of which I will vote against, there is not a Member on this floor who has any qualification whatsoever to say what our troop levels ought to be in a peacekeeping situation. The most dangerous human being on the face of the earth is a Member of Congress who has taken a 3-day trip somewhere and thinks that they have learned enough to tell the entire country what we ought to do on a crucial issue. Nine times out of ten they are more of a menace than a help.

I do not believe we have the personal expertise to make military decisions. I want the Joint Chiefs of Staff to decide what the level ought to be, if we do have a peacekeeping force. I do not want that decision made on a political basis by the Congress or the White House. And I certainly do not want it made on the basis of a budgetary question.

I do not want to have to look into the eyes of any more parents and explain why their sons or daughters were killed in an operation. And sometimes, to protect those sons and daughters, we need more troops not less. I happen to think that this is probably one of those cases.

So I am going to vote against the Fowler amendment. I am going to vote

against the Gejdenson amendment. I will not vote for the Gilman resolution because I do not believe in giving Presidents blank checks, and I am not going to endorse an agreement until I know what it is and until I have had an opportunity to gauge the reliability of the people that we are negotiating with.

But I also will not vote against it today, because if we vote against it, we help assure that those negotiations will not come to a constructive conclusion. And that is why, like the gentleman from Alabama, I will vote present. Because until we have an agreement to judge, Congress has no right to muck things up when the result will be lost lives.

Mr. PAUL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Fowler amendment and in opposition to H. Con. Res. 42.

Today we are going to have a vote on whether or not troops should be authorized to go to Kosovo. If we vote in favor of this, we are voting for war. This is not a war resolution in the conventional sense of the Constitution, but in this day and age it is about as close as we are going to come to since we have ignored the Constitution with regards to war powers essentially since World War II. If we vote for troops to go to Kosovo, we are complicit in a potential war and the responsibility should be on the shoulders of those who vote to send the troops.

I strongly urge that we not send the troops. It is not our fight. We are not the policemen of the world. It weakens our national defense. There are numerous reasons why we do not need to send more troops into another country someplace around the world. Every time we do this it just leads to the next problem.

It is said that we should not have much to say about foreign policy because the Constitution has given responsibility to the President. The term ''foreign policy'' does not even exist in the Constitution. The President has been given the authority to be the Commander-in-Chief; to lead the troops after we direct him as to what he should do. He is the commander. We do not have a military commander, we have a civilian commander. But we do not forego our right to debate and be concerned about what is happening on issues of troop deployment and war.

A report put out by those who sponsor this resolution had this to say. ''This measure does not address the underlying question of the merits or misgivings of sending U.S. forces into Kosovo.'' We are not even supposed to debate the merits and misgivings of sending troops. Why not? ''Instead, the purpose of this resolution'' they go on to say, ''is to give the House an opportunity to fulfill its constitutional responsibility of authorizing the deployment of U.S. troops into potentially hostile situations.'' In other words, we are to do nothing more than rubber stamp what the President has asked for.

Where does the President claim he gets his authority? Does he come to us? Has he asked us for this? No, he assumes he has the authority. He has already threatened that what we do here will have no effect on his decision. He is going to do what he thinks he should do anyway. He does not come and ask for permission. Where does he get this authority? Sometimes the Presidents, since World War II, have assumed it comes from the United Nations. That means that Congress has reneged on its responsibility.

We do not just give it to the President, we give it to the President plus the United Nations or NATO. And when we joined NATO and the United Nations, it was explicitly said it was not to be inferred that this takes away the sovereignty and the decision-making powers of the individual countries and their legislative bodies. And yet we have now, for quite a few decades, allowed this power to gravitate into the hands of the President.

After Vietnam there was a great deal of concern about this power to wage war. First, we had Korea. We did not win that war. Next we had Vietnam. And with very sincere intent, the Congress in 1973 passed the War Powers Resolution. The tragedy of the War Powers Resolution, no matter how well motivated, is that it did exactly the opposite of what was intended.

What has actually happened is it has been interpreted by all our Presidents since then that they have the authority to wage war for 60–90 days before we can say anything. That is wrong. We have turned it upside down. So it is up to us to do something about getting the prerogative of waging war back into the hands of the Congress.

It is said that we do not have this authority; that we should give it to the President; that he has it under the Constitution based on his authority to formulate foreign policy. It is not there. The Congress has the responsibility to declare war, write letters of marks and reprisals, call up the militia, raise and train army and regulate foreign commerce. The President shares with the Senate treaty power as well as appointment of ambassadors. The President cannot even do that alone.

We have the ultimate power, and that is the power of the purse. If the power of the purse is given up, then we lose everything. Because we have not assumed our responsibilities up until this point, it is up to us to declare that the President cannot spend money in this manner. I have legislation that would take care of this; that the President cannot place troops in Kosovo unless he gets explicit authority from us to do so. If he does it, the monies should be denied to the President, unless we want to be complicit in this dangerous military adventurism.

Mr. RODRIGUEZ. Mr. Chairman, I move to strike the requisite number of words and oppose the Fowler amendment in favor of the Turner amendment.

Mr. Chairman, why are we debating this issue at this point in time? We all recognize that it is political; politics that could come back to haunt us.

One of the biggest problems we have in Congress is the fact that we have an obligation and a duty. The only reason to debate this resolution today is to undercut the administration at the critical time of our negotiations. It is more than irony that some of those pushing for consideration of this resolution today fully intend to oppose the resolution. This is an exercise in rhetoric.

POINT OF ORDER

Mr. CUNNINGHAM. Point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state his point of order.

Mr. CUNNINGHAM. Mr. Chairman, is it improper, either in the full House or in the body, to characterize the reasons for why different people vote for things; to characterize and impugn?

Mr. RODRIGUEZ. Mr. Chairman, I apologize if I have offended anybody.

The CHAIRMAN. The gentleman will suspend.

The Chair will simply state that it is improper debate to question the personal motives of any Member.

Mr. CUNNINGHAM. Mr. Chairman, I will not demand the words be taken down, but I would ask the gentleman not to characterize.

Mr. RODRIGUEZ. Mr. Chairman, if I have offended anybody, I apologize. But as a member of this Congress, I recognize the fact that politics is played within the House floor, and I recognize that this particular resolution does undermine the administration's efforts at this point in time.

As a Member representing a community of more than 42,000 active duty service members and nearly 6,000 reservists and guard members, I do not take this issue lightly because the lives of those service members may be put in harm's way.

I deplore the timing of this resolution. This resolution is being set up for failure. At least 2,000 people have been killed and 400,000 displaced in the Balkans region. The United States clearly has a vested interest in peace in the region. Kosovo and the Balkans fall in between two allies, Greece and Turkey. The Balkans' historical role in Europe has been critical. We all recognize that we also have in jeopardy Macedonia, Montenegro, Northern Greece, Albania, as well as Turkey, and the possibility of this particular situation going out of its boundaries.

Our interests are humanitarian, economic and military, and also an interest as it deals with the leadership of this country and the fact that we have not only an obligation but a duty to make sure that peace is obtained. By playing politics with sensitive peace negotiations that are set to resume March 15, the House of Representatives could jeopardize peace in the region. Failure to achieve peace now in Kosovo could cause significant instability in the already volatile region.

Secretary of State Albright stressed this point yesterday before the House Committee on International Relations saying that a new outbreak of fighting in Kosovo could expand into regional hostilities that could cause massive suffering, displace tens of thousands of people, undermine stability throughout South Central Europe, and directly affect key allies.

If we can secure peace, if we can end the slaughter, we have the duty to do so. If we can join our NATO friends and allies by providing those 4,000 troops as part of the large NATO force, then we have the duty to do so. The failure to obtain peace now could put greater numbers of potential U.S. and European troops in danger if broader hostilities break out.

Our Nation's modest personnel but crucial political investments in the Kosovo peace process is essential to achieving peace. Without the U.S. involvement, peace is unlikely. Mr. Chairman, I urge my colleagues to support this resolution.

I also want to add, Mr. Chairman, that this is very different from Bosnia, and it is very different from Bosnia in the sense that in Bosnia we took the lead. Here only 14 percent of the troops will be from the United States. Europe is taking the lead, and we have an obligation and a duty, Mr. Chairman.

Mr. BATEMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I hopefully will not take the 5 minutes, but let me express to my colleagues the deep, deep anguish I feel in what we are doing and how we are doing it. I cannot rise in support of the base amendment, the Gilman resolution, nor the Gejdenson amendment to it, nor the amendment of my dear friend the gentlewoman from Florida (Mrs. FOWLER), or substitute.

Much has been said about the timing of why we are here and that we should not be here at this time. I agree with that, but I am not sure that I attach the responsibility for that fact the way others have done so. If our President had assured us that, upon being able to negotiate an agreement, he would come to us and seek our approval for going forward with military deployments in Kosovo, it would have been the time for this debate to have taken place, after the agreement had been reached.

□ 1830

I almost certainly would have been one of those who would have supported doing what he asked if there was an agreement we could look at and know what it provided and that it was a bona fide agreement. But here we are with the certainty that he would not come to the Congress and yet he does not have an agreement and we do not even know whether or not at such time somebody in Paris signs their names to a stack of papers that it will indeed be an agreement of anyone.

How do you say you have the agreement of the Federal Republic of Yugoslavia when you are saying, ''If the Kosovo Albanians sign it and you don't, we're going to bomb you.'' Now, I am not sure that that is an agreement. How do we know that anyone who purports to be representing the people of Kosovo has any authority to represent the people of Kosovo? The chief political observer of the Kosovar Liberation Army left Paris and criticized those who even entertained the notion of signing the agreement. We do not have any basis for knowing that this agreement is real. If it is not real, then we have put ourselves in a very tenuous position to say that we will deploy American armed forces in the sovereign territory of another state against its will and conduct bombing or other military action. That certainly is an act of war. That requires us to declare it. It makes us an international outlaw if it has not been done that way and we do not in fact go there by agreement.

I do not like the fact that this debate is taking place now. But for anyone to say this Congress does not need to have a debate on matters of this kind and of this consequence I think denigrates the role of this Congress in the governance of the United States of America. I do not want to be in a position where someone has deployed forces, my constituents, and to have to go back to the people I represent and say, ''Well, they've been sent there because we didn't think that the Yugoslavia Federal Republic had given Kosovo sufficient autonomy, but we certainly didn't send them there to fight for the independence of Kosovo.'' Those kind of subtle distinctions certainly escape me. I think they will escape my constituents. I wish this debate came later, when the President could say there is an agreement and we could test whether it was real and then support him. But unfortunately we are not in that position. I frankly do not know whether we are going to find anything that is going to be before us in the course of this debate that I will be in a position to vote for.

Mr. TRAFICANT. Mr. Chairman, I move to strike the requisite number of words.

I wonder if we vote not to deploy troops in Kosovo if the President would abide by it. I thought the gentleman from New York (Mr. ACKERMAN) made a good statement. I would like to concur. There is a reason for United States support in the region. Maybe the most important reason is genocide. The world took genocide lightly once before and we should not do it again. But what bothers me is we have been turning aside from this dilemma since 1986 when there was an intelligence report that said there is only going to be two dynamics that come out of Kosovo: We will either press the Serbs for independence for Kosovo or there will be a revolution and there will ultimately be a great entanglement.

I believe we must support the ethnic Albanians in Kosovo who are being brutalized. But the gentlewoman from Florida (Mrs. FOWLER) brings a good question to the House. How do we do it? She says we should not deploy troops, we should use air strikes, logistics, intelligence and other means of identifiable support. There is a lot of sense to that. I think it is time for Europe to stand up for Europe. We may be the superpower, but by God we are not the only power.

Let me say one last thing. I want to commend the Speaker for this debate. We have been debating war, ladies and gentlemen, after wars have been engaged. If these are peacekeepers, we ought to send the Peace Corps. If these are police actions, we ought to send the D.C. police. These are potential wars.

I am going to support helping in our cause in Kosovo. But I am going to vote for the Fowler amendment. In addition, if the Fowler amendment should fail, I will support Gejdenson, because I think this thing is going to be passed. But I will then offer an amendment to Gejdenson that says no troops shall be deployed unless all Serb troops are removed from Kosovo on the schedule of which Rambouillet would require. Number two, that if Milosevic violates the agreement, it is to be understood that NATO strikes in Serbia at military installations will be immediately commenced. And, number three, that any suspected war criminal shall be investigated and, if necessary or warranted, apprehended and tried by an international tribunal.

In closing out, let me say this. I have left out the question of independence, because we do not have enough guts yet, but I will make this point to you. Milosevic has laughed in our face. Unless there are some terms in that agreement, we will have failed. Ninety-three percent of the population of Kosovo is ethnic Albanians. Milosevic has lost the moral authority to lead. So I am willing to back up on that. But not on the war crimes and not on other conditions. And if this bum violates it again, by God, we should codify it into law that action will be taken.

Mr. BLUNT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we have heard a number of times here today that the Congress should not be acting on this question yet. It is amazing to me that of our NATO allies, the members of the Bundestag can debate this question and vote on it, the members of the Parliament can debate this question, but the Members of the U.S. Congress cannot debate this question.

I have heard here a number of times today that we should be waiting until there is a final agreement. Mr. Chairman, I am confident that every effort has been made to get assurances that if there was a final agreement, that the Congress would be consulted after that final agreement and before troops were deployed, and those assurances are not there.

Yesterday, before a committee of the House, the Secretary of State said that this is not a good time for the Congress to be debating this issue. But then she went on to say that there is never a good time for the Congress to debate these issues because we just get in the way of diplomacy. That is not the role of the Congress as I see the role of the Congress in the Constitution and many others do. I am grateful for the Speaker's decision to provide this debate. Too many times, the Congress has said we will wait until the decision is made and the decision is made and the commitment is made so quickly that then we have a decision of whether we are going to support troops in the field, not to whether those troops would be in the field or not.

There are questions that this House has an obligation to ask right now. Dr. Henry Kissinger, the former national security adviser, the former Secretary of State, gave some insightful testimony before the House Committee on International Relations yesterday. He said there is a critical question to be asked, under what circumstances should American military forces be used to pursue national objectives and what should those objectives be? Should American military might be available to enable every ethnic or religious group to achieve self-determination? If Kosovo, why not East Africa? Why not Central Asia? Is this part of our policy?

I think there are questions that this Congress has to ask in regard to Kosovo. Why would we be there if we are there? What is our goal in Kosovo? I understand that part of the goal is to get Serbia out of Kosovo without getting Kosovo out of Serbia. I submit to the Congress that that is a very difficult goal to achieve. How will we know when we have done it? We have been in Bosnia now for years and the checklist that we had hoped to be checking off, we cannot check any of the boxes yet. We are no closer to leaving Bosnia than we were the day we went into Bosnia. And what is the cost to our armed forces? What is the cost of our ability to defend America around the world?

I thought the gentleman from California (Mr. HUNTER) made an incredibly effective presentation with the wrong conclusion. The presentation was the diminution of our military forces, our military readiness, our military benefits, our military research, our development of new weapons, and then one of the main reasons for that is this willingness to commit troops, to commit our defense capacity without any end in sight. We need to ask what that end is. There may in fact be a better way for the Congress to take up this issue. I would be fully in favor of the administration negotiating this question and then coming to the Congress and say, ''Here is what we have negotiated. What do you think?'' That has not happened time after time after time. We have sought assurances it would happen this time. There are no assurances forthcoming. For all those who say now is not the time, I would say to them, there will not be a time if we wait for the administration to determine when the Congress should be involved in this because, as the Secretary of State said yesterday, it is really never helpful for us to discuss these issues.

The President and the Secretary of State should be asking for our approval. We need to be partners in this kind of policy. I rise in support of this amendment and to encourage the administration to fully involve the Congress in its future activities before they are completed.

Mr. BLAGOJEVICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, of the hundreds of votes we cast in this Chamber each year I believe money is more important than the issue of deploying our troops abroad and placing them in harm's way. While I believe it is fully appropriate for Congress to have a voice in the crucial decisions, I also know that there are some in this debate who are motivated by questions of domestic politics rather than foreign policy. They want to score political points at the President's expense and I think that is regrettable. This important debate over the nature and extent of our military involvement in the Balkans should be driven by long-term national interests, not short-term political considerations.

It is on the basis of our long-term national interests that I oppose the resolution to authorize the President to deploy American troops to Kosovo. I am not pleased to find myself at odds with a major foreign policy initiative of my President. But I come to this position based on a close evaluation of U.S. foreign policy in the Balkans. Mr. Chairman, the Balkans are a complicated, dangerous area. For six centuries Kosovo has marked the confluence of three vastly different cultures. Since the first battle of Kosovo in 1389, these cultures, Western, Slavic and Islamic, have clashed violently at this very spot. These battles are not over something so simple as land or even as valuable as mineral rights. Instead they are battles in which each party believes they are guided by heaven in a fight for the future of their people.

The current war in Kosovo is no different from those that have preceded it. The fall of the Soviet empire did not write a new chapter in the history of the Balkans. As much as it repeated one that came before with the fall of the Hapsburgs and before that with the fall of the Ottoman Empire. Kosovo belongs less to the end of our century than to the beginning, and the motivations of the combatants are the same as those in previous battles.

Though technically begun by one man, Slobodan Milosevic, who reflects on little more than his own greed, it is being fought by two peoples convinced of their own imminent destruction. These people believe the sword is the only option to preserve their own life and, barring that, their only honorable path to death.

Putting U.S. troops on the ground in Kosovo is not a recipe for peace. It is a recipe for disaster. The history of the Balkans has only marginally been kinder to its inhabitants than it has been to outsiders. Placing U.S. troops in the middle of this conflict will not bring an end to the killing but instead draw Americans into it.

□ 1845

We have put our troops in this position before in places such as Lebanon and Somalia, and while peacekeeping is a noble task, it works only when there is a peace to keep. A signed piece of paper between two peoples who see no options, but war is not peace.

Our troops are going into Kosovo with no clearly defined mission and no exit strategy. We have already seen this pattern in Bosnia. We were originally told our troops would be in Bosnia for 6 months. Almost 4 years later they are still there with no end in sight, and, unlike Bosnia, this conflict in Kosovo would inevitably be far more difficult and dangerous to American forces.

What happens if we begin to incur casualties? Will we fall victim to mission creep? Will we deploy troops to defend Macedonia? Albania? And Bulgaria? The unique and tragic history of the Balkans teaches us that these battles grow into wider conflict, and when outsiders are drawn into it, they are drawn into it and cannot get out.

I do not shy away from the use of military force to protect our Nation's vital interests, and I do not deny that the war in Kosovo is a tragedy that grips our Nation's conscience. In this sad world of ours there are many tragedies around the globe: Turkey's war

with the Kurds, Russia's battle with the Chechens, China's war on Tibet. Yet no one suggests that we intervene in these conflicts and for a simple reason. Many American soldiers would die in vain.

Instead of elevating Milosevic as a savior for his people, we should be working to undermine him and make Serbia a democracy.

In Serbia today, pro-democracy groups such as the Alliance for Change, the Council for Democratic Change and the Democratic Party of Serbia struggle to build an open society without us taking notice. This must change.

Tomorrow in Independence, Missouri, the success of our policies elsewhere in Europe will be ratified when Poland, Hungary and the Czech Republic officially join NATO. Let us use this occasion to acknowledge the serious flaws in our Balkan policy. More troops are not the answer.

Let me say again this is a difficult vote for me and I regret it is taking place at a crucial time in ongoing negotiations. But the fact remains I cannot in good conscience support sending our young men and women in uniform into harm's way without clear, achievable goals.

Mr. KASICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I believe that the single greatest challenge in foreign policy as we head into the next century is our ability to define vital national interests of the United States.

There are many people that are concerned about this debate today because they take a look at some of the terrible violence that goes on around the world, and they say how can the United States not intervene in the face of that?

Mr. Chairman, if we try to pick and choose those areas in the world where we will intervene based on the power of television, I think we will not be able to make good choices.

The fact is whenever the television stations focus their cameras on violence in one particular part of the world and brings that violence to our attention, then it seems as though a case is being made and gets made within this administration, and frankly on this floor, that the United States has a vital interest or has an interest in order to stop the violence.

The fact is, as we look around the world, when we look at the plight of the Kurds, when we look at the tragedy, the ongoing tragedy, in Sierra Leone, when we consider the plight of the people in Afghanistan, and Sudan, and in Somalia, and in Indonesia, the list goes on and on to demonstrate man's inhumanity to man.

But what is the responsibility of a great power? How does a great power decide where to go?

When I came on the floor earlier today, I heard somebody talking about how much they hated the violence and the tragedy that was ongoing in Kosovo, and yet then I heard another speaker stand and say:

But how can we put American forces in harm's way where somebody is going to have to call somebody's mother or father and explain why somebody lost their lives?

This is not a question of whose heart is bigger. This is a question of what is in the best interests of a national power to in the long run do what is in the best interests of world peace and world security.

The fact is there are some benchmarks and some landmarks and some compasses and some guiding stars that I believe can allow us to make the prudent decision. The first and most important question is: Is it in the vital national interests of the United States? Can we in fact be able to define specifically and with great credence exactly why it does benefit us? And frankly combined and intertwined right with that struggle to define the vital national interest comes right with it the need for the American people to support our involvement.

Now I have been in the Congress, now starting my 17th year, and we have faced this issue over and over again, and it is not a matter of partisanship. I remember the debate on this floor when Ronald Reagan committed us to Lebanon, a place where we saw great ongoing tragedy every night on the national news, and we went frankly because we followed our hearts in order to rescue people from violence, and at the end of the day we lost a great number of marines and we left because we were never able to define Lebanon in the vital national interests of the United States with the combined support of the American people. I voted against Ronald Reagan that day on the floor in regard to Lebanon.

There is another third issue that involves not just the vital national interests and whether the American people support our efforts, but do we have an achievable goal? Do we have something that is an objective that is likely to succeed? And if, in fact, we look at what the goals are and they are ill-defined, as they were in Lebanon and, I believe, as they are in Kosovo, then all the committing of forces in the world will not achieve our goal, our objective, if it is not clear and if it is not achievable.

And in addition to that, what is the timetable? The timetable is one where it is always easy to get in. The question is what is the exit strategy? How do we get out after having achieved our goal? Mr. Chairman, if we consider these notions of is it in the vital national direct interests of the United States, does the commitment have broad support among the American people, is there an achievable goal and is there a timetable to go in and get out; if the answers to those questions are not all in the affirmative, then I believe the United States makes a huge mistake by committing itself. In Lebanon we engaged ourselves in a civil war.

The CHAIRMAN. The time of the gentleman from Ohio (Mr. KASICH) has expired.

(By unanimous consent, Mr. KASICH was allowed to proceed for 3 additional minutes.)

Mr. KASICH. Mr. Chairman, look. We got involved against Saddam Hussein because we were able to explain the vital direct national interests of the United States, we were able to get the support of the American people and we had a good timetable. We made a mistake in Lebanon, we made a mistake in Somalia in the middle of a civil war. See, the fact is that when we engage in conflicts that represent ethnic strife or civil wars where there is not a clear American interest, and an achievable goal and a timetable to get in and get out, what happens is a superpower entangles itself all over the globe, and George Washington warned us in the beginning of his administration, at the beginning of our country, that a great power that entangles itself in too many places in the world will diminish itself.

So the challenge for the United States is to literally define the direct national interests of the United States whenever we go and for our leaders to gather the support of the American people, and to have a good goal and to have a good timetable. Short of that, short of being able to answer those questions affirmatively, then the United States needs to preserve its power, because in preserving its power and at the same time using it successfully, we will enhance a great power. To use it wantonly around the world without answering this affirmatively will diminish us over time.

I believe that the gentlewoman from Florida (Mrs. FOWLER) is right tonight. We should not make a commitment to go to Kosovo to engage in a civil war, an ethnic conflict. I believe over time that these kind of commitments will diminish us rather than strengthening us and will not serve the peace and the security of people across the world as we would want them to be served.

Mr. HASTINGS of Florida. Mr. Chairman, will the gentleman yield?

Mr. KASICH. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. I am just curious if my distinguished colleague has any concern for our credibility in the NATO alliance and whether or not our decision here would impact that alliance.

Mr. KASICH. Mr. Chairman, I would say to the gentleman from Florida that we spent 40 years training our NATO allies to work against the Soviet Union moving across the Fulda gap with an incredible display of armor and

lethality. I believe that the Europeans in this case, if they want to go into Kosovo, they should go, they should make that decision. The United States could offer them technical support.

But I believe this is foremost their job, this is in their direct national interest, but not in the direct national interests of the United States. We can participate in indirect ways to offer the technical support they would need, but for us to be involved in the bombing and the committing of troops on the ground is not in our vital national interests, I do not believe the goal is achievable, and frankly I do not even know what the goal is over there as defined by the administration, and finally, I just do not think there is a timetable that gets us out.

Mr. HASTINGS of Florida. Mr. Chairman, I thank the gentleman from Ohio.

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Fowler amendment with the greatest respect for the maker of this motion. I oppose the amendment on the grounds of its substance and find the timing of it most unfortunate.

In doing so, though, I want to praise the chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN), and the ranking member, the gentleman from Connecticut (Mr. GEJDENSON), for their participation on the floor today. I would say for their leadership in bringing this issue to the floor, but I do not think that this issue should be on the floor today. Having said that, I applaud them for their impressive presentation on why we should be supporting the President's policy in Kosovo and why we should be opposing the Fowler amendment here today.

I also want to commend my colleague the gentleman from Texas (Mr. TURNER) for his very wise amendment to the Gejdenson amendment and hope that this House will give it its fullest consideration when the opportunity comes.

Mr. Chairman, other speakers this evening have said that Kosovo, is a very difficult decision. Well, Kosovo is a very difficult and dangerous place, and we are sent here, after all, to make the difficult decisions. I, for one, do not think that we, Congress, has a role in voting on whether the President should send peacekeepers into a region, so I do not think that this debate is a necessary one, and I think again that the timing of it is unfortunate.

What is happening in Kosovo is a challenge to the conscience of our country, what is happening in Kosovo is a challenge to the future of NATO. I would say to our colleague the gentleman from Ohio (Mr. KASICH) that it is in our vital national interest, it is in our vital national interest to support NATO. Indeed the United States is so much a part of NATO that NATO is not effective without U.S. participation.

I would have hoped that we could have had the administration bring the negotiations to fruition. There can be no agreement without American troops on the ground. The Kosovars would never agree to any peacekeeping force that did not include American troops. There can be no agreement without NATO in Kosovo, and NATO will not go in without U.S. troops. So our involvement is fundamental to any agreement about keeping the peace in Kosovo.

I said earlier that Kosovo is a challenge to our conscience. Just a few years earlier Bosnia was, and over 200,000 people were killed there. I wondered when I was a child and first learned about the Holocaust and read ''The Diary Of Anne Frank'' as a teenager, I wondered how did this ever happen? Didn't anybody know? Why didn't anybody do anything about it? And when the Bosnian situation came along, I could see how it happened. People knew, people cared, but people did not want to get involved.

Before the 2,000 people who have been killed, 2,000 plus in Kosovo, grow to a greater number, I hope that we can be smart about this and support the reasonable negotiations that would involve U.S. troops on the ground. Two thousand people were killed there, many of whom are women and children. There have to be certain recognitions. As I have said before, there is no effective NATO without U.S. participation.

□ 1900

There is no effective peace agreement without U.S. participation of troops on the ground, and the other recognition is that Milosevic the ruthless president of Serbia, as we know, and is a ruthless killer. He has an endless appetite for killing people. So it is not a question of his conscience ever being challenged.

We cannot count on any balance, on any reason, on any humanitarianism springing from the other side. It must spring from NATO and, again, the U.S. is almost synonymous with NATO now.

I talked about the timing, and I want to return to that, Mr. Chairman, because I think that this is really unfortunate. The President of the United States is bringing a message of compassion and humanitarianism to Central America after the most disastrous natural disaster in this hemisphere. Over thousands of people killed, millions of people made homeless, thousands without jobs, economies wiped out.

The President is bringing the compassion of the American people there. That is an appropriate mission for the President. The Secretary of State is joining him. The Secretary of Defense is out of the country, and we bring up a resolution to undermine their efforts in Kosovo.

I urge my colleagues to oppose this ill-timed resolution.

Mr. GILMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I first want to commend the Members on both sides of the aisle for the dignified and calm way and thorough way in which they have conducted the debate on this important measure, and I also commend Speaker HASTERT for arranging this debate. I think it is extremely important that we have had this opportunity to voice our views, both pro and con, with regard to the commitment of troops to Kosovo.

Mr. Chairman, I rise with some reluctance to oppose the amendment offered by the gentlewoman from Florida (Mrs. FOWLER). I understand that the gentlewoman from Florida (Mrs. FOWLER) is offering this amendment because she is genuinely concerned about the effect of NATO peacekeeping missions in the Balkans on our troops and on our military readiness.

To a degree, I share some of those concerns. Nevertheless, in the interest of preventing hostility in Kosovo, I must rise in opposition to the Fowler amendment.

My main concern is that the situation there is fluid, and regrettably the Fowler amendment would lock us in an inflexible position of having to decline outright our participation with our NATO allies in bringing peace to Kosovo. Accordingly, I rise in opposition to the Fowler amendment. I believe U.S. participation in this NATO peacekeeping mission is an essential ingredient for peace in Kosovo.

Mr. MICA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support this evening of the Fowler amendment. If we look at the Fowler amendment it really does not prohibit United States assistance to stop the bloodshed that we see in this region of the world.

My colleagues, I do not think there is anyone who serves here among us that would like to see another person die, another person harmed, would like to see the continuation of tragedy in that part of the world that we have witnessed on television, we have witnessed in media accounts. We all want to see that end, but, my colleagues, we have been there and we have done that before.

I have only served 6 short years in the House of Representatives, but from the time I came to first serve here we have seen what has happened under this administration. Again, I reiterate and recite the experience of Somalia. It started out as a humanitarian mission, a compassionate mission, and we were sucked into this conflict.

If we look at the newspaper just a few weeks ago, we will see that 60 people were killed in Somalia; that, in fact, our policy failed there, our efforts failed, and the killing goes on.

We spoke from the well here about Haiti, about a policy relating to Haiti. We spent $3 billion. We are the most compassionate government and Congress on the face of this Earth to try to bring peace and order and stability to Haiti and other nations. I say that tonight Haiti is just as unstable as it has ever been and, again, we have turned from one set of dictators to another set of dictators.

We saw the example of Rwanda and how this administration failed to act when we had the greatest genocide in the history of my lifetime, my short lifetime, that only after continuous pleas of the United Nations were rebuked. I spoke here on the Floor of the House and others did asking that the United Nations be allowed to send a pan-African force with no American troops there to stop the situation from turning into a disaster. We knew what was going to happen, and this administration blocked that effort.

In Bosnia, we heard about the quarter of a million people who have lost their lives there. I have been to Sarajevo and I have looked across the parks in Sarajevo that now have the white crosses of the tens of thousands who died.

Why did they die? They died because of the failed policy of this administration. They did not come to the rescue of the people when they needed it. A quarter of a million had to die and advisors from this administration, who we talked with, resigned in disgust.

They kept people from protecting themselves in that region, and that is why we had that quarter of a million die.

We were promised time and time again here that our troops would be gone, thousands of troops gone, and we still have 6,000 to 8,000 troops in that area and we were told when we visited there recently that, again, it takes 10,000 to support the several thousand that we now have there years later.

So, yes, we want to stop violence.

Does nation building work? Sometimes a thousand years of conflict cannot be resolved by our troops or our fine efforts.

Tonight, as we are here enjoying the comforts of the United States, there are 30 armed conflicts in the world. There are people dying throughout the world for various reasons in almost every hemisphere.

Can the United States be the policeman of the world? I say that we cannot. Can we support organizations like the United Nations, who should go in and take actions? Yes, we should. Should we support NATO? Yes, we should. Have we helped NATO over the years to build forces to resolve conflicts in the European theater? Yes, we have.

We have been good neighbors. We have tried to assist but, again, we have been there, we have done that.

Let me say finally why we are in the situation in Kosovo, and that is again because of a failed policy by this administration.

Mr. OLVER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise at this point to speak in favor of the Gejdenson amendment but also to say that I think the original amendment, the Gilman amendment, is an acceptable alternative.

I would prefer that we were not doing this. I think tonight the timing is not exactly right, but we are doing it. So in those terms I would ask that we remember the history that has gone on; who it is we are dealing with and what the history of those dealings have been in the period of time that Slobodan Milosevic has been the leader of Yugoslavia.

I ask us to remember that Milosevic attacked not one but two members of the United Nations in 1991 and 1992, both Croatia and Bosnia, and it was the regular Yugoslav Army, not indigenous folk, who attacked and destroyed the ancient and beautiful city of Vukovar after a 2-month siege, and in the aftermath of that siege the slaughter included people who were pulled out of the hospital, men and women pulled out of hospital beds and slaughtered at the end of that siege.

Their crime was that they happened to live in an area that Milosevic wanted to add to Serbia, but their other crime was that they were Roman Catholics.

Then I ask us to remember that Milosevic deployed his regular Yugoslav army, that that was the instrument by which the overwhelming Muslim cities and towns in the Drina River Valley in eastern Bosnia were ethnically cleansed in early 1992. That was when the major ethnic cleansing occurred, early in 1992.

Their crime was that they were in a part of Bosnia that Mr. Milosevic wanted to add to Serbia. Their other crime happened to be that they were Muslims. So they were ethnically cleansed, which meant that they were either killed or driven out.

I ask us to remember Srebrenica, crowded with refugees, whose only crime really was to have taken the U.N. seriously when the U.N. said that Srebrenica would be a safe haven, but, of course, they also happened to be Muslims. They, 8,000 men and boys, every male in that community, when it was overrun, was slaughtered like pigs in a stockyard.

I ask us to remember that Milosevic signed the Dayton Accords in 1995, after it was clear that the tide was running against him. That has been a remarkably successful deployment as peacekeeping. The only area, the major area, where it has been unsuccessful is because Milosevic has violated all of the terms of the Dayton Accords that related to allowing refugees to return.

I ask us to remember that Milosevic signed agreements in regard to Kosovo only four months ago and has violated every one of those agreements. There is no difference between the policy that the Milosevic regime has put forward either before or after those signings back in October. So there have been thousands of people killed and another 400,000 refugees have been sent around in various places in Europe.

It is that history, that history of dealing with this what my ranking member on the Committee on Appropriations called the psychopathic, psychotic, one of those words, whichever one it was, nature of the leader that we are dealing with.

With all of that history, it is the contact powers that have come together and empowered NATO, suggested that they go in and create an atmosphere for peace. NATO has not moved quickly. Those contact powers have not moved quickly before in Yugoslavia and it is only because of the history, the 10 years now virtually of history in dealing with that regime, that they are now acting. I think that it would be a tragedy if we did not support their capacity to act at this time.

It is not our part, nor any part, nor any intent of that effort on the part of NATO, to give Kosova independence. What is intended is to stop the killing. It is a mission designed to stop the killing, to impose peace.

The CHAIRMAN. The time of the gentleman from Massachusetts (Mr. OLVER) has expired.

(By unanimous consent, Mr. OLVER was allowed to proceed for 2 additional minutes.)

□ 1715

Mr. OLVER. Mr. Chairman, I hope in that process, I think everyone hopes in that process, if an agreement can be reached, that it will be possible to see if those people can live together, can live and coexist together. After all that has gone on, all of the repression of the Albanian ethnic majority, now 93 percent of the population of Kosovo is Albanian ethnic citizens of the origination of Yugoslavia, from some time ago, whose autonomy was taken away, and the very policies that Milosevic has followed has led to more Serbs leaving Kosovo. So it is 93 percent Albanian.

But I think also, now, in the last year of the 20th century, we ought to look at this century and see that early in this century there was a peaceful divorce of two nations put together, two peoples put together by an agreement that had been made after a war earlier. The Swedes and the Norwegians in 1905, they peacefully divorced. Not a single person was killed in that process. At the end of this century, we have seen the Czech Republic and Slovakia. They were united. There was no separated sovereignty, there was only one sovereignty. They decided to peacefully divorce, and there was not a single person killed in that process.

We should be seeking ways of developing a peaceful divorce here, if that is what it comes to, and if it is clear that those people cannot live together peacefully and in fairness and in justice, which is what clearly we are trying to have 3 years to be able to develop over a period of time.

So I hope that the Gejdenson amendment will be adopted, and if not, the Gilman underlying amendment, either is acceptable, to allow that kind of policy to go forward.

Mr. BLILEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise reluctantly to oppose the gentlewoman from Florida (Mrs. FOWLER), my good friend whom I almost always agree with, but she is wrong. We cannot back out of this. If we do, we might as well back out of NATO.

The Europeans cannot do this without us. We have to be there. It is not pleasant. I would just as soon we did not have to be there. However, we need to remember, World War I started in the Balkans, and if we do not participate, the Europeans will not participate without us. I serve in the NATO Parliamentary Group, I have for the last 15 years. They have made it clear that without us, they will not be there. Then, the fighting will continue. We will see the ethnic cleansing going on that we saw in Bosnia. We will see on the evening news the body bags, the atrocities, and the Kosovars, who are lightly armed in comparison to the Serbs, will call on their Albanian colleagues and brothers to come to their defense, and we will begin to have a widening war in the Balkans.

Is it in our interests? You bet. It is in our interests if for no other reason but for humanitarian reasons to make sure the slaughter does not go on. Far more than that, what it means to the future of the North Atlantic Treaty Organization, the most successful defense group in the history of the world, it would be a tragedy.

Has the administration fumbled? Has it failed to come forward as they should have long ago to explain to the American people and to the Congress why it is absolutely necessary that we participate? You bet. The fact is, that is water over the dam. We are here at a crucial point. We need to make sure that we do our part.

Mr. Chairman, 4,000 troops out of a contingency of 28,000 or more is a small price to pay for peace. Would that we had had 4,000 troops in 1934 to boost up the morale of the French and the British when Hitler broke the Treaty of Versailles and moved back into the Saar. We might have had a far different historic turnout.

Mr. HASTINGS of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wish to underscore and associate myself with the remarks of the previous speaker, the distinguished gentleman from Virginia.

Mr. Chairman, as an internationalist, I believe that the United States can and should intervene when a country violates international law and commits crimes against humanity. It is shameful that we waited as long as we did to intervene during World War II and the more recent genocides in Bosnia and Rwanda.

Yesterday, before the Committee on International Relations, Senator Dole put the question, how many murders make a genocide? Mr. Chairman, do we wait until the deaths in Kosovo number hundreds of thousands as opposed to the 2,000 to 3,000, or do we intervene earlier? Europeans with whom I have discussed Kosovo are truly perplexed. I have had an occasion to discuss it often with my colleagues in Europe and the responsibility that I happily undertake as a rapporteur of the First Committee which deals with politics and security in the Organization for Security and Cooperation in Europe. Four times a year I have traveled to those meetings for the last 3 years and talked constantly about this particular problem.

Mr. Chairman, my colleagues in other bodies in Europe cannot fathom how any thinking person can oppose efforts to craft a solution to this enormous human conflict. This is not a local problem. Objective observers agree that the conflict could draw in Albania and Macedonia, threaten NATO allies Greece and Turkey, divide the NATO alliance, undermine NATO's credibility as a guarantor of peace, jeopardize the fragile situation in Bosnia, and initiate a massive refugee movement throughout Europe.

The President is not considering a particularly large American presence. I believe that all of us know that he anticipates sending less than 4,000 Americans to join 28,000 in the NATO force. Included in the 28,000 will be 8,000 British soldiers, and 6,000 Germans. The fact that the Germans are planning to send ground troops is not insignificant; it is a testament to the importance of this issue for all of Europe and all of the world.

America is truly the greatest country in the world. But perhaps because we are so large and diverse, we are often conflicted about our place in the world. Every time a post-Cold War Congress has had to consider committing United States troops to places such as Haiti or Rwanda or Bosnia or Iraq, it has been difficult to garner sufficient support from Congress. But we cannot expect to be a world leader, actually the only real superpower, without participating in international operations. We demand that the rest of the world cherish our democratic values and that NATO and the United Nations intervene in conflicts that we deem important. But when we are called upon to participate in missions which were not initiated by us, we balk.

For many years, the goal of our foreign policy was the dissolution of the Communist system. We ultimately achieved success, but the erosion of communism created power vacuums around the world. We did not foresee the problems that would be created, and now that we can see them, we are unwilling to do anything to heal the fissures. While communism in its original form may be largely dead, it has been substituted in some places with brutality and instability. We seduced the Communists. We said, our way is better. It works. Come with us, we will help you. The people looked to the West, saw us and saw that it was good, so they took our advice. In some places, our example has worked. In the Balkans, it has not. Rather than help, some of us are prepared to close our eyes. We are telling them that they are on their own. It is your problem, not ours, we are saying.

Well, I do not agree. It is our problem. And if this resolution fails today, we will leave our President and Commander in Chief flapping in the wind, along with the people of Kosovo, and we should be ashamed.

The CHAIRMAN pro tempore (Mr. CALVERT). The time of the gentleman from Florida (Mr. HASTINGS) has expired.

(By unanimous consent, Mr. HASTINGS of Florida was allowed to proceed for 1 additional minute.)

Mr. HASTINGS of Florida. Mr. Chairman, let me tell my colleagues why we should be there. Our credibility in the NATO alliance is at stake. The fact that two Presidents have put forward our position very plainly, and the work of the contact group, this did not come about in a vacuum. Russia even agrees with the contact group that this peace agreement should be given a chance to go forward, the work of the Organization of Security and Cooperation that has 2,000 people on the ground now and an extraction force. Finally and most importantly, we must make clear to the world that we will oppose genocide any time, anywhere.

Last night on ABC News, seven little boys stood without their mother and father in Kosovo who had done nothing but go somewhere to look for food. I stand here to say that I am committed with those seven children in the hopes that somewhere along the way we can provide what is necessary for peace and stability through our efforts in the NATO alliance to ensure that they grow up and, yes, become just as free as all of us in this great country.

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

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

Mr. DEAL of Georgia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Fowler amendment. There are many

uncertainties regarding the consequences of our action on this resolution, but there is no uncertainty, however, about the historical reaction of the American people when our citizens, either civilian or military, are killed by foreign powers. Whether it is the slaughter of Americans at the Alamo which led to war with Mexico, the sinking of the Lucitania in 1915 and the loss of 123 American lives that led to our involvement in World War I, or the bombing of Pearl Harbor and the loss of hundreds of American personnel that resulted in our entrance into World War II, one thing is constant. Our Nation will go to war when we believe our citizens have been killed by others without reason.

□ 1930

So therefore, what are we prepared to do if our soldiers are killed in Kosovo? To say that such has not occurred in Bosnia is no guarantee that it will not happen here. It is altogether appropriate to ask other questions, such as the scope of the mission, the duration of the engagement, and the exit strategy, none of which can be answered with any degree of certainty.

I am more concerned about our escalation strategy. Do we really believe that the killing of American soldiers will not result in more than 4,000 soldiers being sent to Kosovo? Will we abandon our historical reaction to such events? National pride would say we dare not do so.

Therefore, even though there are many unanswered questions, there is one question to which we do know the answer, the question, what will the United States do if Slobodan Milosevic and his forces kill our troops? The answer, we will respond with greater force to avenge their deaths, and the mission will escalate.

Therefore, I oppose sending troops to Kosovo. Let us not forget the lessons of Vietnam, which many Members of this body have said include that of nonintervention in the internal affairs of another Nation. We should never use our military forces as bait to arouse national indignation when a bloody dictator takes the bait.

If our purpose is to take out Milosevic, then we should have the political courage to do so with overwhelming force. We should not deceive ourselves about the dangers to our troops by calling it a peacekeeping mission, in an effort to simply make ourselves feel good. We should not go to Kosovo.

Mr. GEJDENSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise against the amendment offered by the gentlewoman from Florida (Mrs. FOWLER). It is bad policy. It leaves America sending a clear signal that here tonight, on the floor of the United States House of Representatives, America is telling the President and the Europeans to abandon hope in Kosovo, that America is not going to participate; and do not try to take any other view of this, if America does not participate then there will be no agreement.

We can look at history, we can look at recent history in Yugoslavia. The Bush administration I think correctly began with the assumption that as the Soviet Union had dissolved, that there was no longer one monolithic Communist State there to affect our smaller European allies and that they would handle Yugoslavia. For months and years America did nothing, and women and children died, over 200,000, as the world stood by yet again.

What will happen in this new conflict? Tonight on the news we see more people heading for the hills, leaving their homes under the threat of death and destruction.

This President has had some great strengths, and I disagree with the Republican whip, one of them has been foreign policy. In Haiti, when President Clinton was elected, we had boatloads of Haitians rushing the shores of America, overpowering the social services of the States to our south. We have put an end to that. Is it paradise yet? No, but it was a long way from paradise when President Clinton was elected.

In Iraq, yes, we have not gotten rid of Saddam Hussein, and President Bush, with all the armies of the world there, also did not get rid of Saddam Hussein.

Members look for exit strategies and end dates. Again, if we used that strategy at the end of World War II in confronting Soviet expansionism, the Soviets would merely have taken out their calendars and said, yes, the Americans have come to Berlin to protect Western Europe, and they will do so for 90 days, a year, 2 years? And what would they have done?

I say the same thing here today. When we talked about burden-sharing for over a decade in this House and more, we never dreamed that there would be an action in Europe where American forces represented 15 percent or less. The Europeans are taking on the largest responsibility they have ever undertaken in these exercises.

Defeat the proposal of the gentlewoman from Florida (Mrs. FOWLER). Pass one of the proposals that are before us today. Many of us would have preferred to have had this debate on another date. But to leave this Chamber tonight without giving support to our policymakers to end the killing in Kosovo is wrong and irresponsible. Defeat the gentlewoman's amendment.

Mr PORTER. Mr. sChairman, I move to strike the requisite number of words.

Mr. Chairman, perhaps no one has been more critical of the President's foreign policies than I have. In China, in northern Iraq, and in Turkey, the United States has done nothing to cover itself with glory, and much to be ashamed of.

In fairness, I would have to say that the President has had some victories, Northern Ireland for one, and Bosnia; yes, Bosnia, where the proud representatives of the United States military, in small numbers, are keeping the peace, and are teaching people who have not really ever known it tolerance and understanding; and have done so, I might add, without casualties, because Slobodan Milosevic will not respond if the United States stands tall and strong.

So I have no case to make for this President's foreign policy generally. The President has failed to adequately consult the Congress in respect to Kosovo, and he also, I think it is fair to say, deserves great criticism for permitting the conditions in Kosovo to deteriorate to the point at which we find ourselves today.

Clearly no one, including the United States, can force parties to a peace who want to engage in war. Clearly, no deployment can be made before there is a signed peace agreement.

However, Mr. Chairman, the defeat of this resolution or the passage of the Fowler amendment would be a victory for Milosevic. The butcher of Bosnia, the author of the bloody ethnic cleansing and genocide, will win if we do nothing.

We are the world's strongest Nation. We are the beacon of hope to oppressed peoples everywhere. We must stand up to our responsibilities. We cannot expect Europe to do it. They do not have political unity. We do.

I believe that if we do not stand up in Kosovo for what we believe in as a people, NATO itself will suffer the consequences. We have right now the Secretary of State Madeleine Albright, Bob Dole, Richard Holbrooke. They are providing leadership. They are working for peace. If we defeat the resolution, we will pull the rug out from under our peacekeepers, our peacemakers.

I would commend all of our colleagues in the House to the report of the gentleman from Virginia (Mr. FRANK WOLF). He was just there in February. He visited Albania and Macedonia as well. He spent 5 days in the region. No one has given more of his time, no one has gone more miles, no one has cared more deeply, no one has worked harder for peace on behalf of the world's oppressed peoples than the gentleman from Virginia (Mr. FRANK WOLF). He has studied extensively the history and what is happening in the region. I recommend that every single Member read his report. It really tells us what we need to know.

I agree with what the gentleman from Virginia (Mr. WOLF) believes: Do not prevent the opportunity for a peaceful resolution of the Kosovo conflict. Support peace. Blessed are the peacemakers. Support the resolution.

Mr. Chairman, I include for the RECORD the report of the gentleman from Virginia (Mr. WOLF).

The report referred to is as follows:

STATEMENT BY U.S. REPRESENTATIVE FRANK R. WOLF—REPORT OF A VISIT TO THE BALKANS—KOSOVO: THE LATEST BALKAN HOT SPOT FEBRUARY 13–18, 1999

This report provides details of my trip to Albania, Macedonia and Kosovo during mid-February, 1999. This visit occurred during the time the Serb-Kosovo Albanian peace conference was taking place in Rambouillet, France, and ended only a few days before the contact group's initially imposed deadline to reach agreement of February 20. There is every indication that the U.S. will be concerned with Kosovo for some time to come and it was important to have a clear, first-hand view of conditions there.

I have, for many years, had a deep interest in the Balkans and concern for the people who live there. I have traveled numerous times to the region. There has been hostility, unrest and turmoil for hundreds of years. It has been said that there is too much history for these small countries to bear. If this is so, it has never been more true than today.

During this trip, I spent one day in Tirana, Albania, where I met with the U.S. Ambassador Marissa Lino and her embassy staff; Albanian President Meidani; Prime Minister Majko; cabinet ministers; the Speaker and other members of parliament; religious leaders, and heads of Non-Governmental Organizations (NGOs) active there.

I spent parts of two days in Skopje, Macedonia, where I met with embassy Deputy Chief of Mission and Charge d'affaires Paul Jones; Political Officer Charles Stonecipher; members of the Macedonian parliament; former Prime Minister and President of the Social Democratic Union (opposition political party) Branko Crvenkovski; American soldiers assigned to United Nations forces guarding the Macedonia-Kosovo border, and the commander and men of the NATO Kosovo verification and extraction forces as well as representatives of NGOs in Macedonia.

In Kosovo for a day and a half, I met with head of mission Ambassador William Walker and senior adviser to ethnic Albanian elected President Ibrahim Rugova, Professor Alush Gashi. I also met with Kosovo Liberation Army (KLA/UCK) spokesman Adem Demaci (who previously spent 26 years in Serb prisons) and senior Serbian representative in Kosovo, Zoran Andelkovic. Other meetings included NGO representatives, head of the Kosovo office of the U.N. High Commissioner for Refugees (UNHCR), and other officials and representatives. Our outstanding and most able escort was State Department Foreign Service Officer Ronald Capps. We also stopped at a Serb police barracks and met with the officer in charge. We met individual members of the KLA and with a number of individual Kosovars who had returned to their villages after having been driven out by Serb attacks. Some villages were largely destroyed and remain mostly deserted.

The fate of Albania, Macedonia and Kosovo, which border one another, is interrelated. Albania has a population of about two million people. Macedonia's population of two million includes about one third ethnic Albanian. About 90 percent of the nearly two million people in Kosovo are also ethnic Albanian.

Kosovo is the southernmost province of present-day Serbia and has a centuries long history of conflict, turbulence and hatred. By 1987 Serbian dominance in the region had been established, Slobodan Milosevic was President and ethnic Albanian participation in government was virtually nonexistent.

In response, ethnic Albanians in 1991 formed a shadow government complete with president, parliament, tax system and schools. Ibrahim Rugova was elected president and has since worked for Kosovo independence through peaceful means.

By the mid-1990s, the ethnic Albanian population in Kosovo had grown to nearly 90 percent as human rights conditions continued to go down hill with the Serbs in total control of police and the army. Many, if not most, individual Serbs also have weapons as opposed to ethnic Albanians for whom possessing a gun is against strictly enforced law. Beatings, harassment and brutality toward ethnic Albanians became commonplace, particularly in villages and smaller towns.

In 1996 the shadowy, separatist Kosovo Liberation Army (KLA) surfaced for the first time, claiming responsibility for bombings in southern Yugoslavia. KLA efforts intensified over the next several years, government officials and alleged ethnic Albanian collaborators were killed. The Serbian government cracked down and violence has escalated since.

I met with a number of KLA members. Most of them are everyday people, farmers, storekeepers, workers and such who were driven to the KLA by the constant brutal action of the Serbs. There are, no doubt, some bad people in the KLA including thugs, gangsters and smugglers, but most are motivated by a hunger for independence. Still, it must be recognized that some acts of terrorism have been committed by the KLA.

Conditions in Kosovo continued to deteriorate and alarm the international community. In October 1998, under threat of NATO air strikes, Serbian President Milosevic made commitments to implement terms of U.N. Security Council Resolution 1199 to end violence in Kosovo, partially withdraw Serbian forces, open access to humanitarian relief organizations (NGOs), cooperate with war crimes investigators and progress toward a political settlement.

As part of this commitment, in order to verify compliance, President Milosevic agreed to an on-scene verification mission by the Organization for Security and Cooperation in Europe (OSCE) and NATO surveillance of Kosovo by non-combatant aircraft. These activities are in progress and NATO has deployed a small extraction force in next door Macedonia. I visited with each of these groups.

However, conditions in Kosovo have not stabilized and more have been killed. Finally, a contact group with members from the U.S., Great Britain, France, Russia, Italy and Germany issued an ultimatum to the sides to reach a peace accord by February 20, 1999. NATO air strikes against targets in Serbia were threatened if Belgrade did not comply.

The Serbs consider Kosovo the cradle of their culture and their orthodox religion and are not willing to give it up. I visited the Field of Blackbirds where the Serbs battled for and lost control of the region in 1389. I also visited a Monastery dating back to 1535 that is an important part of Serb history.

The Clinton administration, which does not favor independence for Kosovo, worries this conflict could spread if NATO does not intervene and could even involve Turkey, Bulgaria, Albania and Greece. While this is of concern, there are other reasons for the U.S. to remain active. The U.S. can never stand by and allow genocide to take place. Part of the effort, once a peace agreement between the Serbs and ethnic Albanians has been signed, could include a NATO ground force in Kosovo containing a contingent of U.S. troops.

It is clear that a main pipeline for arms reaching ethnic Albanians in Kosovo is across the Albania-Kosovo border and any stabilization effort will likely include shutting off this arms route. It has been suggested that an effective arms blockade could be accomplished by the Italian government from the Albanian side of the border with Kosovo.

A number of issues must be addressed before the outcome of this conflict can be predicted. Principal among these is the likely strength and stability of an ethnic Albanian led Kosovo government. Another is the economic potential of a stand-alone Kosovo, free from Serbia. Also important is what will be the future of the KLA? Will they give up their arms? Many in the KLA say ''no''. Could an independent Kosovo make it on its own? Political ability has not been demonstrated. Economic development help from the private sector in the West may not be immediately forthcoming. How would they be propped up? How will long term cross border hatred between Serbs and ethnic Albanians be kept in check? Who is going to foot the bill for all this? European nations?

How and by whom will the issue of war crimes be addressed? A terrible job on this issue has been done in Bosnia. Known war criminals have not been pursued after more than three years. Reconciliation is an important ingredient to lasting peace but terrible acts have been committed and justice must be served. The principal perpetrator of injustice and brutality has been Serbian President Slobodan Milosevic. What about him?

The White House and the present administration are deserving of some sharp criticism for allowing conditions to get where they are today.

There appear to be few lessons this administration has learned from the painful experience of Bosnia. Our government waited too long to get involved and, once engaged, has been somewhat ineffective. Too many died in Bosnia during this delay. While committing troops to the region for one year (now over three years with no end in sight) has indeed halted killing, at least temporarily, Bosnia is no further along toward peaceful self sufficiency than when troops arrived. Rather, it is as though there is merely a pause in time. If our troops leave, hostility and brutality would likely resume. Little infrastructure is being created. Railroads are not running. Little economic development or growth is emerging. No lasting plan for peace has been developed and no interdependent community has been created which would make undesirable, a return to conflict. Little has been done to bring about reconciliation.

Meanwhile, as we look at our overall U.S. military capabilities throughout the world, we see that this administration has drawn down U.S. military strength to the level where there are now insufficient forces to meet today's needs. When I met with our soldiers in the Balkan region I found many who have gone from one deployment to another without time to be home with their families. The troopers I met on the Kosovo border are assigned to a battalion on its third deployment in three years.

There are no better soldiers anywhere in the world than these and their morale is

high. They are ready to do what is expected of them and more. But they are not being treated fairly. Pay and benefits have been allowed to deteriorate. The tempo of operations has grown to the point where they have too little time at home. There are just not sufficient forces to do all the things they are expected to do. According to the February 17, Washington Post, the Secretary of the Army's answer is to lower standards and recruit high school drop-outs. Turning his back on history, this official has unwisely decided upon another social experiment rather than dealing fairly with the shortfall.

From 1990 to 1998 the armed forces went from 18 active army divisions to eight. The navy battle force went from 546 ships to 346. Air force fighter wings decreased from 36 to 20. Discretionary defense budget outlays will decrease 31 percent in the ten years beginning 1990. Service chiefs predict FY 1999 ammunition shortages for the army of $1.7B and $193M for the marines. These statistics are just the tip of the iceberg. There is compelling evidence that, in the face of a huge increase in troop deployments (26 troop deployments between 1991 and 1998 by the army's own count), this administration has not made the investment to give our fighting men and women the tools to do the job asked of them.

The fact that the men and women in uniform are bending to their task is to their credit, but it is past time to give them what they need and stop driving them into the ground. The White House must face up to this shortfall and address the issue of where the money to pay for our involvement is to come from. They have not yet done so and time is short.

A strong NATO involvement, with solid U.S. participation, will be an important part of any workable solution to this mess. There is a story making the rounds of NATO forces where an American general, about to depart the region asks his NATO counterpart how many U.S. troops must remain to ensure safety and success of the mission. The NATO commander responds, ''Only one, but he must be at the very front''. This is only a story told in good humor but it makes the point that U.S. presence is key—perhaps vital.

It is not without irony that the one key player omitted from the contact group meetings in France is a NATO representative. The irony deepens when the presence on the contact group of chronic problem-makers Russia and France is noted.

Frankly, the U.S. Congress has also had too little involvement in this Balkan process. The administration has done and continues to do a poor job in dealing with these issues. Consultation with the Congress does not appear to have been a major concern to the White House. While foreign policy is largely the prerogative of the President, American lives are being placed at risk in a far-off land and untold dollars are being committed to this effort. Congress has a role and must participate in this debate. Congressional hearings to explore all aspects of this situation are in order.

CONCLUSIONS AND RECOMMENDATIONS

1. If there is a signed peace agreement in Rambouillet, it could be necessary to commit U.S. troops to the Kosovo peace effort. I make this recommendation with reluctance but, without U.S. troops, peacekeeping won't work. The U.S. is both the leader of the world and of NATO. If NATO is involved, we must be a part of the effort or it will fail. NATO's 50th anniversary is later this spring and there will be a large celebration in the U.S. Kosovo will be a big test for this important alliance.

2. There are many differences between the situation existing several years ago in Bosnia and what is happening today in Kosovo. Still, thousands died in Bosnia including too many women and children before NATO troops including a large contingent of U.S. soldiers moved in and put an end to the killing. Had not NATO peacekeepers acted over three years ago, the killing might still be going on today. Without the commitment of U.S. troops, a NATO peacekeeping intervention might not even have been attempted. We may wish this were not so, but it is. Perhaps things can change in the future but this is today's reality.

3. U.S. troops are stretched too thin and are not being treated fairly. Pay and allowances are inadequate, the tempo of operations is far too high (we just need a larger military force to face the tasks they have been given) and we are not giving our first class military men and women the tools they need to do the job. The administration needs to take better care of our soldiers, sailors, marines and airmen. Congress should force this issue.

4. Special attention must be paid to the Kosovo Liberation Army (KLA). While many, perhaps most, are common people whose interest is defending their families, their homes and themselves, the army is not without a rogue element. There is no clearly established and proven civilian government and there is no line of authority/responsibility between the KLA and a representative government. Without control, the KLA could get out of hand.

5. When peacekeepers arrive in Kosovo, one of their first tasks must be to disarm the KLA. Many in the KLA have said they will not give up their weapons. An armed KLA will be a time bomb in the way of progress toward peace. Providing safeguards for Serbs in Kosovo is an important part of the peace process.

6. Efforts thus far to build a lasting peace in Bosnia have come up short. Not only must more be done there but the lessons learned must be applied to Kosovo. The military presence in Bosnia has done the job of ending killing and brutality as it likely will in Kosovo, but the peace-building effort of reconciliation and creating an interdependent society and effective marketplace and economic trade system has not gotten off the ground.

7. Lasting peace in the Balkans will not occur while Serbian President Slobodan Milosevic is in power. A just and permanent way for him to step down must be found. The longer he remains, the longer turmoil, unrest and killing will continue in eastern Europe.

8. American and other workers and officials of all nations present in Kosovo (diplomats, United Nations, NGOs, contract workers, humanitarian care-givers and others) are true heros. They risk their lives daily to make life a little better for the people in Kosovo and we should all pray for them. I happened to see a warning sign posted in a U.N. office talking about mines. In part, it said. ''There is strong evidence to suggest some police posts have had anti-personnel mines placed near them . . . . All staff are asked to be extremely cautious when in the vicinity. . .'' Yet these men and women go about their daily duties with dedication and care for others in spite of the harm that is just a step away.

9. The foreign policy of this administration continues to come up short and is deserving of sharp criticism. America is the one remaining superpower and, like it or not, must assume this responsibility. Unfolding events continue to point to the absence of a coherent idea of what to do and how to do it. While we should have already developed a peace-making strategy and an exit strategy, the participants at Rambouillet remain unable to even get things started.

10. President Clinton has done a poor job of making the case to the American people for U.S. involvement in this conflict which also has a significant moral aspect to it. While the U.S. cannot be involved all over the world, we are a member of NATO which deals with peace and stability in Europe. Kosovo is a part of Europe and its destabilization could create a huge refugee population there. Fighting could even break out elsewhere if this issue is not dealt with early and effectively. America has been blessed with peace and prosperity. In the Bible, it says that to whom much is given, much is expected and there is an obligation on our part to be a participant in the search for solutions in this troubled spot.

11. I would like to conclude on a personal note to thank all of those who assisted me on this mission. I am especially grateful to U.S. Ambassador Marisa Lino and her staff, foreign service officer Charles Stonecipher who assisted me in Macedonia, foreign service officer Ron Capps whose knowledge and concern was of great help in Kosovo and U.S. Army Lieutenant Colonel Mike Prendergast who traveled with me. I appreciate their invaluable assistance.

Mr. TURNER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I returned Monday from Bosnia with a group from the Committee on Armed Services led by the chairman, the gentleman from Virginia (Mr. BATEMAN). For those in Bosnia, our troops tonight who may very well be listening to this debate, I want to say that we were very much impressed with the spirit and with the quality of our troops. An all-volunteer force, war fighters at their best, are keeping peace tonight in Bosnia.

I rise in opposition to the Fowler amendment for four reasons.

First of all, the Fowler amendment would jeopardize the potential for success of the current peace negotiations that will reconvene in France in just a few days. It strengthens Milosevic's hand, and it will harden his resolve not to cooperate with the negotiators.

Second, the Fowler amendment turns our back on our NATO allies, and it relinquishes an important leadership role that we have always exercised in that alliance for over 50 years.

Third, the Fowler amendment would send the wrong message around the world, where American resolve and American strength is the only barrier to those who would exercise, through the force of arms, violence and terror against their neighbors.

Finally, the Fowler amendment fails to recognize that clear relationship between the safety of our troops in Bosnia tonight and the developing events in Kosovo. Milosevic's hand will clearly be strengthened were we to adopt the Fowler amendment.

On February 4 of this year, in a speech at the Baldrige Quality Awards Ceremony, the President set forth his four preconditions for involvement of U.S. forces in Kosovo.

He said, first, we must have a strong and effective peace agreement signed by the parties. He said, we must have a commitment by the parties to implement the agreement and to cooperate with NATO. Third, he said we must have a permissive security environment, with withdrawal of enough Serbian security forces and an agreement restricting the weapons of the Kosovar paramilitaries. Finally, the President said we must have a well-defined NATO mission with a clear exit strategy.

I would hope this resolution, this sense of the Congress resolution that we are considering tonight, would have no less.

The Gejdenson-Turner amendment which is before this body, which the gentlewoman from Florida (Mrs. Fowler) is attempting to amend, our amendment requires that there be reasonable limits on U.S. participation. That, we think, is only fair.

The gentleman from Connecticut (Mr. GEJDENSON) offered an amendment requiring a fair and just agreement signed by the parties before any U.S. troop involvement. I offered an amendment to limit our troop participation to 15 percent of the total NATO force. This is not a number that came out of the air. This is a number that the President acknowledged and that our military leaders have acknowledged that is being negotiated as we speak with our NATO allies.

These limits are appropriate for two reasons. First, our European NATO allies should properly bear the lion's share of this peacekeeping mission, and they understand that.

Second, these limits are ones that I think in the Balkan region represents the maximum commitment that we should have, considering our current total troop strength and the need to maintain our readiness to address threats to our national interest in other parts of the world. Yes, there is a cost to keeping peace, but its cost is far less than the costs of war.

In this world which grows ever smaller, peace and security in the Balkan region is in our national interest, and is consistent with our moral and political leadership. We must not tell the young sergeant that I spoke to in Bosnia this week that his mission will be placed in jeopardy tonight by virtue of the fact that we fail to make a commitment toward peace in Kosovo.

We should not shoulder the total responsibility, but neither can we be a shrinking violet and fail to shoulder responsibility. Vote no on the Fowler amendment. Vote yes for the reasonable limits in the Gejdenson-Turner amendment.

Mr. CAMPBELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the United States has not been attacked. Serbia in whose sovereign territory we recognize Kosovo to be, has not invited us to enter. The United States would thus be exercising force against the sovereign territory of a country that has not attacked us, and which we recognize has the right of sovereignty over Kosovo.

The proposal, apparently, is that we bomb Serbia until they agree with this plan. As soon as the Kosovars agree with us, we would commence bombing to force the Serbs to enter into this agreement.

If by dint of that bombing the Serbs agree, we would then insert troops, supposedly to keep the peace agreement. But what kind of peace agreement? A peace agreement that the Serbs did not want, one they were bombed into accepting, a peace agreement that requires us to disarm the Kosovars, a task that they do not wish us to perform.

And there they would be—United States troops, on the territory of a country that did not attack us, committing an act of war against that country. I use the term, ''act of war,'' advisedly, because in the hearings of our committee I had the opportunity to ask Ambassador Pickering, the President's special adviser and delegate on this issue, whether bombing a part of another sovereign country would be an act of war.

□ 1945

He said he thought that it would. So we would be committing an act of war to force an agreement, and then we would be putting our troops in to monitor an agreement that recent evidence has suggested neither side wants. It is for that reason that I think our colleague, Mrs. FOWLER from Florida, has the right approach, that the case has not been made in favor of this use of force.

I do wish to comment very favorably on the Speaker of the House and what I consider a remarkable act of courage and statesmanship, on his part, to bring the matter before the House so that we could debate it before the use of force is commenced. Speaker HASTERT did what no other Speaker under whom I have served has done, and he deserves credit. He realized that the Constitution requires that only the Congress has the right to declare war.

Mr. Chairman, if the United States bombs a sovereign nation that has not attacked us, if we commit an act of war, which the administration's own spokesman admits is what we would be doing, then it would require the act of this Congress, it seems to me, to declare war, or else that constitutional provision is meaningless. So the debate that we have tonight is remarkable. It is to the credit of the Speaker that we are having it.

Good people will disagree on the policy; I recognize that. But it is right that we, the people's Representatives in the people's House, decide, and not when it is too late to decide, not when the troops are already committed, not when casualties have already been taken, but in advance, which is as the Constitution intended, and which guarantees the practical effect as well that we know what it is we are embarking upon, what the likely cost will be, and whether it is the will of our Nation.

If, contrary to my advice, the majority opinion of this body tonight is to support the President's proposal in using force, then he will be far more effective and stronger in that use of force because he will have the people's Representatives with him. So I applaud Speaker HASTERT for allowing us to have this debate.

I have only one final comment. There must be some occasions, I recognize, when it would be legitimate to use force against another sovereign that has not attacked us. My personal belief is that genocide would constitute such a case.

I have done my very best to research, and what I believe is happening in Kosovo now is a horrible, bloody civil war. But I do not believe the evidence sustains that it is an attempt by the Serbians systematically and by use of government to exterminate Albanians on the basis of their ethnic origin. It is, in other words, not genocide—where I would say it is permissible to use force against another sovereign.

The CHAIRMAN. The time of the gentleman from California (Mr. CAMPBELL) has expired.

(On request of Mr. HASTINGS of Florida, and by unanimous consent, Mr. CAMPBELL was allowed to proceed for 1 additional minute.)

Mr. CAMPBELL. Mr. Chairman, I yield to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Chairman, I thank my distinguished colleague, the gentleman from California, a member of the committee, for yielding to me.

Mr. Chairman, I cannot quarrel with the basic premise. The gentleman answered the question I was going to put to him with reference to genocide. He and I were in the hearing yesterday when Senator Dole talked about the personal experience where Albanian homes were destroyed, and Serbian homes were standing. His comment was, ''It does not take me to be a rocket scientist to recognize what is going on.''

The gentleman from California and I have a disagreement as to genocide. Would the gentleman agree that, if genocide is in fact occurring, or at some other time the international community does deign that genocide is

occurring, that it would be appropriate for us to respond in that instance?

Mr. CAMPBELL. Mr. Chairman, reclaiming my time, I do. As one example, let me put on the record I believe that our country should, at least, have assisted African countries in an effort to end the genocide in Rwanda, but we turned our back to our shame, and, to their shame, so did the rest of the world.

Mr. BONIOR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as we debate this resolution, thousands of refugees from Kosovo are trudging down muddy roads, they are shivering in sodden tents, and they are mourning the murder of their families.

These are innocent people, farmers, teachers, shopkeepers, young children, aged grandparents, people whose only hope in this genocidal war is that we can muster the will, that we can muster the will to force Slobodan Milosevic to stop the slaughter.

The list of atrocities grows almost every day. In today's New York Times, there is a picture of an elderly Kosovar, tending to the body of his 22-year-old cousin shot dead by Serbs in a raid on his village.

Aid workers are still looking for hundreds of his neighbors. They disappeared into the hills as the Serbs slaughtered their farm animals and set their homes on fire.

This is a war of terror. This war of ethnic cleansing has been escalating for more than a year. Two thousand ethnic Albanians have died and some 400,000 have been forced to abandon their homes. It is no wonder they flee in terror.

Earlier this year, Serbian special police forces stormed the village of Racak. According to the Human Rights Watch, they had ''direct orders to kill village inhabitants over the age of 15.'' They executed 45 people, men, women, and children.

Sadly, my colleagues, we have seen this before. What we are witnessing is the nightmare of Bosnia all over again. Now the world has a chance to stop this genocidal war before it goes any further, before the carnage spreads, before it ignites into an even broader regional conflict. But that chance, that chance depends on the outcome of the peace negotiations.

So what will happen if we vote for this amendment before us this evening? If we vote for this amendment, we will undermine those peace talks now teetering between success and failure. If we vote for this amendment, we will take away NATO's bite and leave it gnashing its gums as Milosevic taunts our indecision.

If we vote for this amendment, Milosevic will continue to butcher innocent people based solely on their ethnic heritage and their desire to live free. If we vote for this amendment, and these negotiations falter, the cost will only rise in dollars, in sweat, in tears, and, yes, in blood.

This crisis will not disappear because we simply close our eyes or turn our heads. We made that mistake in Bosnia until, finally, after coming to this floor, week after week, month after month, we finally convinced people to stop the carnage.

Are we going to let things get that bad, tens of thousands dead, thousands of women raped, lives destroyed before we take action here tonight, today? Is this the kind of American leadership we want for the 21st Century? If these negotiations fail because of our actions today, how long can we stand idle?

Will the United States merely wring its hands as the flames of this war spread to Albania and Macedonia and Greece and perhaps Turkey?

Even as we are here tonight, even as we speak, Milosevic has been emboldened. Serb troops are crossing the Kosovo border. Tanks are pounding villages, helpless villages; and refugees are running, literally running for their lives.

We have a chance tonight. Vote ''no'' on this amendment and say ''yes'' to the Gejdenson resolution for peace. If we do not, we will face an even higher cost in the months and the years ahead. Let us tonight live up to our responsibilities, not just as Americans, but as human beings, as moral, compassionate people who cannot and will not tolerate, yes, genocide. Vote ''no'' on this amendment.

Mr. METCALF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to speak in favor of the amendment. Our policy in Bosnia has been a failure, with one broken promise to our troops after another. Remember when they were sent there, they were to be there less than 1 year.

The operations in Bosnia have cost over $10 billion that we can ill-afford. The administration continues to seek emergency funding and shifting defense funds away from our troops and away from our readiness in pursuit of an undetermined policy and unstated goals.

What are the vital interests of the United States today in Kosovo? The President has failed to enunciate a clear and compelling reason for our involvement. What are our objectives? The administration has failed to enunciate a clear exit strategy, really critical, no exit strategy.

This Congress should officially notify the President that there will be no money for any military adventure without express authorization by Congress. We must not allow the constitutional authority of Congress to declare war to be undermined again by the administration. We have a responsibility to ensure that, before we take military action against a sovereign nation, this Congress either authorizes or refuses to authorize that action.

Mr. PAYNE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me say that there are many, many difficult decisions that we have to make in our lifetime. I think that, when the world is looking for leadership, it puts one in a position because, if one is a leader, one is expected simply to lead.

When people say what is our interest there in central Europe, I think that, if we start to remember what our country stood for for many, many years, we were the place that had the Statute of Liberty, we were the place that the whole world looked to for leadership, we were the place that we could stand proud and tall and say in justice anywhere is in justice everywhere.

We should attempt to keep stability in the world. Perhaps it is not a good position to be the strongest Nation in the world. Perhaps if we were weaker, we would not have this responsibility. But I do not know how we could support NATO for decades and decades and then, when there gets to be a little tough situation, we say we should not participate, we should not be a part of this.

No, I do not like to see our young men go off to foreign places and to be put into harm's way. But if we are a Nation of leaders, if we are the world's leader, then people are really looking for us to participate in keeping this world together.

We attempted to have intervention in Rwanda at the beginning of an ethnic cleansing, but the U.N. said the U.S. was not really pushing it. We are not sure this is genocide. Then we waited, and we waited, and close to a million people were killed.

We showed no leadership. We were not even asking for American troops to go there but simply to bring in troops from African countries that were willing to go to get between the combatants and the innocent people.

So here we are talking about having an agreement signed and simply to have our people there trying to keep the peace because the same way that we went from one to a million in Rwanda, if this conflict goes beyond borders, we will have people lining up on all sides.

So I think that we have actually a responsibility as a world leader or we should simply become a force to simply defend our borders. Maybe we should even start to reduce the size of our forces just to be here to protect our borders.

□ 2000

They wanted to do that before World War II, a lot of isolationists. So I think the thing to do is to stand up tall and to take this serious responsibility not to turn our backs on our colleagues around the world.

We are a proud, strong Nation, and we need to simply behave that way in a world that is full of people who need to know that there is a higher order, there is someone else who is around in order to keep the peace, so to speak.

So I would strongly urge the support of the Gejdenson amendment. I think it is the right thing to do. It is a tough thing to do, but I think when things get tough, that is the time we have to stand up with our back straight and our head held high and we move forward, as this great Nation has done in the past, and I think that we will, of course, be called upon to do this again in the future.

Mr. BUYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise here in support of the base bill, I rise in opposition to the Fowler amendment, and I rise in opposition to the Gejdenson amendment. Now I need to explain myself to my colleagues, and let me do it in this manner.

First, I am going to compliment the Speaker, because I think debate on this issue is timely and is appropriate. I think some of the arguments I have heard today are out of place. And the reason I say out of place is because I recall the good debate we had in this House where over 315 Members voted for a Buyer-McHale resolution about the Dayton Accords prior to the signing of the Dayton Accords, which said do not send in ground troops to Bosnia as the predicate to peace. We had a very good debate here on the floor prior to the Dayton Accords.

So we are having a second debate prior to a signing of a peace accord, and if there is something good that comes out of this discussion that can help frame that peace accord, all the better. So I think it is a hollow argument to be talking about timing.

The second point I would like to make is a matter of policy. I think there is a policy disagreement in this House on both sides of the aisle, from some, with the present administration's policies.

There are two things that are rather curious to me. It is rather curious to hear Members come to the well in support of using U.S. ground troops for a humanitarian mission when they were the same Members who voted against the use of force when I was in the Gulf War. Now, I will keep record of that, and I am remembering that I asked others to be just as curious about their motives as I am.

The second point I would like to make is on the matter of foreign policy. Here is the disagreement. I believe the United States, as the world's superpower, should have a policy of restraint in international conflict management. Regional powers should take greater stability to police and manage the regional stability, economic cohesion and military balance of power. U.S. troops should only intervene on the ground to ensure regional stability, not intervene in civil wars which have no real threat of destabilizing a region.

If the United States intervenes in every intercontinental conflict, in every corner of the world, then the United States becomes the world's guarantor of global security and such action enables the regional powers to escape their regional responsibilities. This leads to the second point of curiosity.

Since when did genocide become the standard for us to commit ground troops around the world? That is not the standard. It needs to be tied to vital national security interests.

Now, here is my difficulty. My difficulty is, having authored three bills, for which my colleagues have supported on this floor with regard to Bosnia, I have told the President of the United States I will not be the barking dog. I will be his constructive critic.

And let me talk to my Republican colleagues. I believe we are going to have a Republican president and we are going to inherit this in 2001. So we need to ask these questions: How do we get America out of the box? How do we turn this over to the European allies? How do we ensure that our regional allies lead on the ground? We do that by ensuring that the time lines of success for the simple implementation of the Dayton Accords are met appropriately. We make sure the leaders of the peace, who are leaders of the war, begin to focus on what brings them together instead of their differences.

We also have to recognize Milosevic and what he is. There are some of us who have been there and have spoken to Milosevic. I have sat on the couch and looked him in the eye, and I could not help but sense that I was talking to a Hitler-type himself. Now, that leads me to something that we had better think long and hard about, and that is when the President of the United States sends the Supreme Allied Commander in to see Milosevic, we better think long and hard before we undercut a United States general on the ground.

Now, that is where I come down painfully on this. Painfully, because I disagree with the administration's foreign policy. I disagree how they utilize the force to these open-ended commitments around the world, as if we can only justify the use of the military for humanitarian missions. That is why I am torn inside, because I disagree with the policies. But I am not going to undercut General Wesley Clark when he meets with Milosevic on the ground.

So I have to rise in support of the base bill and in opposition to the Gejdenson amendment and in opposition to the Fowler amendment.

Mr. KIND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise tonight in support of the base resolution as well as the Gejdenson amendment and in opposition to the Fowler amendment.

Our debate today and this evening centers on one of the most serious and fundamental responsibilities that we hold as elected representatives of a free and open democracy, the recommendation to commit our military forces to a hostile or potentially hostile environment.

I respect the fact that we as Members of this body should debate this issue fully. I am, however, concerned that the timing of this debate is suspect and, in fact, is very dangerous and can undermine the peace process that the administration has been engaged in in the Balkan region for some time.

Former Senate majority leader Bob Dole, who recently returned from the peace negotiations in the Kosovo region, testified yesterday that Congress should wait to debate the deployment of American troops there until an agreement between the parties in the region has first, in fact, been reached. In fact, Secretary of State Madeleine Albright has said the same exact thing. Delicate negotiations continue to take place in Europe, even as we debate this today.

There is a plan to have the sides meet in 1 week to try to work out an agreement. And over the last few days hopes have been raised that such an agreement may be possible, even as heavy weapons pour into the area and shelling wracks the countryside. I would hope that this body would give those negotiators every opportunity to develop a working peace plan. I am concerned our actions may, instead, give the impression to warmongers in former Yugoslavia that American leadership is divided and its resolve is weak. Such an impression, I am afraid, will only encourage fanatical opportunists to continue their violence and terrorize the innocent noncombatant residents of Kosovo.

I hope our debate today is truly based, as has been stated numerous times today, on the desire to have an open discussion of American foreign policy. It has been said in the past that politics should stop at water's edge, and I would hope that in the context of this debate that that statement is more true today than even in the past.

During my first term in office, Mr. Chairman, in fact, last spring I had the honor to go over to Bosnia and to visit our troops and the military leaders, and even the residents of a war torn region. I wish every American in this country had the opportunity to go over there and experience the pride that I felt in meeting with the young men and women in American uniforms who are carrying out a very dangerous and a very difficult policy in a distant land. They are proud of their work and show great professionalism and integrity. They are committed to carrying out the tasks that we have asked them to with honor and pride.

In fact, the killing has stopped, and peace does have a chance now. Democratic institutions are being created when, just a few short years ago, there were genocidal practices being conducted in Bosnia. They feel like their mission means something. They have stopped the killing. They are instructing young children who, just a few years ago, were playing in mine fields and getting maimed by the explosion of mines, where it is safe for them to play.

It is an incredible testament to the leadership the United States has shown in this war torn region. I would hope that we view the success that we have attained so far in Bosnia as a possibility to achieve that type of success in the entire Balkan region, including Kosovo.

I support our troops serving this Nation's interests throughout the world, and I support the peace process in Kosovo. If needed, I will support a well-planned use of troops to assist in maintaining the peace in that region that has been the spark of continental and worldwide conflict in the not-so-distant past. It is in the Nation's interest to work with our European allies to prevent the Kosovo region from destabilizing and drawing the Balkan region into further armed conflict.

But I submit that the debate we are having today is premature. I would like to first see a detailed plan and objective goals that the administration establishes in that region before we introduce U.S. men and women in U.S. uniforms in that region, so we know when we can withdraw them again from that region.

Such a conflict that now exists there poses a humanitarian threat to innocent civilians and a political threat to the struggling independent nations emerging from the Cold War. The United States will be impacted by all these threats and preventive action is the best way to protect our interests there.

The reality is that our Nation holds a unique position in worldwide affairs, whether we like it or not. Most major peace accords in recent years have required a deeply involved American presence and American negotiators at the table. Just a few weeks ago forces in Kosovo indicated that international peacekeeping efforts will have little credibility unless the United States is intimately involved in carrying out that mission.

When the international community speaks out against brutality and tyranny, the voice of the United States of America resounds with particular strength and emphasis.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. KIND) has expired.

(By unanimous consent, Mr. KIND was allowed to proceed for 1 additional minute.)

Mr. KIND. Mr. Chairman, let us be certain we are speaking with sincerity today, because there is no doubt that what we say here will be heard across the oceans and will be acted upon, one way or the other.

Our leadership for freedom and democracy in the world is at stake, our leadership in the NATO alliance is very much at stake. In fact, I would submit, that the very credibility and the justification for the existence of NATO is at stake on how well we negotiate peace agreements in this very important historical region in the Balkans.

I hope and pray our message here today encourages action that is positive and peaceful and brings a tormented region to the brink of freedom, rather than to the brink of war once again.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the requisite number of words.

The gentleman from Wisconsin just noted that he had visited our troops in Bosnia, and it has been noted here in Bosnia there have not been any casualties. Let me say I have visited troops in the last few months as well and American troops are stretched thin throughout the world, whether it is in the Persian Gulf or whether it is in Asia.

We have a situation where thousands of American military personnel lives are on the line. They are being put in jeopardy because we do not know how to say no. We do not know how to lay or to set the parameters. Has our involvement in the Balkans so far been worth the $12 billion that we have spent and the stretching out of our military forces?

Yes, we have been lucky that there has not been a major crisis. But had there been a major crisis during this time period, yes, we can be proud of those military guys that were there, and they have done a good job, but the fact is that $12 billion that we have spent, and stretching our forces in that way, could have resulted in a catastrophe. We are talking about the loss of thousands of American lives. But we have been lucky. We have been very lucky. I do not think we can try this again.

We were told that the Bosnia operation was going to be 1 year and $2 billion, and it has been 5 years and $12 billion and counting. And this peace accord, the one we are being asked to support now, the plans are not even down yet. Do any of us doubt this is going to cost more than $2 billion? Do any of us doubt that 3-year time period? They do not even have a plan yet that encompasses something that the Kosovars themselves, not to mention Milosevic, could accept?

No, this will go on and on, and we will spend tens of billions of dollars in the Balkans. Our people around the world, who are putting their lives on the line for us, will be put in great jeopardy because we did not have the courage to say that, in the post-Cold War world, maintaining stability in Europe is the job of the Europeans.

And while we tip our hat to NATO and say they did a good job during the Cold War, and thank God NATO was there because it prevented the Russians from sweeping across Western Europe and creating a war, that the job of NATO has been done, thank God, our hats off to NATO, but through some nostalgic attachment to NATO that we are going to commit our treasury and the lives of our young people to maintaining stability for Europe, and in the far stretches of Eastern Europe at that, is ridiculous and we are not standing by the people we need to stand by.

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First and foremost we need to make sure that if we send our military out, we give them the weapons they need, we give them the support they need or we do not send them. We are doing that throughout the world today because we are stretching ourselves too thin.

This has been an historic debate and I am proud tonight to rise in support of the Fowler amendment and opposed to any new deployment of troops in the Balkans. This is an historic debate. We can be proud of this debate. There have been high points, but there have been some low points. Let me first say what the low point is. The low point to me is that there have been some suggestions here by Members, and I do not know what it is by this body but some people cannot disagree without trying to impugn the motives of those who disagree with them. Any suggestion that those of us who are opposing yet another deployment of American troops in the Balkans, that we are in some way politically motivated, that we are just doing this to attack the President or something, that argument is not fit for this debate, this great historic debate where we are trying to define what America's role will be in the post Cold War world. There are conservatives and liberals, there are Democrats and Republicans on both sides of this issue. We will see that when the vote comes, because we are trying to define what our country will stand for and what we will do in the years ahead.

During the Cold War it was easy. We had Ronald Reagan defining everything for us, it polarized everybody, everybody knew what the arguments were, where we were going to stand. Well, it is not that way anymore. It is fitting that now when we are outside of a Cold War setting that the power comes back to us, the elected representatives of the people of the United States to determine what our policies will be. I say yes, there is genocide all over the world, and we have heard these accounts. I am the first one to admit that the Serbians are engaged in genocide

and atrocities. And yes, there have been genocide and atrocities on both sides. However, they are the bad guys.

The CHAIRMAN. The time of the gentleman from California (Mr. ROHRABACHER) has expired.

(By unanimous consent, Mr. ROHRABACHER was allowed to proceed for 2 additional minutes.)

Mr. ROHRABACHER. Let us debate this issue honestly, Mr. Chairman. What are the parameters? Are we going to send troops everywhere where genocide is committed? No, that is obviously not the case. Why then do we determine the Balkans is the case, when in Africa and other places around the world surely tens of thousands of people are dying in a similar fashion? No, in the Balkans, actually this should be the job of the Europeans. We are told, ''They won't do it.'' It is their job now that the Cold War is over. The United States of America shouldered its share of the burden for stability in the whole world in this century. In the First World War we went to Europe to save them. In the Second World War we fought the Japanese and the Nazis, and in the last four decades we have had to carry the burden of the Cold War. Yet we carried that and we carried it to victory and the world has a better chance for peace today. But it will not be a peace where Americans have to continue garrisoning the entire planet for the sake of stability. We must set the parameters or we will lose the peace because we have not been willing to meet the challenges that we can face.

I ask for support for the Fowler amendment.

Mr. FATTAH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Gilman resolution and also the Gejdenson amendment. Let me agree with my colleague, the previous speaker, when he says that there has indeed been genocide perpetrated by the Serbs in the Balkans.

Let me say that, obviously when one would concur with such an assertion, one would have to therefore be prepared to support the notion that the only remaining superpower in the world, the nation that has the strongest, most well-prepared, well-trained, well-equipped military force anywhere in the world, that we have a responsibility. And that as we come to this debate this evening, I would also like to agree with the previous speaker that I am sure that no one's motives this evening could be political. One could not be seeking to weaken the President of the United States, because the action if we were this evening to do in some unwise fashion, and that is to vote for the Fowler amendment, would not just weaken the President of the United States, it would weaken NATO in which this country has invested so much, it would weaken the United States of America and its reputation around the world which is represented by the words and actions of our President, the Secretary of State, a respected leader of the other party, Bob Dole; listen to the words of Jeane Kirkpatrick when she suggests that this resolution should be supported.

Clearly no one who wanted to weaken Bill Clinton should use this as the opportunity. For those who would look at what is taking place in the Balkans, genocide, yes. Women, tens of thousands, hundreds of thousands, raped. Our efforts in Bosnia are something that this Nation should be, and I believe is, very proud of. The Kosovo circumstance threatens the entire operation in Bosnia.

So this evening as we come, I would hope that each of us would bear our burden as well as those who wear the uniform and represent us throughout this world as members of our armed forces. Let us as Members of Congress bear the burden of being Americans, understanding that we do have an unequal share of responsibility in this world because we come to this question with unequal power. And with that power there is the question: Since we have the power, what do we do with it at a moment of crisis? What do we do when human beings are threatened or murdered and are suffering? What do we do when we would have tens of thousands of our troops right nearby but refuse to lift a hand and to lift a finger to save the innocent lives of women and children and others? I would hope that this Congress would rise to the occasion, bear our burden and support the appropriate policy and stand by this President but, more important, stand by America's principles.

Mr. SANFORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Fowler amendment because it does what Congress is asked to do and, that is, it asks us to be deliberative. We are a deliberative body. It slows us down to look at what is really going on in that part of the world and what should America's involvement be over there.

I think that this amendment makes sense and that the policy of engagement in Kosovo, by sending 4,000 American troops onto the ground there, is not one that makes sense.

First, because doing so is treating the symptom and not the disease and, therefore, as my colleague from Georgia would realize and know, it is something that does not cure the patient. What I mean by that is that if you had cancer and were given aspirin, you might feel a little bit better but you would not be healed. If you were bleeding because you were in a car wreck and got one of my kid's band-aids to patch you up, you might feel a little bit better but you would not be healed. Milosevic is the problem in that part of the world. Until that problem is fixed, you can have all the agreements you want, you can send all the troops you want, but you will not be doing anything other than treating a symptom, not the disease.

It was back in 1987 that Milosevic realized that iron control, if you want to call it that, over Kosovo was his springboard to power. He exercised that control, and by 1991, the former Yugoslavia splitting up, in part because they saw what was happening in Kosovo. Therefore, an agreement that keeps Kosovo as a part of Serbia and disarms the Kosovars to me is a recipe not for peace but for future conflict. It is an agreement that keeps the cause, the real problem here, as the real problem; that is, it is an agreement that keeps Milosevic in power.

Two, I would say we need to be deliberative about this, because lasting peace requires either good faith or a victor. This agreement would give us neither one. I mean, the Kosovar Liberation Army wants full independence for Kosovo. Milosevic has built his power, has built a large part of his rise to power on subjugation of Kosovo. What we have, therefore, is no victor and certainly no good will.

If we look back to the 1300s, we see not exactly a lot of good will in this part of the world. We leave both ingredients in place which to me again would be a recipe for building an agreement, basically building an agreement on sand, building an agreement that I think would lead to future disaster.

Third, I would say this agreement, the idea of sending 4,000 troops into that part of the world is something that does not pass the mommy test. The mommy test to me would be if somebody was killed in the line of duty and the mother of that son or that daughter was in my district and I had to go back and explain that your son or your daughter died for the right reasons, to me that would mean more than just a strategic interest to the United States, because we have a lot of strategic interests around the globe. It would also mean that that son or that daughter's death would have been part of leading to change, that it would have led to some real action. Again, that is not what we have here. Because if we are signing an agreement that some people have equated to Hitler, some people have equated to Saddam Hussein, I mean, clearly a very bad guy, is that an agreement that we are going to really trust? Is that a lasting thing? Most people would say if we signed an agreement with Saddam Hussein, we would not really trust that agreement. In fact that has been proven in the Persian Gulf. If you sign an agreement with Hitler, would you trust that agreement as a lasting instrument? No, you would not. That is what this would be doing.

I would say, fourthly, this idea does not make sense because the domino theory has long been disproven. Clark Clifford was sent by President Johnson down to Vietnam for the very reason that is being described as one of the reasons we need to go to Kosovo, and, that was, if we do not do something, this could escalate, this could really grow. That was disproven there. In fact Kissinger came and spoke before our committee yesterday and what he talked about was people did not analyze the cost of involvement and the duration of involvement when they sent people to Vietnam. Are we analyzing that now?

Lastly, I would pick up on what the gentleman from California (Mr. CAMPBELL) was saying, who incidentally was a constitutional lawyer and taught constitutional law at Stanford University, and, that is, it is the Congress' role to declare war. Sending troops into somebody else's sovereign territory or bombing a sovereign territory is clearly an act of war and, therefore, it does need our signature.

With that, I would say again, I would ask this body to support the Fowler amendment.

Mr. BENTSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I come at this from a little bit different approach. I certainly do not seek to impugn the integrity of any of the Members who are involved in this. I am not on the specific committee that this came from. First of all, I think this amendment is wrong, but I also think the whole consideration of the underlying text at this point in time is wrong.

As the gentleman from South Carolina just mentioned in referencing the gentleman from California and the role of Congress in determining whether or not troops should be sent in anywhere, I do agree with that. But the fact is we have got the cart ahead of the horse here. In doing so, we are undercutting the administration's ability to be involved in the working group, in the contact group. I just think that is a mistake. Now, whether or not the motives are political or not is not for me to judge, but I just think this is a terrible policy mistake.

I also do not understand exactly the gentlewoman's amendment, because I think this is a concurrent resolution but it has a strict limitation. So I gather that this amendment and the underlying text really has no force of law, that this is just a piece of paper to make us feel good.

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I am very concerned about whether or not we should deploy troops to Kosovo. I do not know if that is the best policy or not. But I also know, and every Member of this body knows, is there is no agreement yet so we do not know what the U.S. involvement will be, we do not know whether or not it is an agreement that we feel is right or wrong, and if the leadership of the House, I think if they want to do the right thing, they would withdraw this bill now, allow the Executive Branch and the State Department to go ahead with what their role is, and then at the appropriate time call the House back in to address the question of whether or not U.S. troops should be part of any peace agreement in Kosovo.

Do not do it before. Do not try and cut the legs out from under the administration while they are trying to negotiate some deal. Let them negotiate the deal, let them bring it back to the Congress, let us decide whether or not it is a good deal.

That is how we should do things, and I would just remind Members I did not have the honor or the pleasure of serving in this body back in the 1980s, although I was staff back here during part of that time, but some of the Members were. If this had been done when Ronald Reagan was President, Members would have been accused of treason for undercutting the administration while they were trying to conduct the art of foreign policy. We should allow the Executive Branch to do what they want. If we do not like what they have done, we can deal with it later. We can deal with it on a Friday, Saturday, Sunday, whenever, and if we decide we do not want them to send troops, then let us do it once we know what the deal is. Let us not come up with some fig leaf resolution that is going to make us all feel good and we can all send out a press release about it later on. Let us let them go through with it and come up with their agreement, and then let us come back and debate the issue, debate the terms of the agreement on whether or not we think U.S. troops should be involved.

Mr. BARTLETT of Maryland. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Fowler amendment, and I would like to make a few comments before we vote.

First of all, I want to emphasize what a number of others have emphasized, and that is this is clearly a constitutional issue.

I have here a copy of the Constitution. I do not think that it is a very difficult decision to come to. Article I, Section 8 states the prerogatives of Congress in just 8 little words: The Congress shall have power to declare war.

Very short, very simple.

Article II, Section 2, uses 34 words to define the prerogatives of the President: The President shall be Commander in Chief of the Army and Navy of the United States and of the militia of the several States when called into the actual service of the United States.

It is the Congress that declares war. It is the Congress that commits the troops. It is the President who is the Commander in Chief after the Congress has committed the troops.

The fact that prior Presidents have also violated the Constitution does not mean that we should continue to permit our Presidents to do that. It is a little bit like being hauled into traffic court and protesting to the judge, ''Gee, judge, I speed every day on that strip of road. How can you fine me today because I was speeding all those other times and I was never apprehended?'' Past violations do not justify a present violation.

The country to which the President proposes to send our troops is a sovereign state. This is not an emergency. There is no one in the Congress that I know of who wants to limit the power of the President to commit our troops in a true emergency. This is not an emergency. There is plenty of time to debate it, and I am very pleased that we are having this debate.

What is going on in that country is a civil war. No one will argue but that atrocities are being committed. That being true, the correct course of action is to bring the offenders to the bar of justice. There is a war crimes tribunal; that is where they should be brought. Sending our troops there will not solve that problem.

I know of no exit strategy. The problems in Kosovo are very deep, they have been there a very long time, and if we stay there 2 years, or 3 years, or 5 years, when we leave the situation will be exactly as it was when we came. Hostilities will continue. We will not have solved those problems.

Mr. Chairman, I am very pleased that we are here debating this this evening. We need to debate this. We need to do more than just debate this. We, as a Congress, need to assert our constitutional prerogatives. We really need legislation that says that no President, this President or any other President, can commit our troops to battle, can put our young men and women in harm's way, without a vote of the Congress.

We must be careful in the wording of the legislation that does this because we do not want to limit his ability, do not want to limit his ability to commit our troops in a true emergency. There is clearly not time to convene the Congress and declare war if intercontinental ballistic missiles are headed our way, and our President must have the ability to commit our military resources in a true emergency. Neither this, nor any of the very large number of deployments that this administration is engaged in have been an emergency, not a single one of them has been an emergency, and there have been more deployments during this administration than during the previous 40 years.

This is the first time since I have been here that we have had a debate

before the action occurred except before going into Bosnia we did have some sense of the Congress resolutions that were totally ignored by the President. I hope this one passes with this amendment, and I hope that it is not ignored by the President.

Mr. WELDON of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in a very difficult situation for us and unfortunately have come to a very difficult decision. I have supported this President on a number of occasions that have been very difficult for me, but because I believe we must support the Commander in Chief in very difficult deployments. When he stood up to Saddam Hussein and the Russians were staring us down and very upset with our position, I traveled to Moscow. I met privately with the leadership of the Duma to convince them that they should understand why this Republican supports our Democrat President in his position with Saddam Hussein. It was the right thing, and I felt strongly about that position.

Tomorrow I will travel to Moscow a second time with eight of our colleagues, with former Defense Minister Rumsfeld, former CIA Director Woolsey, former Deputy Undersecretary of State Bill Snyder, and we will make the case on Sunday and Monday and Tuesday of why the proliferation is so great that it threatens both Russian people and American people. I will again underscore my support for the steps being taken by this administration.

The positions of the administration are clear in those areas, and I support them, but I cannot support the insertion of troops now in Kosovo.

Mr. Chairman, in my opinion the case has not yet been made. There has not been a case made by this President to the American people, let alone to this Congress, about why at this point in time we should place American young people on the ground in Kosovo.

At least we are having a debate, Mr. Chairman. At least we are discussing the pros and cons in a very careful and deliberate way, and I applaud both sides for the level of the debate. We need to debate this issue.

Some are saying, Mr. Chairman, this is not the right time. It is too delicate of a time in the negotiations. Mr. Chairman, there is never a right time to debate these issues. When is the right time? After the President makes a decision? When our troops are on the way in? Then we debate not to support them? This Congress needs to play its appropriate role in deciding whether or not we should take the steps to deploy our troops in Kosovo.

Mr. Chairman, one of the things that bothers me is this past week I met with two members of the German Bundestag. They came in and talked to me about our NATO responsibility, and I agree with them that we need to keep NATO strong. But let me tell my colleagues what the Bundestag members told me, Mr. Chairman. They said in their vote they understood the dollar amount that was being requested for the deployment. In fact, they authorized 400 million Deutsche marks to pay for the operation. We have no idea not only what the mission is, we have no idea what the dollar cost is.

Mr. Chairman, I am very sad. In the previous 40 years to 1991, from World War II until 1991, 40 years under Democrat and Republican Presidents, we deployed our troops a total of 10 times at home and abroad. Ten times. Mr. Chairman, in the 8 years from 1991 until today, we have deployed our troops 32 times. This will be the 33rd. Mr. Chairman, none of these 32 deployments were budgeted for up front. None of them, except for the deployment to the Middle East in Desert Storm, were requested by the Congress to support. Each of the payments that were required to pay for these deployments were taken out of an already decreasing defense budget.

Mr. Chairman, we spent $19 billion in contingency costs on these 32 deployments, $9 billion alone on Bosnia.

Mr. Chairman, those who support the use of our troops in Kosovo had better be prepared to start to put the funding on the table to pay for these deployments.

Mr. Chairman, we are in an impossible situation now. We are not being asked, we are being told for the 33rd time that we are going to send our troops into harm's way. We were told in Bosnia there would be a time limit, they would be back home in a few years. We were told in Haiti they would be back home. We have troops in Somalia, in Haiti. We have troops in Macedonia. We have troops all over the continent, and the money is being taken out of our defense budget because we did not have the authorization up front, we did not have a legitimate debate on whether or not this Congress supported placing our troops into harm's way, and we are about to do it again.

Mr. Chairman, I may support the deployment of our troops to Kosovo, I may support the President because I want to support my Commander in Chief. He is my President. Even though he is not of my party, he is my leader, and I want to support him, make no mistake about it.

But this President needs to make the case to us and to the American people, and he has not done that. This President needs to tell us how much it will cost, and he has not done that. This President needs to tell us what the allied commitment will be in hard terms, and he has not done that either. Until he does that, we should vote no and not support the deployment of troops in Kosovo.

Mr. HOYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have great respect and very close personal friendship with the previous speaker. I have great respect for his intellect and for his knowledge with respect to the defense posture of the United States. He is one of our leaders on the Committee on Armed Services, and he has a view which is based upon a very thoughtful analysis of the situation.

Having said that, he and I disagree on this issue.

Now the specific issue, as I understand it, that confronts us is the amendment of the gentlewoman from Florida (Mrs. FOWLER), who is also my friend and for whom I have a great deal of respect, and that specific amendment, as I understand it, limits the Gejdenson amendment which tries to define the limits of participation of the United States in an action by NATO in Kosovo to ensure that the killing and the displacement of persons will stop and that an environment will be created conducive to the possibility of peace for the people of Kosovo, the people of Serbia and indeed the people of the region.

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The gentleman from Pennsylvania (Mr. WELDON), however, spoke to the overall issue, not to the amendment, the overall issue as to whether or not we ought to support the President.

I am hopeful that this Congress does, in fact, support the President. The previous speaker, the gentleman from Maryland (Mr. BARTLETT), spoke of the Constitution. That issue, I would suggest, is not relevant at this point in time, because in fact the Congress is considering whether or not to authorize the President to participate with troops, with American force, in the implementation of a peace agreement.

Very frankly, Mr. Chairman, I doubt that there is a Member on this floor who does not know and does not have a conviction that if America does not participate, there will not be an agreement, period. If there is not an agreement, the butcher of Belgrade, call it a civil war if you want, will continue to commit atrocities. We call them war crimes, genocides, the elimination of a people because of their ethnic or national origin. It occurred in Bosnia and we stood for too long silent.

My friend, the gentleman from Pennsylvania (Mr. WELDON) had a chart. He talked about 40 years prior to the end of the Cold War that we had 8 deployments. Do my colleagues remember what two of those deployments were in those 40 years? Korea, Vietnam; between them, approximately 100,000 plus loss of life.

In the deployments that have occurred since 1990, we have been very fortunate. No one would have predicted so few losses of lives in the Persian Gulf.

I have stood on this floor with some of my colleagues, and in many of the deployments the predictions of disaster were frequent and impassioned. That was the case in Haiti. That was the case in Bosnia, and that has been the case in other instances of deployment.

Yes, the United States has a unique role and the world, frankly, is better off because we on this floor and the President of the United States and the American people are prepared to accept a responsibility that we would prefer not to have, but it is ours because of our might; it is ours because of our position in the world as the leader; it is ours because we are a moral nation that acts upon its moral precepts.

Are we always perfect? Of course not, but all of us on this floor and every American can be proud of the fact that it is America usually, not always but usually, that raises the issue of humanitarian concerns, not solely economic or strategic concerns.

The CHAIRMAN. The time of the gentleman from Maryland (Mr. HOYER) has expired.

(On request of Mr. ROHRABACHER, and by unanimous consent, Mr. HOYER was allowed to proceed for 1 additional minute.)

Mr. HOYER. Mr. Chairman, every one of us understands the weighty responsibility to enable this government to put in harm's way young Americans and, yes, even older Americans, in the defense of freedom.

John Kennedy said that this country would pay any price, bear any burden, to defend freedom here and around the world. I heard Jack Kemp on a number of occasions quote that very phrase on the floor of this House. It is not an easy undertaking, but it is an undertaking that saves lives and stabilizes this world, economically and politically.

The amendment of the gentlewoman from Florida (Mrs. FOWLER) is spoken to by Jeane Kirkpatrick, Bob Dole, Caspar Weinberger and others.

The CHAIRMAN. The time of the gentleman from Maryland (Mr. HOYER) has again expired.

(By unanimous consent, Mr. HOYER was allowed to proceed for 1 additional minute.)

Mr. HOYER. Mr. Chairman, when they point out that if we do not put ground troops this effort at trying to stabilize a critically important situation will not succeed and the Europeans will not participate, we can all say they should but we saw in Bosnia that they would not.

My colleagues, I ask that the amendment of the gentlewoman from Florida (Mrs. FOWLER) be rejected, which I know is well intended and she believes strongly that it is the right policy, but it is a policy that will inevitably lead to failure of the effort to bring peace to the Balkans. It is an amendment which I think detracts from the Gejdenson amendment which tries, as I said at the beginning, to limit and make proportional our participation.

I would ask my colleagues to reject the Fowler amendment, to pass the Gejdenson amendment and then to pass this resolution so that America continues to lead and continues to be the moral leader as well as the military leader of this world.

Mr. KINGSTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we have had a good debate. There has been honest disagreement. There has been a high degree of sincerity and integrity in the debate, but I rise in strong support of the Fowler-Danner bipartisan substitute amendment. I think to not do so is a recipe for resentment and not reconciliation, and at this time we need reconciliation.

Three things I would like my colleagues to keep in mind as we vote. Number one, to deploy troops without a clear exit strategy is potentially disastrous. My good friend, the gentleman from Maryland (Mr. HOYER), had talked about Vietnam. If we go back in history and see the very early days of Vietnam, there was clearly no exit strategy; exactly what we have in front of us today.

Number two, the administration has been vague, at best, about the cost of this operation. As an appropriator we spent two or three hours today debating a billion dollar disaster bill for Honduras. In that, we struggled to find money. The budget is tight. We do not have the budget just to spend money anyplace we want to. We have already spent in this administration $10 billion in the Balkans, and there seems to be no end in sight of our current commitment.

Number three, as we all know, the military readiness question is a big one. Our military simply does not have the personnel to go every place that there is a problem.

We talk about quality of life for our service men and women. When they are deployed every single weekend of their lives, they are going to get out of the armed services, and that is why we are losing so many good, professional soldiers right now.

I strongly urge my colleagues to support the Fowler-Danner amendment.

Mrs. FOWLER. Mr. Chairman, will the gentleman yield?

Mr. KINGSTON. I yield to the gentlewoman from Florida.

Mrs. FOWLER. Mr. Chairman, this is the conclusion of the speakers on our side for the amendment, and I just want to thank the Members of this body. I think this has been a very serious, a very thoughtful debate this afternoon and evening on a very serious matter.

This is why we were elected. This is why our constituents sent us to be Members of the United States House of Representatives, and no matter what our position, it has been obvious that every Member has given a lot of thought, a lot of concern, to their position and to what we are about to vote on.

I want to just thank my colleagues for the time and effort they have spent this evening, and I do urge them to vote yes on my amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Mrs. FOWLER), to the amendment offered by the gentleman from Connecticut (Mr. GEJDENSON).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII the Chair announces that he may reduce to 5 minutes the minimum time for electronic voting without intervening business on the underlying amendment offered by the gentleman from Connecticut (Mr. GEJDENSON).

The vote was taken by electronic device, and there were—ayes 178, noes 237, answered ''present'' 2, not voting 16, as follows:

[Roll No. 48]

AYES—178

Aderholt	Emerson	Lewis (KY)
Andrews	English	LoBiondo
Archer	Everett	Lucas (OK)
Armey	Ewing	Manzullo
Bachus	Foley	McCollum
Baker	Fossella	McCrery
Ballenger	Fowler	McHugh
Barr	Franks (NJ)	McInnis
Barrett (NE)	Gallegly	McIntosh
Bartlett	Ganske	McKeon
Barton	Gibbons	Metcalf
Bass	Gillmor	Mica
Bereuter	Goode	Miller (FL)
Bilirakis	Goodlatte	Miller, Gary
Blunt	Goodling	Moran (KS)
Bonilla	Gordon	Myrick
Brady (TX)	Graham	Nethercutt
Bryant	Granger	Ney
Burr	Greenwood	Norwood
Burton	Gutknecht	Nussle
Camp	Hall (TX)	Packard
Campbell	Hansen	Paul
Canady	Hastings (WA)	Pease
Cannon	Hayes	Peterson (MN)
Chabot	Hayworth	Peterson (PA)
Chambliss	Hefley	Petri
Chenoweth	Herger	Pickering
Coble	Hill (MT)	Pitts
Coburn	Hilleary	Pombo
Collins	Hoekstra	Pryce (OH)
Combest	Horn	Radanovich
Condit	Hostettler	Ramstad
Cook	Hulshof	Reynolds
Cox	Hutchinson	Riley
Crane	Isakson	Roemer
Cubin	Istook	Rogan
Cunningham	Jenkins	Rogers
Danner	Johnson, Sam	Rohrabacher
Deal	Jones (NC)	Ros-Lehtinen
DeLay	Kasich	Roukema
DeMint	Kingston	Royce
Dickey	Kuykendall	Ryan (WI)
Doolittle	LaHood	Ryun (KS)
Duncan	Largent	Salmon
Ehlers	Latham	Sanford
Ehrlich	Leach	Saxton

Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shimkus
Skeen
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

NOES—237

Ackerman
Allen
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bateman
Bentsen
Berkley
Berman
Berry
Biggert
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Buyer
Calvert
Capuano
Cardin
Carson
Castle
Clayton
Clement
Clyburn
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Forbes
Ford
Frank (MA)
Frelinghuysen
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Goss
Green (TX)
Green (WI)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Houghton
Hoyer
Hunter
Hyde
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Larson
LaTourette
Lazio
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Northup
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Porter
Portman
Price (NC)
Rahall
Rangel
Regula
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sherwood
Shows
Simpson
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thurman
Tierney
Turner
Udall (CO)
Udall (NM)
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Wolf
Woolsey
Wynn

ANSWERED ''PRESENT''—2

Abercrombie
Callahan

NOT VOTING—16

Becerra
Bilbray
Brown (CA)
Capps
Clay
Frost
John
Lipinski
Quinn
Reyes
Shuster
Strickland
Thompson (MS)
Towns
Velázquez
Wu

□ 2115

Mr. GREEN of Texas and Mr. FLETCHER changed their vote from ''aye'' to ''no.''

Messrs. GORDON, STUMP, SWEENEY and FOSSELLA changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GILMAN TO AMENDMENT NO. 5 OFFERED BY MR. GEJDENSON

Mr. GILMAN. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. GILMAN to amendment No. 5 offered by Mr. GEJDENSON:

1. Strike section 3 and insert the following:

SEC. 3. AUTHORIZATION FOR DEPLOYMENT OF UNITED STATES ARMED FORCES TO KOSOVO.

(a) In general.—Subject to the limitations in subsection (b) the President is authorized to deploy United States Armed Forces personnel to Kosovo as part of a NATO peacekeeping operation implementing a Kosovo peace agreement.

(b) Reports to Congress.—The President should, before ordering the deployment of any United States Armed Forces personnel to Kosovo do each of the following:

(1) Personally and in writing submit to the Congress—

(A) a detailed statement explaining the national interest of the United States at risk in the Kosovo conflict; and

(B) a certification to the Congress that all United States Armed Forces personnel so deployed pursuant to subsection (a) will be under the operational control only of United States Armed Forces military officers.

(2) Submit to the Congress a detailed report that—

(A) in classified and unclassified form addresses the amount and nature of the military resources of the United States, in both personnel and equipment, that will be required for such deployment;

(B) outlines and explains the military exit strategy that would control the withdrawal of United States Armed Forces personnel from Kosovo;

(C) certifies the chain of command for any such deployed United States Armed Forces personnel; and

(D) provides the percentage of United States Armed Forces participating in any NATO deployment in the Kosovo peace keeping operation, including ground troops, air support, logistics support, and intelligence support, compared to the other NATO nations participating in that operation.

(3) Submit to the Congress a detailed report that—

(A) in classified and unclassified form addresses the impact on military readiness of such deployment;

(B) provides the timeframe in which withdrawal of all United States Armed Forces personnel from Kosovo could reasonably be expected;

(C) in classified and unclassified form provides an unambiguous explanation of the rules of engagement under which all United States Armed Forces personnel participating in the Kosovo NATO peace keeping operation shall operate;

(D) in classified and unclassified form provides the budgetary impact for fiscal year 1999 and each fiscal year thereafter for the next five fiscal years on the Department of Defense, and each of the military services in particular; on the Intelligence Community; and on the Department of State as a result of any such deployment.

(4) Submit in classified form, to the Speaker, the Minority Leader, the Permanent Select Committee on Intelligence, and the Committee on Armed Services of the House of Representatives; and the Majority and Minority Leaders, the Select Committee on Intelligence, and the Armed Services Committee of the Senate, a detailed report that addresses the threats attendant to any such deployment and the nature and level of force protection required for such deployment.

(5) Submit to the Speaker, Minority Leader, and the Permanent Select Committee on Intelligence of the House of Representatives; and the Majority and Minority Leaders and the Select Committee on Intelligence of the Senate a detailed report that addresses—

(A) any intelligence sharing arrangement that has been established as a result of the Kosovo peace agreement;

(B) the intelligence sharing arrangement that currently exists within NATO and how such arrangement would be modified, if at all, in the Kosovo context; and

(C) whether Russian participation in a Kosovo peacekeeping deployment alongside NATO forces will affect, impede, or hinder any such intelligence sharing arrangement.

(6) Submit to the Congress a detailed report on the scope of the mission of the United States Armed Forces personnel.

(7) Submit to the Congress a detailed report prepared by the Secretary of State that—

(A) outlines and explains the diplomatic exit strategy that would control the withdrawal of United States Armed Forces personnel from Kosovo;

(B) outlines and explains the means and methodologies by which verification of compliance with the terms of any Kosovo peace agreement will be determined;

(C) in classified and unclassified form, explains the terms and conditions included in any peace agreement reached with respect to the Kosovo conflict. Such report should include—

(1) a detailed discussion and explanation of any side agreement, whether or not all parties to the overall peace agreement are aware of the side agreement;

(2) a detailed discussion and explanation of any obligations of the United States arising from the peace agreement, including any such obligations with respect to the introduction of weapons into Kosovo and Serbia;

(3) a detailed discussion and explanation of any military arrangements, in addition to the NATO deployment, to which the United States has agreed to undertake as a result of the Kosovo peace agreement;

(4) a detailed discussion and explanation of the funding source for any future plebiscite or referendum on independence for Kosovo; and

(5) a detailed discussion and explanation of any requirement for forces participating in the NATO peace keeping operation implementing the peace agreement to enforce any provision of such peace agreement.

Mr. GILMAN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment to the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. GILMAN. Mr. Chairman, I yield to the distinguished gentleman from Florida (Mr. GOSS), chairman of the Permanent Select Committee on Intelligence, who developed the language in this amendment and who has worked closely with our committee on this issue.

Mr. GOSS. I thank the gentleman for yielding, Mr. Chairman.

Mr. Chairman, I would like to advise Members of what is contained in this proposed amendment, which actually reflects on some of the concerns we have heard in the debate today, and deals with some of the other amendments that we have all read about that we were considering as other amendments for this particular House concurrent resolution.

I would describe generally the resolution that is under consideration as between House Concurrent Resolution 32, which is somewhat of a carte blanche, and the Fowler amendment, which was a prohibition.

What we attempt to do here is authorize deployment, but because of some of the concerns we have heard today, call on the President to submit a number of reports and vital pieces of information to the Congress before ordering deployment.

These would include reports on a declaration explaining the national interest of the U.S. at risk in Kosovo, and a certification that all U.S. armed forces in Kosovo will be under the operational control of U.S. military officers.

We would request further details on the rules of engagement before we have deployment; the military resources that would be required, both the personnel and the equipment; the military exit strategy; the diplomatic exit strategy; the chain of command for the U.S. forces in Kosovo; the percentage of United States participation compared to other NATO countries in any force, concerning particularly ground troops, air support, logistic support, and intelligence support; the impact on military readiness, and that goes to morale and rotation; that we would have information providing a time frame in which U.S. forces could reasonably expect to be withdrawn; that we would have information on the budgetary impact for this fiscal year and the next 5 fiscal years of deployment; we would have an assessment of the threats to our armed forces in Kosovo, the men and women in uniform, and the level of force protection required to give them the maximum amount of protection; the intelligence-sharing arrangements, if any, resulting from a peace agreement; any modification to the intelligence-sharing arrangement within NATO, the present arrangement we have now; the effect of Russian participation in Kosovo on any intelligence-sharing arrangements within NATO; the scope of the mission of the U.S. armed forces, in other words, what is expected, when do we declare success; the means and methods by which compliance with the terms of the peace agreement will be verified, verification; the terms and conditions in any peace agreement, in particular; the details on any secret side agreements; any other military arrangements of the U.S. as a result of the peace agreement or side agreements or obligations; any other obligations of the United States resulting from the peace agreement, such as weapons interdiction; the funding source for the referendum on independence 3 years hence in Kosovo, and the role of peacekeeping forces to enforce any provision of the peace agreement.

Mr. Chairman, we should support this deployment to make Mr. Milosevic understand that the United States means business. We should support the deployment with our eyes wide open, if we are going to have a deployment, and that is why we are offering these amendments.

I would argue that a successful vote to send the troops can in fact strengthen the hand of our negotiators. I would note that even the minority leader earlier today conceded that we should not deploy troops without a policy. I could not agree more with the gentleman from Missouri.

A commitment to deploy has already been made, pursuant to some ad hoc policy determination. Congress needs to be involved. Therefore, now is the appropriate time to take up this issue, before the troops are deployed without a firm policy.

That is the explanation, Mr. Chairman.

Mr. GILMAN. Mr. Chairman, I am pleased to yield to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I thank the gentleman from New York for yielding to me.

Mr. Chairman, I understand this amendment is going to be accepted. I asked to speak on it so I would not have to call a recorded vote on it, and I will not do that.

I support strongly the amendment offered by the gentleman from Florida (Mr. PORTER GOSS). I am not going to say why I am against the amendment offered by the gentleman from Connecticut (Mr. GEJDENSON) because it would sound partisan, but I want to the gentleman to know that it is not, it is a very deep-seated belief I have, and mistrust. I will support the amendment offered by the gentleman from New York and the gentleman from Florida, and vote against the amendment offered by the gentleman from Connecticut (Mr. GEJDENSON).

Mr. GILMAN. Mr. Chairman, I thank the gentleman from California (Mr. CUNNINGHAM) for his support.

Mr. GEJDENSON. Mr. Chairman, with some reluctance, I would take the advice of my chair and support the amendment of the gentleman from Florida (Mr. GOSS).

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. GILMAN) to amendment No. 5 offered by the gentleman from Connecticut (Mr. GEJDENSON).

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. GEJDENSON), as amended.

The amendment, as amended, was agreed to.

AMENDMENT NO. 52 OFFERED BY MR. SKELTON

Mr. SKELTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

Mr. GEJDENSON. I reserve the right to object, Mr. Chairman.

The CHAIRMAN. The Chair would inquire of the gentleman from Missouri which amendment he is offering.

Mr. SKELTON. It is the one that says Section 4. Section 4.

Mr. GEJDENSON. Mr. Chairman, I reserve the right to object.

□ 2130

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 52 offered by Mr. SKELTON:

Page 2, strike line 9 and all that follows and insert the following:

SEC. 3. LIMITATION ON DEPLOYMENT OF UNITED STATES ARMED FORCES TO KOSOVO.

The President shall not deploy United States Armed Forces personnel to Kosovo as part of a NATO peacekeeping operation unless—

(1) a Kosovo peace agreement has been reached; and

(2) such deployment is specifically approved by the Congress.

REQUEST FOR MODIFICATION TO AMENDMENT NO. 52 OFFERED BY MR. SKELTON

Mr. SKELTON. Mr. Chairman, I ask unanimous consent that, on line 1, where it says strike and insert section 3 in the original, it be changed to add section 4.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to Amendment No. 52 offered by Mr. SKELTON:

The amendment as modified is as follows:

Add at the end the following:

SEC. 4 LIMITATION ON DEPLOYMENT OF UNITED STATES ARMED FORCES TO KOSOVO.

The President shall not deploy United States Armed Forces personnel to Kosovo as part of a NATO peacekeeping operation unless—

(1) a Kosovo peace agreement has been reached; and

(2) such deployment is specifically approved by the Congress.

The CHAIRMAN. Is there objection to the modification of the amendment offered by the gentleman from Missouri?

Mr. MORAN of Virginia. Mr. Chairman, reserving the right to object, the gentleman from Missouri (Mr. SKELTON) listed two amendments, one that would not allow U.S. forces to be deployed to Kosovo unless there is an agreement between the two sides, a second that would say that U.S. forces could not be deployed unless there is agreement between two sides and Congress has approved the deployment.

I would ask of the distinguished gentleman from Missouri that he fully explain the implications of this amendment, because it would appear that it may be out of order and require a unanimous consent. If the gentleman from Missouri would explain the amendment.

Mr. SKELTON. Mr. Chairman, if the gentleman will yield, the amendment is very clear.

Mr. MORAN of Virginia. Mr. Chairman, I yield to the gentleman from Missouri to explain the impact of the amendment.

Mr. SKELTON. Mr. Chairman, there shall be no deployment of American personnel peacekeeping forces unless there is an agreement reached between the parties in question in Kosovo, and, number two, that such deployment must be approved by Congress.

Mr. MORAN of Virginia. Mr. Chairman, I yield to the gentleman from Connecticut (Mr. GEJDENSON).

Mr. GEJDENSON. Mr. Chairman, I just want to make sure that whatever happens here, that the sectioning does not wipe out the section of the gentleman from Texas. So my understanding is that this maybe should actually be section 5.

Mr. SKELTON. Mr. Chairman, then that is fine. I thought it would be 4. Then it will be 5, and I so request.

The CHAIRMAN. Does the gentleman from Virginia object to the modification of the amendment?

Mr. MORAN of Virginia. Mr. Chairman, I do object to the modification of the amendment.

The CHAIRMAN. Objection is heard.

The gentleman from Missouri is entitled to 5 minutes on his amendment as originally designated.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Virginia seek recognition?

Mr. MORAN of Virginia. Mr. Chairman, I seek recognition for a point of order that, because the gentleman is amending the portion of underlying text that has already been amended, this amendment is out of order.

Mr. SKELTON. Mr. Chairman, that is not correct. I am merely changing a 3 to a 5. It is in conflict with no other section.

The CHAIRMAN. Does the gentleman from Missouri wish to be heard further on the point of order? The Chair is prepared to rule.

Mr. SKELTON. Mr. Chairman, I think that it speaks for itself. It is in addition thereto. It is in conflict with no other section.

The CHAIRMAN. The Chair is prepared to rule. Pursuant to section 469 of Jefferson's Manual of the 105th Congress and for the reasons stated by the gentleman from Virginia, the point of order is sustained, and the amendment No. 52 may not be offered at this time.

Mr. STENHOLM. Mr. Chairman, I rise today in support of the Kosovo resolution before us, however suspect the timing may be. Furthermore, I support the Skelton Amendment, which would specify once a peace agreement is reached, Congress must approve the deployment of our troops.

The United States is in an unquestionable position of world leadership. Along with that position comes a sense of duty. If we want free trade and open markets, not to mention exemplary worldwide standards of behavior in the realms of justice, scientific discovery, human rights, and other democratic values, we must lead by example. The responsibility of neutralizing potential global flare-ups of hostility comes with this territory.

Senator BOB DOLE recently returned from discussions with the KLA in Kosovo. He stated his support of continued work towards a peace agreement, and expressed his hope for bipartisan Congressional support. I stand with Senator DOLE on this issue; I believe partisanship should end at the water's edge. Whatever we think of the muddled foreign policy of this Administration, we should never engage in activities that produce American weakness in the international theater.

NATO is the perfect and appropriate vehicle for this operation. I have supported the mission of NATO and will continue to do so. We have NATO to thank for one of the longest sustained periods of peace in Europe.

Many in this body have complained that the Europeans in NATO were not pulling their weight in dealing with conflict in their own backyard. Many of these same voices are also opposing this peacekeeping operation. This confuses me; if we wanted the Europeans to shoulder a greater responsibility in resolving European issues, shouldn't we be pleased that European forces are going to make up 86 percent of the peacekeeping force?

If we allow ourselves to succumb to the voices of isolationism that have been reverberating around this chamber, all that we do is create an international power void that allows other nations the opportunity to start operating as the Number One world power. Would we prefer to have China calling the shots in the world of international diplomacy, as opposed to the United States? I know I for one sure don't, and I bet my friends that are calling for an isolationist world view, if they really thought about it, wouldn't either.

This resolution before us is only a Sense of Congress that has no binding effect. I support efforts to bring before the House, after a peace agreement has been signed, a bill in which Congress specifically authorizes the deployment of troops. My friend from Missouri, Mr. SKELTON, is offering an amendment that says just that, and I plan to support it.

My colleagues, I urge you to support Mr. SKELTON's amendment, as well as the resolution as whole.

The CHAIRMAN. Are there further amendments to the resolution?

There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GIBBONS) having assumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the concurrent resolution (H.Con.Res. 42) regarding the use of United States Armed Forces as part of NATO peacekeeping operation implementing a Kosovo peace agreement, pursuant to House Resolution 103, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on agreeing to the concurrent resolution.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 219, noes 191, answered ''present'' 9, not voting 15, as follows:

[Roll No. 49]

AYES—219

Ackerman	Cooksey	Gejdenson
Allen	Coyne	Gekas
Baird	Cramer	Gephardt
Baldacci	Crowley	Gilchrest
Baldwin	Cummings	Gilman
Barcia	Davis (FL)	Gonzalez
Barrett (WI)	Davis (IL)	Goss
Berkley	Davis (VA)	Green (TX)
Berman	DeFazio	Gutierrez
Berry	DeGette	Hall (OH)
Biggert	Delahunt	Hastert
Bishop	DeLauro	Hastings (FL)
Bliley	Deutsch	Hill (IN)
Blumenauer	Diaz-Balart	Hilliard
Boehlert	Dicks	Hinchey
Bonior	Dingell	Hinojosa
Bono	Dixon	Hobson
Borski	Doggett	Hoeffel
Boswell	Dooley	Holden
Boucher	Doyle	Holt
Boyd	Dreier	Hooley
Brady (PA)	Dunn	Houghton
Brown (FL)	Edwards	Hoyer
Buyer	Engel	Hunter
Calvert	Eshoo	Hyde
Capuano	Etheridge	Inslee
Cardin	Evans	Jackson (IL)
Carson	Farr	Jackson-Lee (TX)
Castle	Fattah	Jefferson
Clayton	Filner	Johnson (CT)
Clement	Forbes	Johnson, E. B.
Clyburn	Ford	Jones (OH)
Conyers	Frelinghuysen	

Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kucinich
LaFalce
Lampson
Lantos
Larson
LaTourette
Lazio
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Olver
Ortiz
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Pomeroy
Porter
Portman
Price (NC)
Radanovich
Rahall
Rangel
Regula
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shaw
Sherman
Sherwood
Shows
Sisisky
Skeen
Skelton
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Stupak
Tanner
Tauscher
Thompson (CA)
Thurman
Tierney
Turner
Udall (CO)
Udall (NM)
Velázquez
Vento
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wilson
Wise
Wolf
Woolsey
Wynn

NOES—191

Aderholt
Andrews
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilirakis
Blagojevich
Blunt
Boehner
Bonilla
Brady (TX)
Bryant
Burr
Burton
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Collins
Combest
Condit
Cook
Costello
Cox
Crane
Cubin
Cunningham
Danner
Deal
DeLay
DeMint
Dickey
Doolittle
Duncan
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Frank (MA)
Franks (NJ)
Gallegly
Ganske
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hoekstra
Horn
Hostettler
Hulshof
Hutchinson
Isakson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
Kingston
Klink
Kolbe
Kuykendall
LaHood
Largent
Latham
Leach
Lewis (KY)
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pryce (OH)
Ramstad
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Simpson
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Visclosky
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—9

Abercrombie
Bentsen
Brown (OH)
Callahan
Coburn
Lofgren
Mink
Obey
Slaughter

NOT VOTING—15

Becerra
Bilbray
Brown (CA)
Capps
Clay
Frost
John
Lipinski
Quinn
Reyes
Shuster
Strickland
Thompson (MS)
Towns
Wu

□ 2155

Mr. YOUNG of Alaska changed his vote from ''aye'' to ''no.''

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. SHUSTER. Mr. Speaker, on rollcall No. 49, I was unable to be on the House floor. Had I been present, I would have voted "no."

GENERAL LEAVE

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution 42, the concurrent resolution just agreed to.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 744

Mr. GEJDENSON. Mr. Speaker, I ask unanimous consent to have my name taken off H.R. 744. It was mistakenly placed on the bill.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. BONIOR. Mr. Speaker, I have asked to speak for the purpose of inquiring of the distinguished majority leader the schedule for the remainder of the week and next week.

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

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

Mr. ARMEY. Mr. Speaker, I am pleased to announce that we have had our last vote for the week. There will be no votes tomorrow, on Friday, March 12.

On Monday, March 15, the House will meet at 2 p.m. for a pro forma session. Of course, there will be no legislative business and no votes that day.

On Tuesday, March 16, the House will meet at 9:30 a.m. for the morning hour and at 11 a.m. for legislative business. Votes are expected after noon on Tuesday, March 16.

□ 2200

On Tuesday, we will consider a number of bills under suspension of the rules, a list of which will be distributed to Members' offices.

Also on Tuesday, March 16, the House will take up H.R. 819, the Federal Maritime Commission Authorization Act of 1999.

On Wednesday, March 17, the House will meet at 10 a.m. to consider the following legislative business:

H.R. 975, a bill to provide for a reduction in the volume of steel imports and to establish a steel import notification monitoring program; and H.R. 820, the Coast Guard Authorization Act of 1999.

On Thursday, March 18, we expect a national security briefing on the House floor from 10 a.m. to 11 a.m. to discuss the ballistic missile threat. Of course, all Members will want to attend.

The House will then take up H.R. 4, a bill to declare it to be the policy of the United States to deploy a national missile defense.

Mr. Speaker, we expect to conclude legislative business next week on Thursday, March 18.

Mr. BONIOR. Mr. Speaker, if the gentleman could address one concern that we have. On Tuesday, I know that the schedule is relatively light in terms of business. We have the two suspensions which I suspect are relatively noncontroversial. I am wondering if it would not be possible to help the folks on the West Coast if we could not roll and postpone votes until about 5 o'clock on Tuesday.

Mr. ARMEY. Let me thank the gentleman for his inquiry. I think it is an important point, a point a lot of Members have made, but in the interest of a good bit of the committee work that we hope to conclude in preparation for the appropriations season soon before us, we really feel that we need that time to have Members in town. Therefore, we constructed the schedule to that end.

Mr. BONIOR. Could the gentleman inform us when he expects the supplemental appropriation bill to come to the floor?

Mr. ARMEY. I appreciate that. I believe the Committee on Appropriations reported a supplemental bill out today. We will probably find it filed on Tuesday of next week and would have it available then for the week following.

Mr. BONIOR. I thank my colleague and wish him a good weekend.

Mr. ARMEY. I thank him and I hope you all have a good weekend.

ADJOURNMENT TO MONDAY, MARCH 15, 1999

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

APPOINTMENT OF MEMBERS TO COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The SPEAKER pro tempore. Without objection, and pursuant to section 3 of Public Law 94–304 as amended by section 1 of Public Law 99–7, the Chair announces the Speaker's appointment of the following Members of the House to the Commission on Security and Cooperation in Europe:

Mr. WOLF of Virginia;

Mr. SALMON of Arizona;

Mr. GREENWOOD of Pennsylvania; and

Mr. FORBES of New York.

There was no objection.

GAMBLING EFFORT DIES IN PENNSYLVANIA SENATE

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

Mr. WOLF. Mr. Speaker, I want to bring to the attention of the Members of the House today the following Philadelphia Inquirer headline where it says gambling efforts die in Pennsylvania Senate. This Monday, the Pennsylvania State Senate rejected a resolution by the vote of 28 to 21 calling for three statewide gambling referendums. Gambling was rejected despite the gambling lobby's political campaign contribution of $606,000. This is a very large amount of money for a State with no gambling except for horse racing and State lotteries.

Mr. Speaker, people got involved at the grass roots level. The people learned the truth about how gambling is bad for families and communities, especially the poor and the Nation's youth. Also, the newspapers had the courage to speak out about how gambling brings crime, and corruption, and cannibalizes local businesses and breaks up families.

What took place in Pennsylvania should give great hope to any community that if it wants to eradicate and remove gambling or keep it out, it can do it. I congratulate the Pennsylvania State Senate for its actions on Monday.

[From the Philadelphia Inquirer, Mar. 8, 1999]

GAMBLING CONTRIBUTIONS

GAMBLING INTERESTS HAVE DONATED GENEROUSLY TO RIDGE, LEGISLATIVE LEADERS

HARRISBURG.—Gov. Tom Ridge and legislative leaders have accepted at least $606,000 in contributions from gambling interests and their lobbyists in recent years, according to a report published Monday.

Ridge received about $240,000 from gambling interests, including lobbyists, since he began raising money for his 1995 campaign. Legislative leaders and their committees took in $366,100, according to the analysis by The Philadelphia Inquirer.

Lawmakers and lobbyists rejected the notion of any link between campaign money and legislative action. Further, they said the gambling interests have been relatively restrained in their giving, compared with what has taken place in other states.

''I don't think the industry really felt that (large contributions) was the approach they wanted to take,'' said Obra S. Kernodle 3d, a lawyer-lobbyist who is a principal in a Philadelphia company that wants to build a riverboat casino.

''I can't see a relationship between the contributions and a vote on any issue—especially this issue,'' said Senate Minority Leader Robert J. Mellow, D-Lackawanna.

Anti-gambling activists say the contributions are unseemly and that the money at least helped push gambling to the top of the 1999 legislative agenda.

Gambling legislation ''is being passed on a cash and carry basis,'' said Tom Grey, a national antigambling activist who has been involved in efforts to defeat the referendum bill. ''Legalized gambling gives (lawmakers) the cash, and they carry the bill.''

''Special interests, through campaign contributions and hiring every lobbyist in town, are driving the system with the pedal to the metal,'' said Barry Kauffmann, executive director of Pennsylvania Common Cause. ''It's an increasingly troubling part of the way the process is being run.''

The referendum bill, which the House approved last month, would let voters state their opinions about three potential expansions of legalized gambling: riverboat casinos, video poker in bars and slot machines at four horse tracks. Lawmakers then must shape legislation to legalize any new games.

Ridge has said he would sign the bill, but also says he will demand that any actual expansion of gambling would have to be approved, project by project, in subsequent local referendums.

It is impossible to determine how much gambling interest spend on lobbying, because current disclosure laws provide no meaningful information. A tough new disclosure law takes effect in June.

Among the campaign-finance reports examined by The Inquirer were those listing contributions during the two election cycles to Ridge, the Republican and Democratic leaders in both houses, House and Senate campaign committees controlled by the leaders, and funds maintained by the Republican and Democratic state committees.

Most of the gaming-related contributions to Harrisburg leaders in recent years, about $438,000, came from the horse-racing industry and its lobbyist, records show.

And most of that came from four lobbying firms with horse-racing clients—Pugliese Associates, Greenlee Associates, S.R. Wojdak & Associates and the law firm of Buchanan Ingersoll—that contributed a total of $311,000 to the governor and top lawmakers, records show.

Riverboat-gaming advocates gave about $85,000; casino companies donated a total of $58,000; and video-poker interests gave about $25,000, The Inquirer reported.

SWIFT VOTE DOOMS BID FOR BALLOT QUESTION

(By Glen Justice, Ken Dilanian and Rena Singer)

HARRISBURG—With virtually no debate, the Pennsylvania Senate yesterday killed the effort to expand legalized gambling in the state and left little room for the issue to be resurrected anytime soon.

The Senate voted, 28–21, to declare as unconstitutional the bill passed last month by the House that would have authorized a public vote on the gaming issue. By doing so, the Senate essentially eliminated any chance of legalizing gambling while Gov. Ridge is in office. Ridge, whose term ends in January 2003, has insisted on a referendum before he would consider signing any gambling bill.

''If gambling isn't dead, it is in a pretty deep coma, and I don't see it coming out,'' Senate President Pro Tempore Robert Jubelirer (R., Blair) said after the vote.

The governor echoed that view, saying it was ''time to move on'' to other issues. And one longtime supporter of legalized gaming, Sen. Robert Tomlinson (R., Bucks), conceded ''it's going to be a long time'' before any new forms of gambling come to the state.

The end came swiftly to the proposal to ask voters in the May 18 primary whether they approved of riverboat gambling, slot machines at horse-racing tracks, and video poker in taverns. The House had debated for 10 hours over two days last month before approving the proposal to place the nonbinding questions on the ballot.

But the Senate wasted little time in dispatching the issue. As soon as the issue came to the floor, a gaming opponent, Sen. David Brightbill (R., Lebanon), invoked a parliamentary maneuver by asking the Senate to consider the bill's legality under the state constitution. One senator rose briefly to oppose the move, and then the roll-call vote was taken.

Within minutes, the issue that had commanded the legislature's attention since January was over.

The vote was a blow to the horseracing industry, which has been losing customers to Delaware and West Virginia, where slots are legal. Another loser was the tavern industry, which saw the video-poker proposal as a way to boost what it says are sagging sales. Mayor Rendell saw riverboat gambling as a way to raise money for Philadelphia's schools.

''There is nothing on the horizon that will provide our kids with adequate funding for education,'' Rendell said yesterday, with resignation and a touch of bitterness in his voice. ''I'd like to ask the senators who voted this way: Where is funding for our kids going to come from? I'm just perplexed.''

But opponents, including church groups and community activists, hailed the vote. They had warned that an expansion of gambling would lead to a plague of social ills.

Several lawmakers said yesterday that the Senate's move to declare the proposal unconstitutional was a quick way to kill a bill that did not have the votes. The vote has no legally binding effect. That would be for the courts to decade.

''It's definitely a signal there weren't sufficient votes for all three forms of gambling to get on the ballot,'' said Senate Majority Leader F. Joseph Loeper (R., Delaware), adding that the vote was ''a litmus test for where the rest of the issue would have gone.''

Proponents—and even some critics—had been saying the votes were there to send the bill to the governor's desk. But they spoke too soon. Most senators who had been undecided as late as last week ended up voting against gambling yesterday.

The margins going into yesterday's vote were seen as too close to call.

The day opened with a strong showing by more than 100 pro-gambling demonstrators, most from the state's racetracks, who jammed the capitol's hallways carrying signs.

But gambling backers saw a bad omen early in the day when Rendell, long a supporter of riverboat gambling, pulled out of a scheduled news conference so he could keep lobbying for the bill.

Interviews with 47 of 50 senators or their aides two weeks ago showed senators were nearly tied on the issue, with nine undecided, three unreachable, and one who declined comment. Of that group, 10 voted to call the referendum unconstitutional; two voted against that finding; and one, Sen. Anthony Hardy Williams (D., Phila.), did not vote. Williams said he was upstairs in the office portion of the buildings during the vote and did not make it to the floor in time. He said he would have voted against gambling.

Some last-minute decision-makers said they receive considerable constituent input against gambling. Sen. James Gerlach (R., Chester) said he was shown a poll paid for by gambling opponents indicating that 65 percent of his district was against riverboat casinos, 65 percent against video poker, and 55 against slot machines at horse-racing tracks.

Gerlach said he voted that the bill was constitutional because he supports referendums, but added that he would have voted to defeat gambling.

''This became the quickest and least painful way to bring closure to the issue,'' said Stephen C. MacNett, counsel to the Senate Republicans.

Sen. Vincent Fumo (D., Phila.), who has supported riverboat gambling in the past but had worked to defeat the current bill, called it ''a polite way of letting it go away.''

Fumo's usually ally, Rendell, expressed frustration.

He noted that gambling is allowed in West Virginia, Delaware, New Jersey, Connecticut and New York. ''I mean, we're like ostriches—we stick our heads in the sand,'' he said.

The vote caused friction between the two powerful men.

Rendell called Fumo's stance ''a shame, because he did it for a purely political reason. He's always been a supporter of our [riverboat] legislation.''

Rendell said he meant that Fumo was worried about ''what gambling would do on the ballot in May to the turnout,'' presumably to Fumo's choice for mayor, Democrat Marty Weinberg.

Fumo rejected that assertion, saying he did not believe a referendum would have hurt Weinberg. He said he opposed it because he thought it would lose, killing chances for gambling forever.

''I don't know why he went on such a fool's errand,'' Fumo said of Rendell. He added that he was miffed at the mayor for calling Democratic senators.

I've delivered for him when nobody else would,'' Fumo said. ''This just makes it harder the next time I have to do something for him.''

Gaming advocates had fought for years to advance the issue and had pushed especially hard in recent months, hoping the May ballot was a window of opportunity.

Tavern owners statewide held rallies and visited lawmakers to push poker. The horse-racing industry continued its effort in the hope of bolstering its competitive position with slot-machine revenue. And riverboat companies such as President Casinos Inc., Ameristar Casinos Inc., and Epic Horizon LP added their lobbying clout.

Gaming interests and their lobbyists made political contributions totaling more than $606,000 to Gov. Ridge and a handful of legislative leaders in the last two election cycles. In recent years, though gambling bills have met with varying degrees of success, none has been signed and advocates were hopeful that 1999 might be the year.

But Pennsylvania's antigambling lobbyists, a diverse group of religious and community interests, worked hard after the House passed the bill to have the upper chamber defeat it.

Michael Geer, president of Pennsylvanians Against Gambling Expansion, said the grassroots work done by activists in his camp had an effect.

''The reason it happened is [senators] heard the voice of the people in the state,'' he said.

But gambling supporters said the defeat had more to do with the way the bill was structured.

''It's difficult with three issues intertwined in the bill,'' said Bob Green, president of Bucks County's Philadelphia Park racetrack. ''If it was just ours, it probably wouldn't have been a problem.''

Calling the vote ''setback,'' some supporters said they would be back.

''We can't just go away,'' Green said.

HISTORY OF GAMBLING BILLS

Efforts to legalize gambling in Pennsylvania have, for the most part, been unsuccessful. In 1972, Pennsylvania became the fourth state to authorize a government-sponsored lottery. Since then, things have not gone well for legalized-gambling proponents. Here's a look at the recent history:

1983: The state's worsening financial condition prompts a flurry of gambling bills, including one proposal to legalize slot machines in the Poconos to fund education statewide. Half a dozen bills that would legalize gambling await a vote by the legislature throughout the next year but go nowhere.

1985: Philadelphia City Council approves a resolution requesting the state legislature to allow the city to legalize video-poker machines. The legislature doesn't.

1988: Gov. Robert P. Casey signs a bill allowing nonprofit organizations to raise funds through small games of chance, such as ''punchboards.'' He vetoes a bill to authorize offtrack-betting facilities, but the legislature overrides his veto and the bill becomes law.

1989: The State Horse Racing Commission approves the first application for an off-track-betting outlet, in Reading.

1990: Casey vetoes a bill that would have legalized gambling on video-poker machines in bars, restaurants and clubs.

1991: The House rejects a riverboat-gambling bill, which Casey had promised to veto.

1994: Gov.-elect Ridge promises to veto any bill that would legalize riverboat gambling without first submitting the issue to voters in a nonbinding statewide referendum. Proponents push without success to win passage of a bill that would authorize a referendum.

1997: The Senate passes a bill that would allow slot machines at horse-racing tracks, but it fails to gain House approval.

Feb. 10, 1999: The House passes a bill that would authorize nonbinding statewide referendums on slots, riverboats and video poker on the May 18 primary ballot.

March 8, 1999: The Senate votes to declare the House bill unconstitutional, killing the effort to place the referendums on the primary ballot.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

BALTIMORE ORIOLES TO PLAY EXHIBITION GAME IN HAVANA, CUBA

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, on Monday, this Nation and baseball lovers around the world mourned the passing of the Yankee Clipper. Joe DiMaggio's career was certainly brilliant and worthy of the praise and the eulogies we have heard these past few days. As a testament to his career, many people who never saw him swing a bat or steal a base felt a sense of loss, a loss felt not only for the man but for the institution that he so nobly represented, the game of baseball.

Baseball, Mr. Speaker, transcends generations. The names of Ruth, Gehrig, Mantle and Aaron are as familiar to baseball fans of today as they were during their playing days.

Baseball also transcends borders, Mr. Speaker. The passion we Americans have for the game of baseball is not confined to this nation. That same passion can be found in many parts of the globe, including the nation of Cuba.

On March 28, the Baltimore Orioles will travel to Havana, Cuba, in pursuit of that passion.

Mr. Speaker, I yield to the gentleman from Baltimore, MD (Mr. CUMMINGS).

Mr. CUMMINGS. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the Baltimore Orioles' goodwill mission to Cuba. In the past year we have witnessed several historic events that are significant to the evolving debate surrounding Cuba, its citizens and United States efforts to promote democracy.

Last year, Cuban citizens were allowed to celebrate Christmas. In January, Pope John Paul II conducted a series of open air masses across the country that were televised. And recently, direct humanitarian charter flights to Cuba and cash remittances to Cuban relatives of U.S. citizens were resumed and the provision of medicine and food was authorized.

These initiatives were the precursors to future efforts toward peaceful cross-cultural engagement, including people-to-people contact among academics, media and yes, even athletes.

The last major league team to play baseball in Cuba was the 1947 Brooklyn Dodgers, who held spring training in Havana to insulate Jackie Robinson from the racial hatred so prevalent in the United States at that time. Fifty-two years later, the role has changed. The first major league team to visit Cuba in 40 years, on March 28, 1999, the Baltimore Orioles, will be ambassadors of peace.

Sports has historically been an arena in which athlete-to-athlete contact has led to off-the-field or court engagement. Moreover, baseball as the national pastime of the United States and Cuba is the natural choice to promote goodwill among our countries' citizens. It is time that we reach out to the Cuban people with such democracy-building efforts.

I am proud that the City of Baltimore is in the forefront of an initiative that will help to chip away the barriers that have isolated the citizens of Cuba from the United States. I applaud Mayor Kurt Schmoke and Peter Angelos, the Orioles owner, for seizing the opportunity to strengthen a historic bond between the Cuban and American people.

Let us all take note, democracy is based upon the conviction that there are extraordinary possibilities in ordinary times. I urge my colleagues to support the Baltimore Orioles and the City of Baltimore in their efforts.

Mr. HOYER. Mr. Speaker, let me add that this exhibition is not an abandonment of our Nation's policies toward Castro or his regime, nor is it a weakening of our resolve against the tyranny of communism. The proceeds from this game, in fact, will go to build baseball stadiums, not politics. But it is an opportunity to showcase what is common to the people of the United States and Cuba, a passion for the game of baseball.

I want to join the gentleman from Maryland (Mr. CUMMINGS) in congratulating Peter Angelos, the owner of the Baltimore Orioles, who has done so much for baseball, so much for Baltimore and is now doing so much to reach out a hand to try to bring better relations but doing so in the context of not accommodating a regime with which we do not agree but telling a people that is sometimes under that regime that we want to be their friends, if not the friends of their government.

Governments cannot come together unless the people they serve find a common ground.

This exhibition will not dissolve the differences between our two governments but it will allow the people of both lands to share in their common passion.

Once again this spring, children in this country will pick up their bats and gloves and hit the playing fields with the same passion that has motivated children and lovers of the game for years.

So too will the youth of Cuba.

Their determination and effort will be directed to the game.

They will be absorbed in the pitching and power hitters of their opponents not their politics.

The Baltimore Orioles exhibition in Havana will allow the people of both countries to share their passions for the game and perhaps highlight what the people of our nations have in common and not the differences that divide them.

It comes as no surprise to me that Peter Angelos and the Baltimore Orioles have led the effort to see this game become a reality and on behalf of the State of Maryland I want to thank Peter Angelos for his vision for baseball.

A vision broader than the game itself which removes the barriers for all who share a love for the great game of baseball.

BALTIMORE ORIOLES-CUBA EXHIBITION BASEBALL GAMES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CARDIN) is recognized for 5 minutes.

Mr. CARDIN. Mr. Speaker, I want to follow the comments of the gentleman from Maryland (Mr. HOYER) and the gentleman from Maryland (Mr. CUMMINGS) in really congratulating the Baltimore Orioles and Peter Angelos for arranging for a game between the Baltimore Orioles and the Cuban national team.

As the gentleman from Maryland (Mr. HOYER) indicated, baseball really speaks an international language. This is going to be good for our Nation and good for the people of Cuba. None of the economic proceeds will go to the government of Cuba. Peter Angelos has really, I think, done a favor for this Nation. I support this game. It has nothing to do about politics. It is a game. Two countries whose identity is deeply rooted in their national pastime. I think a fan who was quoted in the Miami Herald recently had the right outlook for this game when he said, ''They should play it. It's a game after all.''

I would also like to quote from one of the real great diplomats in baseball, one of the great Earls, the Earl of Baltimore, Earl Weaver, the famous manager of the Baltimore Orioles. I think he had the game of baseball right when he said, in baseball you can't sit on a lead and run a few plays into the line and just kill the clock. Earl once said, you've got to throw the ball over the plate and give the other man his chance. That is why baseball is the greatest game of them all, and now we are going to be able to have a good will game, two good will games between the Cuban national team and the Baltimore Orioles.

Mr. Speaker, let the games begin.

I am thrilled at the likelihood of an historic sports exchange with Cuba in the very near future

I am sure many of you have heard the news of a goodwill game between the Cuban national team and Maryland's beloved Baltimore Orioles. I commend Orioles owner Peter Angelos for his hard work to make this dream a reality.

I am here tonight to express my strong support for this initiative and to urge the U.S. Congress to join all of us here tonight in supporting this worthy endeavor.

I want to say from the outset that any proceeds from this exchange will not go to the Cuban Government. The proceeds will go to support baseball and other activities related to sports in our two countries.

Indeed, supporting this initiative has nothing to do with politics. That may seem strange here in Washington where it is our job in many respects to see the world through a political prism.

But this is one time, thankfully, when it is to our advantage to see an exchange between two countries, not as a political event, but simply as a game—America's game and Cuba's game. These are two countries whose identity is deeply rooted to their national pastime.

I think a fan quoted in the Miami Herald recently had the right outlook for this game when he said, "They should just play. It's a game after all."

It is indeed a game after all. A bat and a ball, two teams, a field and the undivided attention of two nations. That is all, Mr. Speaker, and that should be enough for now.

Perhaps we should heed the diplomatic words of one of the world's great Earls—the Earl of Baltimore. Earl Weaver's famous comment about America's pastime is the reason why this game is such a wonderful idea and opportunity for both nations:

In baseball "you can't sit on a lead and run a few plays into the line and just kill the clock," Earl once said. "You've got to throw the ball over the plate and give the other man his chance. That's why baseball is the greatest game of them all."

Wherever it might be played, baseball is the best game around. So Mr. Speaker, let the games begin.

THE DEBT DOWN PAYMENT ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. Mr. Speaker, I am pleased to be here this evening and particularly with the distinguished gentleman from Ohio (Mr. KASICH), the chairman of the Committee on the

Budget, in the Chamber this evening. I would like to point out a few facts to my colleagues.

I know that these are issues of importance to all of us, and I think it is useful to be reminded that as of March 1, the first day of this month, 1999, the Federal national debt was $5.62 trillion. That debt is increasing. In fact, it increased in 1999 by $95 billion in all of our trust funds. The total interest that we paid last year on the national debt was almost 15 percent of the total budget, about $243 billion.

Mr. Speaker, now is the optimum time to take the steps necessary to reduce the national debt. Our economy, although not necessarily the Kansas economy, is strong and Federal revenues stand ready for debt reduction. On the very near horizon, however, we face a challenge of financing the retirement of the baby boom generation. If we can get our fiscal house in order now, we can meet this challenge. But if we delay, our children will face the dual burden of servicing a large national debt, along with facing the liabilities to Social Security and Medicare. We do not have surpluses as far out as we can see.

Mr. Speaker, as the chart indicates, the national debt grows, and by the year 2040, because of that generation of retirees, the national debt increases to 200 percent of the gross domestic product. We need to take advantage of this opportunity to begin the process of paying down our national debt. Paying down the debt can lower interest rates. Student loans, car loans, home mortgages and farm debts can all be less burdensome with lower interest rates that the borrowing from the Federal Government would generate.

Last week, the gentleman from Mississippi (Mr. PICKERING) and I introduced H.R. 948, the Debt Down Payment Act, and I spent some time on the floor, an extended amount of time on the floor, explaining this legislative attempt to my colleagues. This bill establishes a 10-year plan for reducing the debt held by the public. It would reduce it by $2.4 trillion; an average annual payment on the debt of $240 billion; no new spending; saves $729 billion in interest payments over 10 years. $729 billion. And it removes the Social Security trust fund from the revenues that we calculate our surplus to provide some honesty, not only to the American people but especially to ourselves.

This bill establishes a gradually reduced limit for public debt held over the next 10 years, and by the year 2000, this debt limit would be lowered to $3.5 trillion, requiring a first year debt reduction of $100 billion.

Our Nation's most respected economists remind us of the importance of paying down the national debt and the opportunity that provides to shore up Social Security.

In just 13 years, payment from the Social Security trust fund will exceed the incoming revenue to the Social Security trust fund. By reducing debt today, we can do something that will make it easier to meet the needs of the next generation's retirement, and by removing the Social Security trust fund revenues from the annual surplus calculations, we will gain a more accurate understanding of where we stand financially.

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I have been pleased by recent reports the Senate budget proposal may include a similar proposal toward reducing the debt. By establishing statutory debt limits on publicly held debt we can hold our collective feet to the fire by locking in gradual debt reduction. Debt reduction should be a central component of our budget plans, and I urge my colleagues in both chambers to insist that the 2000 budget proposal include a long-term plan to pay down our national debt. Let us agree today to put an end to treating our national budget like a bad credit card spending. Let us agree to pay more than the monthly minimum and stop spending 15 percent of our budget on interest payments.

We are like those people with the credit card who just keep spending. We do not even hardly make the minimum payment. We pay the interest, but we have no plan to ever pay the principle, and today we ought to take the steps toward establishing a plan to do just that. We are at a crossroads. Let us make the legacy that we leave to the next generation one of economic hope and prosperity.

RESOLUTION OF THE NAGORNO KARABAGH CONFLICT

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, I wanted to take this opportunity tonight to welcome the visiting President of the Nagorno Karabagh Republic, Mr. Arkady Ghoukasian. President Ghoukasian is visiting our Nation's capital this week as part of a trip that also includes stops in California and New York, and accompanying the President on his first visit to the United States is Ms. Naira Melkoumian, the Foreign Minister of the Nagorno Karabagh Republic.

Yesterday I took part in a meeting with President Ghoukasian and Foreign Minister Melkoumian that was attended by several of my colleagues in the House from both parties. The President also held private meetings with several other Members of the House and the Senate and representatives of the Armenian Assembly of America and the Armenian National Committee of America also took part in those meetings. The President also had meetings with the State Department and met with some of Washington's leading think tanks and the media.

Mr. Speaker, Nagorno Karabagh is a region in the Caucasus Mountains of the former Soviet Union that has now and always has historically been populated by Armenians. Unfortunately, Nagorno Karabagh's independence has not been given recognition by the United States or the international community. Neighboring Azerbaijan continues to claim Nagorno Karabagh's territory. A bloody war was fought over this region, and the Karabagh Armenians successfully defended their homeland. A cease-fire was declared in 1994, which has more or less held despite ongoing violations by Azerbaijan, but a final resolution of the conflict has been elusive.

Mr. Speaker, the United States is a leader in the effort to help the parties to this conflict achieve a just and lasting resolution of the conflict. The U.S. is a co-chair along with France and Russia of the Minsk Group, of the Organization for Security and Cooperation in Europe established to resolve this dispute.

The United States and our Minsk Group partners last year put forward a new plan known as the Common-State proposal for resolving the conflict. Armenia and Nagorno Karabagh have both agreed to accept the proposal as a basis for negotiations despite serious reservations, but Azerbaijan's response to the constructive proposal by the United States and our partners has been a flat no.

Mr. Speaker, the U.S. non-recognition of Nagorno Karabagh creates issues about who in the State Department should meet with President Ghoukasian or other representatives of Nagorno Karabagh, and last week I was joined by 19 of my colleagues on a bipartisan basis in writing to Deputy Secretary of State Strobe Talbott asking that in his capacity as the American co-chair of the Minsk Group he personally meet with Mr. Ghoukasian during his visit to our Nation's capital. Unfortunately, Secretary Talbott was not in Washington at the time of President Ghoukasian's visit, and President Ghoukasian met instead with Donald Keyser who is special negotiator for Nagorno Karabagh and the NIS regional conflicts. Mr. Keyser I should say is doing a fine job in trying to win the confidence of the parties to the conflict, but I believe it is important to stress the need for the highest level contacts possible which are appropriate and provide a sign of goodwill that would help encourage progress in the negotiations. President Ghoukasian's status as the elected leader of one of the parties to the conflict argues in of according him high-level recognition, and indeed our two Minsk Group partners, France and Russia, provide a

stronger degree of recognition for the Karabagh government than the United States does.

Last month a bipartisan group of Members of Congress and our staffs met with Special Negotiator Keyser. At that meeting and in our follow-up letter to Secretary Talbott we urged that the United States stay the course in terms of the compromise Common-State approach, and, as I mentioned, this approach has been accepted by Armenian Nagorno Karabagh as a basis for direct negotiations, but thus far Azerbaijan has rejected this approach. We hope that this rejection will not be the last word, and we urge the administration to take proactive steps to reverse Azerbaijan's rejection.

Mr. Speaker, last week I testified before the Subcommittee on Foreign Operations of the House Committee on Appropriations on the fiscal year 2000 legislation, and I called for assistance to both the Republic of Armenia and the Republic of Nagorno Karabagh and to offer some proposals for how we can advance the peace process through this legislation. The subcommittee, I should say, has been extremely attentive to the concerns of Armenia, Nagorno Karabagh and the entire Caucasus region, and thanks to the subcommittee U.S. humanitarian assistance is flowing to Nagorno Karabagh. I urged the Subcommittee on Foreign Operations to express its strong support for the U.S. position in the Minsk Group negotiations on Nagorno Karabagh, and I hope the subcommittee will adopt language calling on the State Department to stay the course and to press Azerbaijan to come back to the negotiating table. There are strong indications that Azerbaijan believes that it can maintain its rejectionist policy by playing the oil card given the interest in developing petroleum resources in the Caspian Sea although recent test drilling indicates less than expected quantities of oil are causing some major American oil companies to pull out of Azerbaijan.

And there have also been troubling statements from Azerbaijan's President Aliyev that he considers renewal of military conflict a viable option for settling the dispute.

Mr. Speaker, if I could just submit the rest of my statement for the RECORD, I just want to say it is very important that we send a message to Azerbaijan that their intransigence in opposing the Minsk Group proposal is a matter of concern here in Washington.

Finally, I am concerned about the aid numbers for Armenia and Azerbaijan that were included in the Administration's budget request, which provide for a decrease in aid to Armenia, and an increase in aid to Azerbaijan. This is strange, since Armenia (as well as Nagorno Karabagh) has accepted the compromise proposal supported by the U.S., while Azerbaijan has rejected it. But the Administration budget proposed cutting aid to Armenia while increasing aid to Azerbaijan. The unfortunate message to Azerbaijan is that their intransigence in opposing the Minsk Group proposal is not a matter of concern here in Washington. That is not the signal we should be sending.

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. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. HOYER, for 5 minutes, today.

Mr. CARDIN, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. SMITH of Washington, for 5 minutes, today.

Mr. HOEFFEL, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mrs. MINK of Hawaii, for 5 minutes, today.

(The following Members (at the request of Mr. SWEENEY) to revise and extend their remarks and include extraneous material:)

Mr. MORAN of Kansas, for 5 minutes, today.

Mr. DEMINT, for 5 minutes, today.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 447. An act to deem as timely filed, and process for payment, the applications submitted by the Dodson School Districts for certain Impact Aid payment for fiscal year 1999.

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on this day present to the President for his approval, a bill of the House of the following title:

H.R. 882. To nullify any reservation of funds during fiscal year 1999 for guaranteed loads under the Consolidated Farm and Rural Development Act for qualified beginning farmers or ranchers, and for other purposes.

ADJOURNMENT

Mr. PALLONE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 24 minutes p.m.), under its previous order, the House adjourned until Monday, March 15, 1999, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

975. A letter from the Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—Implementation of Preferred Lender Program and Streamlining of Guaranteed Loan Regulations (RIN: 0560–AF38) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

976. A communication from the President of the United States, transmitting a request for an FY 1999 supplemental appropriation for the Department of the Interior; (H. Doc. No. 106–39); to the Committee on Appropriations and ordered to be printed.

977. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule—Risk-Based Capital Standards: Construction Loans on Presold Residential Properties; Junior Liens on 1- to 4-Family Residential Properties; and Investments in Mutual Funds. Leverage Capital Standards: Tier 1 Leverage Ratio [Docket No. 98–125] (RIN: 1550–AB11) received February 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

978. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Rule 701—Exempt Offerings Pursuant to Compensatory Arrangements [Release No. 33–7645; File No. S7–5–98] (RIN: 3235–AH21) received February 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

979. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Revision of Rule 504 of Regulation D, the "Seed Capital" Exemption [Release No. 33–7644; S7–14–98] (RIN: 3235–AH35) received February 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

980. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of Presidential Determination No. 99–16 in connection with the U.S. contribution to the Korean Peninsula Energy Development Organization ("KEDO"); to the Committee on International Relations.

981. 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; Pollock in Statistical Area 620 of the Gulf of Alaska [Docket No. 981222314–8321–02; I.D. 021699B] received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

982. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Regulated Navigation Area; Air Clearance Restrictions at the Entrance to Lakeside Yacht Club and the Northeast Approach to Burke Lakefront Airport in Cleveland Harbor, OH [CGD09–97–002] (RIN: 2115–AE84) received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

983. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation; Lower Grand River, LA [CGD08–99–008] (RIN: 2115–AE47) received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

984. A letter from the General Counsel, Department of Transportation, transmitting

the Department's final rule—Special Local Regulations: Greenwood Lake Powerboat Classic, Greenwood Lake, New Jersey [CGD01–98–125] (RIN: 2115–AE46) received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

985. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone: Sunken Fishing Vessel CAPE FEAR, Buzzards Bay Entrance [CGD01 99–008] (RIN: 2115–AA97) received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

986. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone: Scharfman Batmitzvah Fireworks, East River, Newtown Creek, New York [CGD01–99–004] (RIN: 2115–AA97) received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

987. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; River Rouge (Short Cut Canal), Michigan [CGD09–98–055] (RIN: 2115–AE47) received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

988. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Allison Engine Company Model AE 3007A and AE 3007A1/1 Turbofan Engines, Correction [Docket No. 98–ANE–14; Amendment 39–11017; AD 99–03–03] (RIN: 2120–AA64) received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

989. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Allison Engine Company, Inc. AE 2100A, AE 2100C, and AE 2100D3 Series Turbofan Engines, Correction [Docket No. 98–ANE–83; Amendment 39–11023; AD 99–03–09] (RIN: 2120–AA64) received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

990. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Jetstream Models 3101 and 3201 Airplanes [Docket No. 98–CE–76–AD; Amendment 39–11046; AD 99–04–21] (RIN: 2120–AA64) received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

991. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737 Series Airplanes [Docket No. 98–NM–148–AD; Amendment 39–11048; AD 99–04–23] (RIN: 2120–AA64) received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

992. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes [Docket No. 97–NM–316–AD; Amendment 39–11041; AD 99–04–16] (RIN: 2120–AA64) received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

993. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300–600 Series Airplanes [Docket No. 98–NM–301–AD; Amendment 39–11043; AD 99–04–18] (RIN: 2120–AA64) received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

994. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 777 Series Airplanes [Docket No. 98–NM–320–AD; Amendment 39–11044; AD 99–04–19] (RIN: 2120–AA64) received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

995. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB SF340A and SAAB 340B Series Airplanes [Docket No. 97–NM–236–AD; Amendment 39–11042; AD 99–04–17] (RIN: 2120–AA64) received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

996. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–145 Series Airplanes [Docket No. 98–NM–317–AD; Amendment 39–10904; AD 98–24–19] (RIN: 2120–AA64) received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

997. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; El Dorado, KS [Airspace Docket No. 99–ACE–5] received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

998. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Dubuque, IA [Airspace Docket No. 98–ACE–58] received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

999. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Fort Madison, IA [Airspace Docket No. 98–ACE–57] received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1000. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace Kirksville, MO [Airspace Docket No. 99–ACE–9] received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1001. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace Springfield, MO [Airspace Docket No. 99–ACE–8] received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1002. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Newton, KS [Airspace Docket No. 99–ACE–3] received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1003. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Perry, IA [Airspace Docket No. 98–ACE–52] received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1004. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Boonville, MO [Airspace Docket No. 99–ACE–6] received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1005. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Selinsgrove, PA [Airspace Docket No. 98–AEA–45] received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1006. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Leadville, CO [Airspace Docket No. 98–ANM–08] received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1007. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Rockland, ME [Airspace Docket No. 98–ANE–95] received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1008. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 29467; Amdt. No. 414] received February 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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. BURTON: Committee on Government Reform. A Citizen's Guide on Using the Freedom of Information Act and the Privacy Act of 1974 to Request Government Records (Rept. 106–50). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 820. A bill to authorize appropriations for fiscal years 2000 and 2001 for the Coast Guard, and for other purposes; with an amendment (Rept. 106–51). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. GOODLATTE:

H.R. 1069. A bill to amend title 38, United States Code, to authorize the memorialization at the columbarium at Arlington National Cemetery of veterans who have donated their remains to science, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LAZIO (for himself, Ms. ESHOO, Ms. ROS-LEHTINEN, Mrs. CAPPS, Mrs.

MORELLA, Mrs. KELLY, Mr. BROWN of Ohio, Mr. GEORGE MILLER of California, Mr. HORN, Mr. DIXON, Ms. PELOSI, Mr. LATOURETTE, Mr. WAXMAN, Mr. SERRANO, Mr. GILMAN, Mr. MALONEY of Connecticut, Mr. MEEHAN, Mr. WELDON of Pennsylvania, Mr. UNDERWOOD, Mr. SHOWS, Mr. ABERCROMBIE, Mr. MCHUGH, Mr. ETHERIDGE, Mr. SANDERS, Mrs. CLAYTON, Mr. WALSH, Mr. MCGOVERN, Mr. MCNULTY, Mr. FROST, Mr. NEY, Mr. OLVER, Ms. MILLENDER-MCDONALD, Mr. CROWLEY, Mr. SUNUNU, Mr. CLEMENT, Mr. STARK, Ms. CARSON, Mr. FOLEY, Mr. COYNE, Mr. LANTOS, Mr. INSLEE, Mrs. WILSON, Mr. SHERMAN, Mr. BALDACCI, Mr. BOEHLERT, Mr. LUTHER, Mr. HINOJOSA, Mr. DEFAZIO, Mr. QUINN, Mr. PRICE of North Carolina, Mr. RANGEL, Mr. WEYGAND, Mr. FORBES, Mr. MEEKS of New York, Mr. NADLER, Mr. BARRETT of Wisconsin, Ms. WOOLSEY, Mr. KUCINICH, Mr. KING of New York, Ms. SLAUGHTER, Mrs. TAUSCHER, Mr. BILBRAY, Mr. THOMPSON of Mississippi, Mr. HINCHEY, Mr. KLECZKA, Mr. PAYNE, Mr. WYNN, Mr. JEFFERSON, Mr. SMITH of New Jersey, Mr. MASCARA, Mr. LOBIONDO, Mr. OBERSTAR, Mr. LEACH, Mr. RUSH, Mr. MATSUI, Mr. DINGELL, Mrs. EMERSON, Mr. FILNER, Mrs. MYRICK, and Ms. LOFGREN):

H.R. 1070. A bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program; to the Committee on Commerce.

By Mr. EVANS (for himself, Mr. DINGELL, Mr. FILNER, Mr. SHOWS, and Ms. BROWN of Florida):

H.R. 1071. A bill to amend title 38, United States Code, to improve benefits under the Montgomery GI Bill by establishing an enhanced educational assistance program, by increasing the amount of basic educational assistance, by repealing the requirement for reduction in pay for participation in the program, by authorizing the Secretary of Veterans Affairs to make accelerated payments of basic educational assistance, and by reopening the period for certain VEAP participants to elect to participate in the program of basic educational assistance, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FORBES:

H.R. 1072. A bill to require the Nuclear Regulatory Commission to require applicants for or holders of operating licenses for nuclear power reactors to have in effect an emergency response plan for an area within a 50 mile radius of the reactor; to the Committee on Commerce.

By Mr. LAZIO (for himself and Mr. FRANK of Massachusetts):

H.R. 1073. A bill to amend title IV of the Stewart B. McKinney Homeless Assistance Act to consolidate the Federal programs for housing assistance for the homeless into a block grant program that ensures that States and communities are provided sufficient flexibility to use assistance amounts effectively; to the Committee on Banking and Financial Services.

By Mr. BLILEY (for himself, Mr. MCINTOSH, Mr. CONDIT, Mr. STENHOLM, Mr. SHUSTER, Mr. PICKETT, Mr. GOODE, Mr. HALL of Texas, Mr. JOHN, Mr. TURNER, Mr. ENGLISH, Mr. GOODLATTE, Mr. ARMEY, Mr. DELAY, Mr. CRAMER, Mr. GILLMOR, Mr. OXLEY, Mr. LARGENT, Mr. ARCHER, Mr. MANZULLO, Mr. SANDLIN, Mr. WATTS of Oklahoma, Mr. GEKAS, Mr. BARCIA, Mr. BISHOP, Mr. BOYD, Mr. CLEMENT, Mr. FORD, Mr. SHOWS, Mr. TANNER, and Mr. TRAFICANT):

H.R. 1074. A bill to provide Government-wide accounting of regulatory costs and benefits, and for other purposes; to the Committee on Government Reform.

By Ms. STABENOW (for herself, Mr. CONYERS, Ms. KILPATRICK, Mrs. MALONEY of New York, Mr. POMEROY, Ms. LOFGREN, and Mr. LARSON):

H.R. 1075. A bill to amend the Internal Revenue Code of 1986 to provide incentives to elementary and secondary teachers for technology-related training for purposes of integrating educational technologies into the courses taught in our Nation's classrooms; to the Committee on Ways and Means.

By Ms. STABENOW (for herself, Mr. CONYERS, Ms. KILPATRICK, Ms. LOFGREN, and Mr. LARSON):

H.R. 1076. A bill to amend the Internal Revenue Code of 1986 to provide incentives to elementary and secondary teachers for acquisition of computer hardware and software; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mrs. CHENOWETH, Mr. DEFAZIO, Mr. DUNCAN, Mr. HOSTETTLER, and Mr. STUMP):

H.R. 1077. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow consumers greater access to information regarding the health benefits of foods and dietary supplements; to the Committee on Commerce.

By Mr. PAUL:

H.R. 1078. A bill to amend the Communications Act of 1934 with respect to retransmission consent and must-carry for cable operators and satellite carriers; to the Committee on Commerce.

By Mr. ABERCROMBIE (for himself, Mr. KILDEE, Mr. RUSH, Mr. UNDERWOOD, Mrs. MINK of Hawaii, Ms. KILPATRICK, Mr. KENNEDY of Rhode Island, Mr. SHOWS, Mrs. JONES of Ohio, Mr. FROST, Mr. BRADY of Pennsylvania, Mr. PAYNE, Mr. COOK, Mr. CAMP, Mr. THOMPSON of Mississippi, Mr. SHERMAN, Mr. JEFFERSON, Mr. HINCHEY, Ms. BROWN of Florida, Mr. BLAGOJEVICH, Mr. KLECZKA, Mrs. CAPPS, Mrs. MYRICK, Ms. STABENOW, and Mr. OBERSTAR):

H.R. 1079. A bill to provide for equitable retirement for military reserve technicians who are covered under the Federal Employment Retirement System or the Civil Service Retirement System; to the Committee on Government Reform.

By Mr. BLUMENAUER (for himself, Mr. INSLEE, Mrs. MEEK of Florida, Mr. NEY, and Mr. QUINN):

H.R. 1080. A bill to provide penalties for terrorist attacks against mass transportation; to the Committee on the Judiciary.

By Mr. BOUCHER (for himself, Mr. GILCHREST, Mr. PETRI, Mr. JEFFERSON, Mr. TANNER, Mr. PRICE of North Carolina, and Mr. FROST):

H.R. 1081. A bill to provide for protection of the flag of the United States; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mrs. MORELLA, Ms. BALDWIN, Mr. FORBES, Mr. GEPHARDT, Mr. FRANK of Massachusetts, Mr. BERMAN, Mr. BOUCHER, Mr. NADLER, Ms. LOFGREN, Ms. JACKSON-LEE of Texas, Mr. MEEHAN, Mr. DELAHUNT, Mr. WEXLER, Mr. ROTHMAN, Mr. WEINER, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ALLEN, Mr. ANDREWS, Mr. BAIRD, Mr. BALDACCI, Mr. BARRETT of Wisconsin, Mr. BILBRAY, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BOEHLERT, Mr. BONIOR, Mr. BOSWELL, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. BROWN of California, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDIN, Ms. CARSON, Mr. CLAY, Mrs. CLAYTON, Mrs. CHRISTENSEN, Mr. COYNE, Mr. CROWLEY, Mr. DAVIS of Illinois, Ms. DEGETTE, Mr. DINGELL, Mr. DIXON, Mr. ENGEL, Mr. FARR of California, Mr. FILNER, Mr. FORD, Mr. FROST, Mr. GEJDENSON, Mr. GILMAN, Mr. GONZALEZ, Mr. GREEN of Texas, Mr. GREENWOOD, Mr. HASTINGS of Florida, Mr. HINOJOSA, Mr. HORN, Mr. HOYER, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JOHNSON of Connecticut, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Ms. KILPATRICK, Mr. KUCINICH, Mr. LANTOS, Mr. LARSON, Mr. LEACH, Mr. LEVIN, Mr. LEWIS of Georgia, Mrs. LOWEY, Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNULTY, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. MARKEY, Mr. MATSUI, Mrs. MEEK of Florida, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mr. MOORE, Mrs. NAPOLITANO, Ms. NORTON, Mr. OBERSTAR, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Mr. PAYNE, Ms. PELOSI, Mr. PRICE of North Carolina, Mr. RAHALL, Mr. REYES, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABO, Mr. SANDERS, Mr. SANDLIN, Mr. SAWYER, Ms. SCHAKOWSKY, Mr. SHERMAN, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. STABENOW, Mr. STARK, Mrs. TAUSCHER, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. UNDERWOOD, Mr. WAXMAN, Mr. WEYGAND, Ms. WOOLSEY, and Mr. WYNN):

H.R. 1082. A bill to enhance Federal enforcement of hate crimes, and for other purposes; to the Committee on the Judiciary.

By Ms. DUNN (for herself, Mr. SMITH of Washington, Mr. RAMSTAD, Mr. SANDLIN, Mr. CAMP, Mr. CRAMER, Mr. FOLEY, Mr. BALDACCI, Mr. WATKINS, Mr. SHOWS, Mr. HERGER, Mr. BISHOP, Mr. GREEN of Wisconsin, Mr. PETERSON of Minnesota, Mr. STUPAK, Mr. MCCRERY, Mr. ENGLISH, and Mr. COLLINS):

H.R. 1083. A bill to amend the Internal Revenue Code of 1986 to modify certain provisions relating to the treatment of forestry activities; to the Committee on Ways and Means.

By Ms. DUNN (for herself, Mr. WELLER, Mr. GILLMOR, Mr. HILL of Montana, Mr. LEWIS of California, Mr. HOSTETTLER, Mrs. FOWLER, Mr. SPENCE, Mr. CUNNINGHAM, and Mrs. BIGGERT):

H.R. 1084. A bill to amend the Internal Revenue Code of 1986 to provide tax relief, to encourage savings and investment, and to provide incentives for public school construction, and to amend the Social Security Act to provide relief from the earnings test; to the Committee on Ways and Means.

By Mrs. EMERSON:

H.R. 1085. A bill to improve the health of children; to the Committee on Commerce, and in addition to the Committees on Ways

and Means, and Education and the Workforce, 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. FORD (for himself, Mrs. MCCARTHY of New York, Mr. MEEHAN, Mr. WEINER, Ms. JACKSON-LEE of Texas, Mrs. MALONEY of New York, Mr. WYNN, Mr. MENENDEZ, Mrs. MEEK of Florida, Mrs. LOWEY, Mr. NADLER, Mr. CONYERS, Ms. MILLENDER-MCDONALD, Mr. JACKSON of Illinois, and Mr. DAVIS of Illinois):

H.R. 1086. A bill to reform the manner in which firearms are manufactured and distributed by providing an incentive to State and local governments to bring claims for the rising costs of gun violence in their communities; to the Committee on the Judiciary.

By Mr. GALLEGLY:

H.R. 1087. A bill to require the relocation of a National Weather Service radar tower which is on Sulphur Mountain near Ojai, California; to the Committee on Science.

By Mr. GILCHREST:

H.R. 1088. A bill to amend title XVIII of the Social Security Act to eliminate the budget neutrality adjustment factor used in calculating the blended capitation rate for Medicare+Choice organizations and to accelerate the transition to the 50:50 blended rate in 2000; 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. GILLMOR (for himself, Mr. OXLEY, Mr. MARKEY, Mr. TOWNS, Mr. WHITFIELD, Mr. LARGENT, Mr. WAXMAN, Mr. DEAL of Georgia, Mr. BURR of North Carolina, Mr. TAUZIN, and Mr. HALL of Texas):

H.R. 1089. A bill to require the Securities and Exchange Commission to require the improved disclosure of after-tax returns regarding mutual fund performance, and for other purposes; to the Committee on Commerce.

By Mr. GREEN of Texas (for himself, Mr. TOWNS, Mr. LATOURETTE, Mr. SHOWS, Mr. MEEHAN, Mr. GONZALEZ, Mr. FROST, Mr. PALLONE, Mr. NADLER, Mrs. MALONEY of New York, Mr. BENTSEN, Ms. DELAURO, Mrs. KELLY, Mr. LAFALCE, Mr. RODRIGUEZ, Mrs. MINK of Hawaii, Mr. RAHALL, Mr. FOLEY, Mr. WALSH, Mr. WYNN, Mr. KOLBE, and Mrs. EMERSON):

H.R. 1090. A bill to amend title XVIII of the Social Security Act to exclude cancer treatment services from the prospective payment system for hospital outpatient department services under the Medicare Program; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HULSHOF:

H.R. 1091. A bill to amend the Social Security Act to expand the availability of health care coverage for working individuals with diabilities, to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide beneficiaries with disabilities meaningful opportunities to work, 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 Mrs. JOHNSON of Connecticut (for herself, Mr. MATSUI, Mr. CAMPBELL, Ms. LOFGREN, Mr. COX, Mr. CUNNINGHAM, Mrs. TAUSCHER, Ms. ESHOO, Mr. KUYKENDALL, Mr. SHOWS, Mrs. BONO, Mr. MCNULTY, Mr. SESSIONS, Mr. FROST, Mr. SAM JOHNSON of Texas, Mr. THOMPSON of California, Mr. KANJORSKI, Ms. DUNN, Mr. LEWIS of California, Mr. RAMSTAD, Mr. HERGER, Mrs. NAPOLITANO, Mr. DOOLITTLE, Mr. PACKARD, Mr. BILBRAY, Mr. CONDIT, Mr. RADANOVICH, and Mr. POMBO):

H.R. 1092. A bill to amend the Internal Revenue Code of 1986 to more accurately codify the depreciable life of semiconductor manufacturing equipment; to the Committee on Ways and Means.

By Mr. KILDEE (for himself, Mr. NEY, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ALLEN, Mr. BAIRD, Mr. BALDACCI, Mr. BARCIA, Mr. BARRETT of Wisconsin, Mr. BERMAN, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BOEHLERT, Mr. BONIOR, Mr. BORSKI, Mr. BOSWELL, Mr. BOYD, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. BROWN of California, Mr. BROWN of Ohio, Mr. CAMPBELL, Mrs. CAPPS, Mr. CAPUANO, Mr. CLAY, Mrs. CLAYTON, Mr. COYNE, Mr. CRAMER, Mr. CROWLEY, Mr. DAVIS of Florida, Mr. DAVIS of Virginia, Mr. DEFAZIO, Mr. DELAHUNT, Ms. DELAURO, Mr. DEUTSCH, Mr. DIAZ-BALART, Mr. DICKS, Mr. DOYLE, Mr. DUNCAN, Mr. ENGEL, Mr. ENGLISH, Mr. FARR of California, Mr. FATTAH, Mr. FILNER, Mr. FOLEY, Mr. FORBES, Mr. FORD, Mr. FROST, Mr. GALLEGLY, Mr. GEJDENSON, Mr. GILMAN, Mr. GONZALEZ, Mr. GREEN of Texas, Mr. GUTIERREZ, Mr. HINOJOSA, Mr. HOLDEN, Mr. HOYER, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Mr. KIND of Wisconsin, Mr. KING of New York, Mr. KLECZKA, Mr. KLINK, Mr. KUCINICH, Mr. LAMPSON, Mr. LANTOS, Mr. LATOURETTE, Ms. LEE, Mr. LEWIS of Georgia, Mr. LOBIONDO, Ms. LOFGREN, Mrs. LOWEY, Mr. LUTHER, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MALONEY of Connecticut, Mr. MARTINEZ, Mr. MASCARA, Mrs. MEEK of Florida, Mr. METCALF, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mrs. MORELLA, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBERSTAR, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PAYNE, Mr. QUINN, Mr. RAHALL, Mr. RAMSTAD, Mr. REYES, Ms. RIVERS, Ms. ROS-LEHTINEN, Mr. ROTHMAN, Mrs. ROUKEMA, Mr. RUSH, Mr. SANDERS, Mr. SANDLIN, Mr. SAWYER, Mr. SHERMAN, Mr. SHOWS, Ms. SLAUGHTER, Mr. SNYDER, Ms. STABENOW, Mr. STARK, Mr. STRICKLAND, Mr. STUPAK, Mr. SUNUNU, Mrs. TAUSCHER, Mrs. THURMAN, Mr. TIERNEY, Mr. TOWNS, Mr. TRAFICANT, Mr. VENTO, Mr. WALSH, Mr. WAXMAN, Mr. WELDON of Pennsylvania, Mr. WELLER, Mr. WEYGAND, Mr. WEXLER, Ms. WOOLSEY, Mr. WYNN, and Mr. YOUNG of Alaska):

H.R. 1093. A bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; to the Committee on Education and the Workforce.

By Mr. LEACH (for himself, Mr. LAFALCE, Mr. BACHUS, and Ms. WATERS):

H.R. 1094. A bill to amend the Federal Reserve Act to broaden the range of discount window loans which may be used as collateral for Federal reserve notes; to the Committee on Banking and Financial Services.

By Mr. LEACH (for himself, Mr. LAFALCE, Mr. BACHUS, Ms. WATERS, Mr. BEREUTER, Mr. FRANK of Massachusetts, Mr. WOLF, and Mr. HALL of Ohio):

H.R. 1095. A bill to require the United States to take action to provide bilateral debt relief, and improve the provision of multilateral debt relief, in order to give a fresh start to poor countries; 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 Mrs. LOWEY (for herself, Ms. DELAURO, Mr. SHAYS, Mr. LEWIS of Georgia, Ms. PELOSI, Mr. KENNEDY of Rhode Island, Mr. ACKERMAN, Mr. FROST, Mr. MEEHAN, and Mr. CROWLEY):

H.R. 1096. A bill to amend the Federal Water Pollution Control Act to provide special funding to States for implementation of national estuary conservation and management plans, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. NEAL of Massachusetts:

H.R. 1097. A bill to amend the Internal Revenue Code of 1986 to simplify the $500 per child tax credit and other individual non-refundable credits by repealing the complex limitations on the allowance of those credits resulting from their interaction with the alternative minimum tax; to the Committee on Ways and Means.

By Mr. NEY:

H.R. 1098. A bill to amend title 10, United States Code, to require an annual report by the Secretary of Defense on the military capabilities of the People's Republic of China; to the Committee on Armed Services.

By Mr. OWENS (for himself, Mr. HILLIARD, Ms. MCKINNEY, and Mr. SANDERS):

H.R. 1099. A bill to amend the Internal Revenue Code of 1986 to provide more revenue for the Social Security system by imposing a tax on certain unearned income and to provide tax relief for more than 80,000,000 individuals and families who pay more in Social Security taxes than income taxes by reducing the rate of the old age, survivors, and disability insurance Social Security payroll tax; to the Committee on Ways and Means.

By Mr. POMBO:

H.R. 1100. A bill to correct an oversight in earlier legislation by directing the National Park Service to grant to three individuals a right of use and occupancy of certain property on Santa Cruz Island; to the Committee on Resources.

H.R. 1101. A bill to amend the Endangered Species Act of 1973 to improve the ability of individuals and local, State, and Federal agencies to prevent natural flood disaster; to the Committee on Resources.

By Mr. PORTMAN (for himself, Mr. CARDIN, Mrs. JOHNSON of Connecticut, Mr. HOUGHTON, Mr. LEWIS of Georgia, Mr. WELLER, Mr. TANNER,

Mr. BLUNT, Mr. BOEHNER, Mr. POMEROY, Mr. BENTSEN, Mr. KOLBE, Mrs. MORELLA, Mr. NUSSLE, Mr. MCCRERY, and Mr. RAMSTAD):

H.R. 1102. A bill to provide for pension reform, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and Government Reform, 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. RANGEL (for himself, Mr. STARK, Mr. QUINN, Mr. WALSH, Mr. ACKERMAN, Mrs. CHRISTENSEN, Mr. DOYLE, Mr. FATTAH, Mr. FROST, Mr. HINCHEY, Mr. HOLDEN, Mr. JENKINS, Ms. KILPATRICK, Mr. KLINK, Mr. LAFALCE, Mr. LEWIS of Georgia, Mrs. MALONEY of New York, Mr. MASCARA, Mr. MATSUI, Ms. MCCARTHY of New York, MCDERMOTT, Mr. MCGOVERN, Ms. SLAUGHTER, Mr. MCNULTY, Mr. NADLER, Mr. PASTOR, Mr. SERRANO, Mrs. THURMAN, Mr. TOWNS, and Ms. VELÁZQUEZ):

H.R. 1103. A bill to amend title XVIII of the Social Security Act to carve out from payments to Medicare+Choice organizations amounts attributable to disproportionate share hospital payments and pay such amounts directly to those disproportionate share hospitals in which their enrollees receive care; 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. SWEENEY:

H.R. 1104. A bill to authorize the Secretary of the Interior to transfer administrative jurisdiction over land within the boundaries of the Home of Franklin D. Roosevelt National Historic Site to the Archivist of the United States for the construction of a visitor center; to the Committee on Resources.

By Mr. THOMPSON of California (for himself, Mr. OSE, Mr. DOOLEY of California, and Mr. RADANOVICH):

H.R. 1105. A bill to amend the Internal Revenue Code of 1986 to provide that transfers of family-owned business interests shall be exempt from estate taxation; to the Committee on Ways and Means.

By Mrs. THURMAN (for herself, Mrs. FOWLER, Ms. BROWN of Florida, Mr. MICA, Mr. BILIRAKIS, Mr. BOYD, Mr. COLLINS, Mr. DAVIS of Florida, Mr. DEAL of Georgia, Mr. DEUTSCH, Mr. FOLEY, Mr. HASTINGS of Florida, Mr. LEWIS of Georgia, Mr. MCCOLLUM, Mrs. MEEK of Florida, Mr. SHAW, Mr. STEARNS, and Mr. YOUNG of Florida):

H.R. 1106. A bill to authorize the Administrator of the Environmental Protection Agency to make grants to State agencies with responsibility for water source development for the purpose of maximizing available water supply and protecting the environment through the development of alternative water sources; to the Committee on Transportation and Infrastructure.

By Mr. WATKINS:

H.R. 1107. A bill to amend title II of the Social Security Act to waive the waiting period otherwise required for diability beneficiaries in the case of individuals suffering from terminal illnesses with not more than six months to live; to the Committee on Ways and Means.

By Mr. BARTON of Texas (for himself, Mr. HALL of Texas, Mr. GOODE, Mr. SHADEGG, Mr. ADERHOLT, Mr. ANDREWS, Mr. ARCHER, Mr. ARMEY, Mr. BACHUS, Mr. BAKER, Mr. BALLENGER, Mr. BARR of Georgia, Mr. BARTLETT of Maryland, Mr. BASS, Mrs. BIGGERT, Mr. BILBRAY, Mr. BRADY of Texas, Mr. BILIRAKIS, Mr. BLILEY, Mr. BLUNT, Mr. BOEHNER, Mr. BONILLA, Mr. BRYANT, Mr. BURR of North Carolina, Mr. BURTON of Indiana, Mr. CALLAHAN, Mr. CALVERT, Mr. CANNON, Mr. CASTLE, Mr. CHABOT, Mr. CHAMBLISS, Mrs. CHENOWETH, Mr. COBURN, Mr. COLLINS, Mr. COMBEST, Mr. COOK, Mr. COOKSEY, Mr. COX, Mr. CRANE, Mrs. CUBIN, Mr. CUNNINGHAM, Ms. DANNER, Mr. DEAL of Georgia, Mr. DELAY, Mr. DEMINT, Mr. DICKEY, Mr. DOOLITTLE, Mr. DUNCAN, Ms. DUNN, Mrs. EMERSON, Mr. ENGLISH, Mr. EVERETT, Mr. FOLEY, Mr. FORBES, Mr. FOSSELLA, Mrs. FOWLER, Mr. FRANKS of New Jersey, Mr. FRELINGHUYSEN, Mr. GALLEGLY, Mr. GIBBONS, Mr. GILMAN, Mr. GOODLATTE, Mr. GOODLING, Mr. GRAHAM, Ms. GRANGER, Mr. GREEN of Wisconsin, Mr. GREENWOOD, Mr. HANSEN, Mr. HASTINGS of Washington, Mr. HAYWORTH, Mr. HEFLEY, Mr. HILLEARY, Mr. HOEKSTRA, Mr. HORN, Mr. HULSHOF, Mr. HUNTER, Mr. ISTOOK, Mr. JENKINS, Mr. JOHN, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, Mr. KASICH, Mrs. KELLY, Mr. KNOLLENBERG, Mr. LAHOOD, Mr. LARGENT, Mr. LATHAM, Mr. LATOURETTE, Mr. LAZIO, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. LUCAS of Oklahoma, Mr. MANZULLO, Mr. MCCOLLUM, Mr. MCCRERY, Mr. MCINNIS, Mr. MCINTOSH, Mr. MCINTYRE, Mr. MCKEON, Mr. METCALF, Mr. MICA, Mr. MILLER of Florida, Mr. GARY MILLER of California, Mrs. MYRICK, Mr. NETHERCUTT, Mr. NEY, Mrs. NORTHUP, Mr. NORWOOD, Mr. OXLEY, Mr. PACKARD, Mr. PAUL, Mr. PEASE, Mr. PETERSON of Pennsylvania, Mr. PICKERING, Mr. PITTS, Mr. POMBO, Mr. PORTER, Mr. PORTMAN, Ms. PRYCE of Ohio, Mr. QUINN, Mr. RADANOVICH, Mr. RAMSTAD, Mr. RILEY, Mr. ROGAN, Mr. ROHRABACHER, Mr. ROYCE, Mr. RYAN of Wisconsin, Mr. SALMON, Mr. SANFORD, Mr. SAXTON, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SCARBOROUGH, Mr. SCHAFFER, Mr. SHIMKUS, Mr. SHUSTER, Mr. SKEEN, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SMITH of Michigan, Mr. SOUDER, Mr. SPENCE, Mr. STEARNS, Mr. STUMP, Mr. SUNUNU, Mr. SWEENEY, Mr. TALENT, Mr. TAUZIN, Mr. TANCREDO, Mr. TAYLOR of North Carolina, Mr. THUNE, Mr. TOOMEY, Mr. UPTON, Mr. WALDEN of Oregon, Mr. WAMP, Mr. WATKINS, Mr. WATTS of Oklahoma, Mr. WELDON of Pennsylvania, Mr. WELDON of Florida, Mr. WELLER, and Mr. YOUNG of Alaska):

H. J. Res. 37. A joint resolution proposing an amendment to the Constitution of the United States with respect to tax limitations; to the Committee on the Judiciary.

By Mr. HOYER (for himself, Mr. HYDE, Mr. FRANK of Massachusetts, Mr. BERMAN, Mr. SENSENBRENNER, Mr. SABO, and Mr. PALLONE):

H. J. Res. 38. A joint resolution proposing an amendment to the Constitution of the United States repealing the twenty-second article of amendment to the Constitution; to the Committee on the Judiciary.

By Mr. ROHRABACHER (for himself, Mr. DELAY, Mr. GEJDENSON, Mr. LANTOS, Mr. COX, Mr. BURTON of Indiana, Mr. BROWN of Ohio, Mr. SMITH of New Jersey, Ms. ROS-LEHTINEN, Mr. HUNTER, Mr. CHABOT, and Mr. TANCREDO):

H. Con. Res. 53. A concurrent resolution concerning the Taiwan Relations Act; to the Committee on International Relations.

By Mr. CROWLEY (for himself, Mr. KING of New York, Mr. SHOWS, Mr. HOLDEN, Mr. BROWN of California, Mr. DELAHUNT, Mr. BRADY of Pennsylvania, Mrs. MINK of Hawaii, Mr. CUMMINGS, Mr. MEEHAN, Mr. MOAKLEY, Mr. HORN, Mr. CLAY, Mrs. MCCARTHY of New York, Mr. LAHOOD, Mr. QUINN, Mr. WEINER, Ms. LOFGREN, Mr. BERMAN, Mr. DEUTSCH, Mrs. MALONEY of New York, Mr. KUCINICH, Mr. GUTIERREZ, Mr. DINGELL, Mrs. MORELLA, Mr. SESSIONS, Mr. DIAZ-BALART, Mr. MCDERMOTT, Mr. WAXMAN, Mr. SNYDER, Mr. ABERCROMBIE, Mr. SWEENEY, Mr. LAZIO, Mr. FOLEY, Mr. ENGEL, Mr. CAPUANO, Ms. ESHOO, Mr. MCGOVERN, Mr. FORD, Mr. CUNNINGHAM, Mr. LATOURETTE, Mr. BARRETT of Wisconsin, Mr. CLEMENT, Mr. REYNOLDS, Mr. DOYLE, Mrs. ROUKEMA, Mr. WALSH, Mr. MCHUGH, Mr. GEJDENSON, Mr. BOUCHER, Mr. NEAL of Massachusetts, Mr. THOMPSON of Mississippi, Mr. RAHALL, Mr. MORAN of Virginia, Mr. VENTO, Mr. KENNEDY of Rhode Island, Mrs. KELLY, and Mr. LARSON):

H. Con. Res. 54. A concurrent resolution recognizing the historic significance of the first anniversary of the Good Friday Peace Agreement; to the Committee on International Relations.

By Mr. GOODLING:

H. Res. 108. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. FOLEY:

H. Res. 109. A resolution expressing the sense of the House of Representatives that a commemorative postage stamp should be issued recognizing the 4–H Youth Development Program's centennial; to the Committee on Government Reform.

By Mr. GALLEGLY (for himself, Mr. MENENDEZ, Mr. ACKERMAN, Mr. BALLENGER, Ms. ROS-LEHTINEN, Mr. DIAZ-BALART, and Ms. ROYBAL-ALLARD):

H. Res. 110. A resolution congratulating the Government and the people of the Republic of El Salvador on successfully completing free and democratic elections on March 7, 1999; to the Committee on International Relations.

By Mr. MEEKS of New York (for himself, Mr. CONYERS, Mr. HILLIARD, Mrs. CHRISTENSEN, Ms. NORTON, Mr. WYNN, Mr. JEFFERSON, Mr. RUSH, Mr. FORD, Mrs. MINK of Hawaii, Mrs. CLAYTON, Mrs. JONES of Ohio, Ms. SCHAKOWSKY, Mr. JACKSON of Illinois, Mr. STARK, Mr. SANDLIN, Mr. BRADY of Pennsylvania, Mr. KILDEE, Ms. VELÁZQUEZ, Ms. LEE, Mr. CUMMINGS, Ms. BROWN of Florida, Mr. HASTINGS of Florida, Mr. OBERSTAR, Mr. DIXON, Mr. UNDERWOOD, Mr. CLAY, Mr. TOWNS, Mr. OWENS, and Mr. RANGEL):

H. Res. 111. A resolution expressing the sense of the House of Representatives that the Supreme Court of the United States should improve its employment practices

with regard to hiring more qualified minority applicants to serve as clerks to the Justices; to the Committee on the Judiciary.

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. 8: Mr. ROHRABACHER and Mr. DOOLITTLE.

H.R. 14: Mr. HOSTETTLER.

H.R. 21: Mr. PICKETT, Mr. HERGER, Mr. SMITH of Washington, Mr. WELLER, Mr. PALLONE, Mr. DOOLEY of California, Mr. OSE, Mr. LEWIS of Kentucky, Mr. CRANE, Ms. SANCHEZ, and Mr. DEAL of Georgia.

H.R. 70: Mr. STUPAK, Mr. MALONEY of Connecticut, and Mr. FOSSELLA.

H.R. 90: Mr. HOLDEN, Mr. PALLONE, Mr. DAVIS of Illinois, Mrs. CLAYTON, Mr. LATOURETTE, and Mr. STUPAK.

H.R. 111: Mr. ENGLISH, Mr. KLINK, Mr. LUCAS of Oklahoma, Mr. POMEROY, Mr. GREENWOOD, Ms. MCCARTHY of Missouri, and Mr. UPTON.

H.R. 120: Mr. STUPAK, Mr. NEY, Mr. SHOWS, Mr. BOUCHER, Mr. BACHUS, Mr. LAHOOD, Mr. STEARNS, and Mrs. WILSON.

H.R. 122: Mr. SHOWS.

H.R. 127: Mr. CROWLEY and Mr. RANGEL.

H.R. 175: Mr. JENKINS, Mr. WAMP, Mr. LIPINSKI, Ms. KILPATRICK, Mr. UDALL of Colorado, Mr. LARSON, Mr. LANTOS, Mrs. MYRICK, Mr. SUNUNU, Mr. SIMPSON, Mr. NETHERCUTT, Mr. DAVIS of Florida, Mrs. ROUKEMA, Mr. BACHUS, Mr. MANZULLO, Mr. BLAGOJEVICH, Mr. ADERHOLT, Mr. BARCIA, Mr. BISHOP, Mr. ANDREWS, Mr. FILNER, Mr. TANCREDO, Mr. HILLIARD, Mr. DOYLE, and Mr. MOORE.

H.R. 205: Mr. DEAL of Georgia.

H.R. 220: Mr. GOODLING.

H.R. 275: Mr. BURTON of Indiana.

H.R. 306: Mr. CARDIN, Mr. DICKS, Mr. FOLEY, Mr. HOYER, Mr. MATSUI, Mr. MOORE, Mr. RAHALL, and Ms. SANCHEZ.

H.R. 323: Mr. UDALL of Colorado, Mr. DOYLE, Mr. WYNN, Mr. SENSENBRENNER, Mr. FORBES, Mr. BLAGOJEVICH, Mr. BURR of North Carolina, Mrs. NORTHUP, and Mr. STUMP.

H.R. 351: Mr. THUNE.

H.R. 357: Mr. JACKSON of Illinois.

H.R. 362: Mr. WYNN and Mr. MCNULTY.

H.R. 363: Mr. MCGOVERN, Mrs. EMERSON, Mr. WYNN, and Mrs. CAPPS.

H.R. 364: Mr. WYNN.

H.R. 365: Mr. WYNN.

H.R. 366: Mr. WYNN.

H.R. 380: Mr. MEEHAN, Mr. MCGOVERN, Mr. SHUSTER, and Mr. FORBES.

H.R. 399: Ms. DELAURO and Mr. ABERCROMBIE.

H.R. 405: Mr. ALLEN, Mr. OSE, and Mr. GRAHAM.

H.R. 406: Mr. SUNUNU, Mr. ADERHOLT, Mr. BLUMENAUER, and Mr. RADANOVICH.

H.R. 413: Mrs. ROUKEMA, Mr. PASTOR, Ms. LOFGREN, Mr. LANTOS, Mrs. MEEK of Florida, Mr. LUTHER, Mr. DICKS, Mr. UDALL of Colorado, Mrs. JONES of Ohio, Mr. GEORGE MILLER of California, Mr. OBERSTAR, and Ms. ESHOO.

H.R. 430: Mrs. CAPPS and Mr. NETHERCUTT.

H.R. 434: Mr. PORTER and Mrs. MEEK of Florida.

H.R. 453: Mr. BROWN of California, Mr. DOYLE, Mr. BARCIA, Mr. BALLENGER, Mr. GOODLATTE, Mr. BOUCHER, Mr. MOORE, Mrs. CLAYTON, and Mr. LATOURETTE.

H.R. 483: Mr. FOLEY.

H.R. 488: Ms. PELOSI.

H.R. 516: Mr. PACKARD.

H.R. 555: Mr. DAVIS of Illinois and Mr. MEEKS of New York.

H.R. 571: Mr. BURTON of Indiana.

H.R. 574: Mr. SHOWS.

H.R. 575: Mr. TOOMEY.

H.R. 576: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. INSLEE.

H.R. 599: Mr. HINOJOSA and Mr. HILLIARD.

H.R. 622: Mrs. THURMAN, Mr. BOEHLERT, Mr. MCHUGH, Mr. MASCARA, and Mr. WELLER.

H.R. 644: Ms. LEE.

H.R. 645: Mr. GALLEGLY, Mr. SHOWS, Ms. BROWN of Florida, Mr. RUSH, Mr. INSLEE, and Ms. LOFGREN.

H.R. 664: Mrs. CLAYTON.

H.R. 670: Mr. BAIRD and Ms. DANNER.

H.R. 672: Mrs. JOHNSON of Connecticut, Mr. TANNER, Mr. HOUGHTON, Mr. HERGER, Mr. SAM JOHNSON of Texas, Mr. HAYWORTH, Mr. RAMSTAD, and Mr. MCCRERY.

H.R. 678: Mr. DICKEY, Mrs. MYRICK, Mr. GOODLATTE, Mr. ABERCROMBIE, Mr. GARY MILLER of California, Mr. MALONEY of Connecticut, Mr. HILL of Indiana, Mr. FALEOMAVAEGA, and Mr. NEY.

H.R. 709: Mr. RANGEL, Ms. NORTON, Ms. LOFGREN, Mr. LUTHER, Mr. MCGOVERN, Mr. DEFAZIO, Mr. FROST, and Mr. WU.

H.R. 710: Mr. BOSWELL, Mr. LEACH, Mr. GRAHAM, Mr. HILL of Montana, Mr. NUSSLE, Mr. BRADY of Texas, and Mr. METCALF.

H.R. 731: Ms. ROS-LEHTINEN and Mr. ABERCROMBIE.

H.R. 732: Mr. STRICKLAND, Mr. LUTHER, Mr. CROWLEY, Mr. PASCRELL, Mr. RODRIGUEZ, Mr. FRANKS of New Jersey, and Mr. STUPAK.

H.R. 771: Mr. JENKINS and Mr. MURTHA.

H.R. 773: Ms. LOFGREN, Mr. STENHOLM, Mr. HILL of Indiana, Mr. LUCAS of Kentucky, Mr. UDALL of Colorado, Mr. KILDEE, Mr. MATSUI, Mr. DAVIS of Illinois, Mr. MENENDEZ, Mr. ROTHMAN, Mr. HOLDEN, Mr. BEREUTER, Mr. HORN, Mr. HOBSON, Mr. BASS, and Mrs. KELLY.

H.R. 777: Mr. PAYNE.

H.R. 789: Mr. KING of New York and Mr. RANGEL.

H.R. 798: Mr. NADLER, Ms. NORTON, and Mr. MATSUI.

H.R. 804: Mr. KLINK.

H.R. 815: Mr. CONYERS.

H.R. 832: Mr. TIERNEY and Mr. SANDLIN.

H.R. 833: Mr. ADERHOLT and Mr. JENKINS.

H.R. 835: Mr. GOODLING, Mr. THOMAS, Mr. GEPHARDT, Mr. OSE, and Mr. HINOJOSA.

H.R. 837: Ms. DEGETTE, Ms. WATERS, Ms. RIVERS, Mr. GUTIERREZ, Mr. FALEOMAVAEGA, Ms. VELÁZQUEZ, Mr. SCOTT, and Ms. LOFGREN.

H.R. 850: Mr. CALVERT and Ms. SLAUGHTER.

H.R. 851: Mr. LATOURETTE, Mr. OLVER, Mr. RUSH, Mr. EHRLICH, Mr. WALSH, Mr. BARCIA, Mr. SMITH of Michigan, Mr. REYES, Mr. CAMPBELL, Mrs. KELLY, Mr. LAMPSON, Mr. GEORGE MILLER of California, Mr. NORWOOD, Mr. CASTLE, Mr. DEAL of Georgia, and Mr. THOMPSON of Mississippi.

H.R. 860: Mr. HOEFFEL.

H.R. 864: Mr. BALDACCI, Mrs. MYRICK, Mr. OLVER, Mr. BACHUS, Mr. DICKEY, Mr. FILNER, Mr. DAVIS of Florida, Mr. ADERHOLT, Mrs. ROUKEMA, Mr. FROST, Mr. CLAY, Mr. ANDREWS, Mr. BARCIA, Mr. TANCREDO, Mr. SIMPSON, Mr. HILLIARD, and Mr. ROGERS.

H.R. 866: Mr. NEY.

H.R. 878: Mr. RADANOVICH, Mr. HEFLEY, Mr. SKEEN, Mr. SCHAFFER, Mr. PETERSON of Pennsylvania, Mrs. CHENOWETH, Mr. CALVERT, Mr. HAYWORTH, Mr. PETRI, Mr. HASTINGS of Washington, Mr. LEWIS of Kentucky, and Mr. SAM JOHNSON of Texas.

H.R. 883: Mr. GUTKNECHT, Mr. HOBSON, Mr. WATTS of Oklahoma, Mr. TALENT, Mr. MCCRERY, Mr. SALMON, and Mr. CHABOT.

H.R. 889: Mrs. CLAYTON, Mr. KILDEE, Ms. VELÁZQUEZ, Mr. WYNN, Mr. WALSH, Mr. GREEN of Texas, Mr. UNDERWOOD, Ms. PRYCE of Ohio, and Ms. LOFGREN.

H.R. 890: Mrs. CLAYTON, Mr. KILDEE, Ms. VELÁZQUEZ, Mr. WYNN, Mr. WALSH, Mr. GREEN of Texas, Mr. UNDERWOOD, Ms. PRYCE of Ohio, and Ms. LOFGREN.

H.R. 895: Mr. BILBRAY, Mrs. JOHNSON of Connecticut, and Mr. HORN.

H.R. 903: Mr. FOLEY.

H.R. 925: Mr. BONIOR, Mr. WYNN, Mr. KILDEE, Ms. ESHOO, Mr. LAMPSON, Ms. LOFGREN, Ms. PELOSI, Mr. STRICKLAND, Mr. PAYNE, Mr. DAVIS of Illinois, Mrs. TAUSCHER, and Mr. BLAGOJEVICH.

H.R. 959: Mr. MARKEY, Mr. PAYNE, Mr. OLVER, Mr. SHOWS, Mr. MCDERMOTT, Mr. MEEHAN, MR. GEORGE MILLER of California, Mr. BRADY of Pennsylvania, Mr. DELAHUNT, Mr. PASTOR, Mr. BOUCHER, Mr. RUSH, Ms. BALDWIN, Mr. ORTIZ, Mr. WEINER, Mr. UNDERWOOD, Mr. CONYERS, Mr. FILNER, Mr. TIERNEY, Mr. FRANK of Massachusetts, Ms. DELAURO, and Mr. HALL of Ohio.

H.R. 979: Mr. HOUGHTON, Mr. PETERSON of Pennsylvania, Mr. BOYD, Mr. THOMPSON of California, Mr. PETERSON of Minnesota, Mr. BRADY of Pennsylvania, Mr. ABERCROMBIE, Mr. KUCINICH, Mr. SHOWS, and Mr. BROWN of Ohio.

H.R. 984: Mr. JEFFERSON.

H.R. 987: Mr. TALENT and Mr. BACHUS.

H.R. 991: Mrs. TAUSCHER and Mr. UNDERWOOD.

H.R. 996: Mrs. THURMAN, Ms. HOOLEY of Oregon, Mr. UDALL of Colorado, Mr. SANDERS, Mr. HILLIARD, Mr. HOLT, and Mr. MOAKLEY.

H.R. 997: Mr. FOLEY, Mrs. KELLY, and Mrs. MORELLA.

H.R. 999: Mrs. KELLY.

H.R. 1000: Mr. DICKEY, Mr. TRAFICANT, Mr. HOLDEN, Mr. LATOURETTE, Mr. KLINK, Mr. COSTELLO, Mrs. TAUSCHER, Mr. MORAN of Kansas, Mr. BLUMENAUER, Mr. COOKSEY, Mr. RAHALL, Mr. BASS, Ms. BROWN of Florida, Mr. DOOLITTLE, Mr. BOSWELL, Mr. TAUZIN, Mr. LAMPSON, Mr. BEREUTER, Ms. MILLENDER-MCDONALD, Mr. KUYKENDALL, Ms. NORTON, Mr. ISAKSON, and Mr. EHLERS.

H.R. 1002: Mr. DOOLITTLE.

H.R. 1011: Mr. FRANK of Massachusetts.

H.R. 1015: Mr. DIXON and Mr. GEORGE MILLER of California.

H.R. 1022: Mr. COSTELLO, Ms. LOFGREN, and Mr. BERMAN.

H.R. 1030: Mr. FARR of California.

H.R. 1034: Mr. PICKETT.

H.R. 1062: Mr. BLAGOJEVICH and Mrs. MORELLA.

H.J. Res. 25: Mrs. MYRICK, Mr. BARRETT of Nebraska, Mr. SWEENEY, Mr. HILL of Indiana, Mr. BRADY of Pennsylvania, and Mr. HAYWORTH.

H.J. Res. 34: Mrs. KELLY, Mr. HILL of Indiana, and Mr. BOYD.

H. Con. Res. 8: Mrs. NORTHUP, Mr. MCGOVERN, and Mr. KIND of Wisconsin.

H. Con. Res. 24: Mr. VENTO, Mr. DAVIS of Illinois, Mr. HYDE, Mr. MCKEON, and Ms. BALDWIN.

H. Con. Res. 30: Mr. NETHERCUTT, Mr. NEY, Mr. BURTON of Indiana, and Mr. PAUL.

H. Con. Res. 31: Mr. MARTINEZ and Mr. MALONEY of Connecticut.

H. Res. 59: Mr. BLUNT.

H. Res. 62: Mr. BERMAN, Mr. SMITH of Washington, Mr. LANTOS, and Ms. MILLENDER-MCDONALD.

H. Res. 89: Ms. LOFGREN, Mr. NADLER, Mr. BALDACCI, and Mr. KING of New York.

H. Res. 102: Mr. METCALF, Mr. KING of New York, Mr. DELAY, Mr. FORBES, Mr. PITTS, Mr. COBURN, and Mr. LARGENT.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 744: Mr. GEJDENSON.

EXTENSIONS OF REMARKS

INTRODUCTION OF LEGISLATION TO HELP THE NATION'S SAFETY NET HOSPITALS: CARVE-OUT OF DISPROPORTIONATE SHARE HOSPITAL PAYMENTS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. RANGEL. Mr. Speaker, I am today introducing legislation to give equitable treatment to the Nation's safety-net hospitals, the hospitals which serve a disproportionate share of the Nation's uninsured and low-income. I am pleased to be joined by Representatives STARK, QUINN, WALSH, and 26 other Members.

Our bill "carves out" Disproportionate Share Hospital (DSH) payments from the amount we give HMOs and pays those DSH funds directly to DSH hospitals when managed care company patients use a DSH hospital.

This legislation completes a process well-started in the Balanced Budget Act. In the just-enacted Balanced Budget Act, we "carved out" from what we pay HMOs the amount attributable to the cost of Graduate Medical Education (GME) and provided that, when an HMO's patient actually uses a GME Hospital, that hospital will be directly reimbursed by Medicare for its extra GME expenses. This provision corrects a serious problem facing our Nation's teaching and research hospitals: HMOs get paid as if they use these hospitals, but in many (but not all) cases, HMOs avoid these more expensive hospitals. The "carve out" will prevent windfalls to HMOs and permit the GME hospitals to compete fairly for HMO patients.

The same logic that supported the GME carve-out supports the DSH carve-out. Though the Senate Finance and Commerce Committees' bills provided for both a DSH carve-out and a GME carve-out, the DSH carve-out was dropped from the final BBA. There is no logic to not applying the same principle to DSH payments.

Our Nation's safety-net hospitals desperately need these extra payments—and HMOs which do not use DSH hospitals do not deserve the extra amount. As data from 1995 show, the Nation's public hospitals in over 100 of America's largest metropolitan areas are the key safety-net hospitals. These hospitals make up only about 2 percent of all the Nation's hospitals, yet they provide more than 20 percent of all uncompensated care and they rely on Medicare and Medicaid to fund more than half of that uncompensated care. In 1995, 67 of these safety-net hospitals reported incurring $5.8 billion in uncompensated care costs (defined as bad debt and charity care)—an average of over $86 million per hospital. For these institutions, bad debt and charity care represented 25 percent of their total gross charges. And this disparity is only getting worse. Private and for-profit hospitals are increasingly competing for Medicaid patients (who at least bring with them some government reimbursement) and leaving the totally uninsured to these disproportionate share safety-net hospitals. These safety-net hospitals have the worst total margins (i.e., "profits") in the hospital industry. Overall, hospital margins from Medicare payments are at record highs and this fact justified the Medicare payment update freeze and reductions which were included in the Balanced Budget Act. But the Prospective Payment Assessment Commission estimates that in 1997 the Nation's major teaching hospitals (who also tend to be DSH hospitals) will have the lowest total margins of any hospital category: 3.9 percent—a thin and shrinking margin that will surely turn negative in the next economic downturn. The enactment of this legislation could help improve these margins and preserve these hospitals.

Providing a DSH carve-out will also help these hospitals compete equally for managed care patients. Failing to provide a carve-out serves as an incentive to managed care plans not to use these more expensive hospitals. A recent White Paper from the National Association of Public Hospitals and Health Systems entitled "Preserving America's Safety Net Hospitals" explains why the DSH carve-out should be legislated:

> The current methodology for distributing Direct Graduate Medical Education, Indirect Medical Education, and DSH payments is seriously flawed in the Medicare managed care context. For Medicare patients enrolled in managed care, these supplemental payments are incorporated into the average adjusted per capita cost (AAPCC) which is the capitation payment made to managed care plans. The plans do not necessarily pass these payments along to the hospitals which incur the costs that justify the payments. In fact, some plans receive the payments and do not even contract with such hospitals. As Medicare increases the use of capitated risk contracting, the amount of DGME, IME, and DSH funds that go to teaching hospitals will diminish considerably unless this payment policy is changed. In essence, payments intended to support the costs of teaching or low income care are being diverted from the hospitals that provide the care to managed care plans that are not fulfilling this mission. For this reason, the GME and DSH payments must be carved out of the AAPCC rate and made directly to the hospitals that incur those costs.

The carve-out for graduate medical education was wisely included in the Balanced Budget Act. It is logical, appropriate, and important that we complete the work and carve out the DSH payments.

I want to thank the Greater New York Hospital Association, the American Hospital Association, and the Healthcare Association of New York State (HANYS) for their support of the bill in the 105th Congress (H.R. 2701), and we look forward to working with them on the issue in the 106th Congress.

IN CELEBRATION OF THE 100TH ANNIVERSARY OF THE DUNSMUIR HOUSE AND GARDENS IN OAKLAND, CA

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Ms. LEE. Mr. Speaker, I rise in celebration of the 100th anniversary of the establishment of the Dunsmuir House and Gardens in Oakland, CA. This milestone will be commemorated with a year-long series of special events including lectures, concerts, and exhibits, beginning on Thursday, March 11, 1999, to celebrate the Dunsmuir estate and the history of the City of Oakland.

The Dunsmuir House and Gardens is a 50-acre early 20th century summer estate located in the hills of northeast Oakland. The estate features a 37-room, 16,224 square foot neoclassical revival mansion, carriage house, and barn, as well as additional farm buildings and a beautifully manicured landscape.

The estate was built by Alexander Dunsmuir as a wedding gift for his bride Josephine Wallace. In 1906, the estate was purchased by L.W. Hellman and later sold to the City of Oakland in the early 1960s. In 1971, the Dunsmuir House & Gardens, Inc. (DHGI), was formed to provide public access to the estate and grounds.

The Dunsmuir House & Gardens, Inc., is a non-profit organization with over 200 volunteers responsible for the restoration, preservation, and management of the Dunsmuir Estate. Throughout the year, DHGI presents several multi-cultural events, tours, and educational programs that provide opportunities for the public to enjoy the estate.

The mission of DHGI is to preserve and restore the buildings and grounds while maintaining their historic character; to interpret the valuable historical, cultural, architectural, and horticultural resources for the estate during the period of 1900 to 1910; to operate and maintain the estate for the enjoyment and education of the public; and to encourage the community's use of the property while maintaining a balance between site use and preservation.

The Dunsmuir House has been designated as a National Historic Site by the United States Department of the Interior and has been placed on the California Historic Register by the California Office of Historic Preservation. The Dunsmuir House is also designated as a Historic Landmark by the City of Oakland.

Throughout this centennial celebration, the Dunsmuir Estate will be alive with new construction and preservation projects. A new

Garden Pavilion will be constructed in 1999, featuring a ballroom and meeting space which will accommodate up to 299 guests. During the construction of the new Garden Pavilion, a Garden Tent will also be installed on the estate.

In order to preserve, protect, and restore the Dunsmuir estate, DHGI relies on memberships and financial donations as well as donations and loans of furniture, art, collectibles, books and clothing from the turn-of-the-century.

The Dunsmuir House is truly a source of civic pride and a valuable resource for the community, and I am excited to join in the celebration of the 100th anniversary of its establishment.

THREE-MONTH EXTENSION OF REENACTMENT OF CHAPTER 12, TITLE 11, UNITED STATES CODE

SPEECH OF

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mrs. MINK of Hawaii. Mr. Speaker, I rise in strong support of H.R. 808, the Chapter 12 Farm Bankruptcy Bill, of which I am a cosponsor.

During the farm crisis of the 1980's, Congress recognized that the bankruptcy code failed to address the needs of most family farmers. In an effort to fill this void, Congress in 1986 enacted Chapter 12 of the bankruptcy code providing relief designed specifically for family farmers. Chapter 12 enabled family farmers to reorganize their debt and continue to operate, rather than having to liquidate, when they declared bankruptcy.

Chapter 12 is scheduled to expire in 3 weeks, on April 1, 1999. The Chapter 12 Farm Bankruptcy Bill, will extend Chapter 12 of the bankruptcy code for 3 additional months and continue this much needed bankruptcy option until it can be made permanent with the bankruptcy reform legislation that will be heard later this year.

Family farmers, the backbone of our country, deserve an opportunity to reorganize their debts and continue operating after they have declared bankruptcy. I support H.R. 808 and urge it's immediate passage.

TRIBUTE TO THE LATE ROBERT HAWTHORNE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. THOMPSON of Mississippi. Mr. Speaker, today I pay tribute to Mr. Robert J. Hawthorne who passed away on February 19, 1999. Mr. Hawthorne was a motivator, educator, and served as a positive role model for many of the youths in his community.

Mr. Hawthorne received his early education at Jackson Lanier High School. Upon completion, he entered Tougaloo College, my alma mater, in Tougaloo, MS. Mr. Hawthorne's stay at Tougaloo was temporarily put on hold in order for him to serve his country in the United States Army. After being discharged from the service, he returned to Tougaloo College and received his degree.

In the early 1960's, Mr. Hawthorne moved to the Delta where he embarked on a 36-year teaching and coaching career in the Hollandale School District in Hollandale, MS. The highlight of Mr. Hawthorne's career came when he was inducted into the Mississippi Association of Coaches Hall of Fame. Over the 36-year span, Mr. Hawthorne compiled a football record of 154–110–13 including several conference and district championships. In addition to coaching football, Mr. Hawthorne contributed to the boys and girls basketball teams and the boys and girls track teams. The fruits of Mr. Hawthorne's labor of love have resulted in his athletes going on to become doctors, lawyers, teachers, politicians and successful business persons.

Mr. Speaker, Mr. Hawthorne was truly an asset to the Second Congressional District of Mississippi. He served as a pillar of strength and hope for young people in the Mississippi Delta. If there ever was an example for a role model, Mr. Hawthorne would certainly fit the bill. He will be surely missed by all.

CONTINUATION OF AID DENIAL FOR TURKEY

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. PORTER. Mr. Speaker, I want to express my support for the continuation of current U.S. Policy regarding economic and military assistance to the Government of Turkey.

Over the past decade, I have worked tirelessly, as a member of the House Appropriations Committee to end the practice of providing scarce U.S. foreign assistance dollars to abusive governments around the world. Turkey is one example where sustained action by concerned Members of Congress has had an important impact. In 1995, despite a deplorable human rights record and consistently poor relations with its neighbors, Turkey was the third largest recipient of U.S. foreign assistance. Through the efforts of Congressman ANDREWS and many other concerned Members, we were able to end direct assistance to Turkey in fiscal year 1999. Today, I call upon Congress to maintain this policy as we begin working on the appropriations bills for the coming fiscal year.

The U.S. State Department and numerous non-governmental organizations both in and outside Turkey, have compiled a thorough record of the serious human rights problems that persist in Turkey to this day. The international community has continuously expressed dismay with Turkey's refusal to withdraw troops from Cyprus, its total rejection of any political solution to the Kurdish problem, and its ongoing mistreatment of the Kurds and other minority groups. Unfortunately, Turkey has done little to address these problems or move any closer to the standards of behavior that are expected of a country which desires a place in Europe and in the community of democratic nations.

I regret that the Turkish government has refused to accept responsibility for or take steps to correct the problems that hold Turkey back from its potential positive role in the region and the world. Until such time as that government does make a genuine effort to address these serious issues, the U.S. Congress must continue to send a strong message by refusing to permit U.S. taxpayer funds to be squandered on an abusive government that refuses to conform itself to the basic international standards that we hold dear. I do not always agree with the policies of the Administration when it comes to Turkey, but I am pleased to note that there was not a request for economic or military assistance for Turkey in the President's budget for Fiscal Year 2000. I am pleased that the Administration has finally come around to the view shared by a majority of the Members of the House of Representatives on this issue, and I am hopeful that this signals a new willingness on the part of the Executive Branch to work with Members on a more constructive approach to improving Turkey's human rights practices.

HONORING ARTHUR O. EVANS

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. KILDEE. Mr. Speaker, I stand before you today to recognize the accomplishments of a man who has made it his life's work to protect and defend human dignity, and to ensure the safety of our streets for our citizens and our children. On March 12, friends and family will gather to honor the career of Arthur O. Evans, who is retiring after more than 30 years in law enforcement.

It is difficult to imagine what the Flint, MI community would be like had it not been for the influence of Art Evans, an influence which began after he joined the Flint Police Department, following the end of his tenure as a member of the U.S. Air Force Air Police. Art began his career as a police officer in 1968, and rose through the ranks becoming a sergeant in 1974 and a lieutenant in 1984. During his tenure with the Flint police, Art served in divisions such as the Criminal Investigation Bureau, Neighborhood Foot Patrol, and the Inspection Bureau. During this time, Art also attended Flint Junior College and Michigan State University, earning degrees in Police Administration, Criminal Justice, and Criminal Justice Education and Administration. For over 25 years, he also worked as a Criminal Justice instructor at the University of Michigan-Flint, Saginaw Valley State University, and Mott Community College. In February 1985, Art was appointed Undersheriff of Genesee County, thereby giving him a larger jurisdiction and a greater opportunity for public service.

Art has often been involved in groups such as the Genesee County Association of Chiefs of Police, Flint Area Crime Stoppers, National Organization of Black Law Enforcement Executives, and the International Association of Chiefs of Police. He has worked to enhance

the quality of life for his constituents through his involvement in groups such as Genesee County Violence Prevention Coalition, Mott Community College Criminal Justice Advisory Board, and the National Council on Alcoholism.

Art has many times stepped from behind his badge through his work with the Boy Scouts of America, Bishop International Airport Authority, and the YMCA. He has been General Chairperson for the Untied Negro College Fund in Genesee County, President of the Urban League of Flint Board of Directors, and President of the Flint Board of Education.

Mr. Speaker, many people in the Flint area, myself included, have greatly benefitted from Art Evans' insight and experience. He has truly made Genesee County a better place in which to live. I ask my colleagues in the 106th Congress to join me in congratulating him for his dedication and commitment to justice.

PROVIDING FOR USE OF CATAFALQUE IN CRYPT BENEATH ROTUNDA OF CAPITOL IN CONNECTION WITH MEMORIAL SERVICES FOR THE LATE HONORABLE HARRY A. BLACKMUN, FORMER ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES

SPEECH OF

HON. BILL LUTHER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. LUTHER. Mr. Speaker, I rise today to pay tribute to the life and legacy of late Supreme Court Justice Harry Blackmun. Ascending from a modest St. Paul Childhood to the Nation's highest court, Mr. Blackmun served the people of Minnesota for decades with his meticulous yet open legal mind before dutifully serving his Nation as Supreme Court Justice for 24 years.

Reflective and courageous Justice Blackmun bore great personal burdens in order to translate the Constitution's theory of liberty into fundamental guarantees for all people. He was a genuine and humble public servant. His passing will be mourned by people everywhere.

THE BREAST AND CERVICAL CANCER TREATMENT ACT OF 1999

HON. RICK LAZIO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. LAZIO of New York. Mr. Speaker, I rise today to introduce legislation that will allow states the option of providing Medicaid coverage to women who have been diagnosed with breast and cervical cancer through the federal government's National Breast and Cervical Cancer Early Detection Program (NBCCEDP).

This bill would allow women who are screened through the CDC program and diagnosed with cancer to help obtain the quality treatment they deserve. The Breast and Cervical Cancer Treatment Act would allow women to focus their efforts on getting well instead of worrying about how they or their family will be able to pay for their treatment.

Currently, screening services through this CDC-administered program are provided to women who earn too much to be eligible for Medicaid but not enough for private insurance. The nine-year-old-program exists in 50 states, in five U.S. territories, in the District of Columbia, and through 15 American Indian/Alaska Native organizations.

The CDC screening program is a terrific success and has saved an untold number of lives. Since its inception in 1990, the program has provided more than 1.5 million screening tests to women who might have otherwise not had access to it.

More than 700,000 mammograms have been provided to primarily low-income women. Of this number, over 48,000 of the tests were abnormal, and over 3,600 cases of breast cancer were diagnosed. In addition, through the 850,000 cervical cancer screenings, more than 26,000 pre-cancerous lesions were detected, and 400 women were diagnosed with invasive cervical cancer.

But frankly, screening and early detection are only half the battle. These proactive efforts must be coupled with a quality plan for follow-up treatment. As the CDC program works today, treatment for these women is—at best—an ad hoc system. Women must rely on a tremendous amount of time and effort from volunteers, state workers, doctors, public hospitals, and others, to find appropriate treatment services for their disease. Follow-up services are very rare, and 5% of women in this program are never even treated. Congress needs to provide a plan that follows through for these women.

In my district of Long Island, the severity of this problem is very real. My staff has dealt with a number of women with varying issues that stemmed from this loophole of care in the current system.

For example, one women from Suffolk County—while she was extremely grateful for the screening programs available to her—often referred to her treatment as "begging" because she often had to get treatment anywhere she could find it.

Another constituent with breast cancer felt like her disease was "public" because she found that the only way to get treatment as a women in this situation is to tell every advocate and every doctor about your situation—to make these extraordinarily personal problems public—in the hope that someone can find what you need and help.

Finally, one women chose not to get tested because she knew that treatment would not be guaranteed. This final example is what frightens me the most—some women are avoiding a screening that could save their life because of the potential expense it might cost them.

Seeing a need to complete this quality program, I joined with my colleagues Rep. ANNA ESHOO and Rep. ILEANA ROS-LEHTINEN, to sponsor The Breast and Cervical Cancer Treatment Act of 1999. Our legislation will allow states the option of providing Medicaid coverage to women who have been screened and diagnosed with breast and cervical cancer through the CDC program. In my view, this bill is the best long-term solution. Congress needs to ensure Americans that our government programs are working for them and that Congress is making the right decisions.

I am proud to introduce this critical piece of legislation in an effort to ensure that all women of all income levels will have access to the screening and appropriate and quality treatment to help combat this terrifying disease.

INTRODUCTION OF THE BREAST AND CERVICAL CANCER TREATMENT ACT OF 1999

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Ms. ESHOO. Mr. Speaker, I rise today to talk about two diseases we all hope to avoid but which often touches too many of our lives—breast and cervical cancer.

Mr. Speaker, breast and cervical cancer are killers. Breast cancer kills over 46,000 women each year and is the leading cause of death among women between 40 and 45. Cervical cancer will kill, 4,400 of our wives, daughters, mothers and sisters this year.

In 1990, Congress took the first step to fight breast and cervical cancer by passing the Breast and Cervical Cancer Mortality Prevention Act. This law authorized a breast and cervical cancer-screening program for low-income, uninsured or underinsured women through the Centers for Disease Control (CDC).

This law was an important first step, but it was only a first step. While the current program covers screening services, it does not cover treatment for women who are found to be positive through the program. The bill I am introducing today with my colleagues, Representatives LAZIO, CAPPS, and ROS-LEHTINEN, takes the next critical step by providing life-saving treatment for these dreaded diseases.

Our bill, the Breast and Cervical Cancer Treatment Act of 1999, would establish an optional state Medicaid benefit for the coverage of certain women who were screened and diagnosed with breast or cervical cancer under the CDC National Breast and Cervical Cancer Early Detection Program.

Thankfully, Mr. Speaker, we possess the technology to detect and treat breast and cervical cancer. But we must pair this with the will to help women fight these diseases. The current method of providing treatment is through an ad hoc patchwork of providers, volunteers, and local programs that often results in unpredictable, delayed, or incomplete. Our bill would provide a consistent, reliable method of treatment for uninsured and underinsured women fighting breast or cervical cancer.

Mr. Speaker, I am pleased to say that over 90 of my colleagues from both sides of the aisle have already signed on to be original cosponsors of the Breast and Cervical Cancer Treatment Act. These members who have shown their support for this bill recognize that

breast and cervical cancer are not only women's diseases. For the son who has lost a mother, the husband who has lost a wife, or the mother who has lost a daughter, this disease is a family disease.

In the last decade we have made great strides in diagnosing and treating breast and cervical cancer. But the causes of these cancers remain unknown and for many women how they will pay for their treatment remains unknown as well. Mr. Speaker, our hope is that Breast and Cervical Cancer Treatment Act will help change that.

IN HONOR OF AMELIA ASHLEY-WARD, PUBLISHER OF SUN-REPORTER PUBLISHING COMPANY BY THE SAN FRANCISCO NAACP

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Ms. LEE. Mr. Speaker, I rise in recognition of the honor bestowed upon Amelia Ashley-Ward by the San Francisco NAACP for her outstanding career in the field of journalism.

Ms. Ashley-Ward is the publisher of the Sun-Reporter Publishing Company and was recently named "Publisher of the Year" by the National Newspaper Publishers Association (NNPA).

The Sun Reporter Publishing Company publishes nine weekly newspapers throughout Northern California, including the Sun-Reporter, the California Voice and the Oakland Metro Reporter. Through these various publications the African-American community is kept informed of issues affecting African-Americans politically, economically, and culturally.

Ms. Ashley-Ward assumed control of the Sun-Reporter following the death of Dr. Carlton Goodlett, its longtime leader. Since then, she has revitalized the company and continued Dr. Goodlett's crusade for social justice.

Ms. Ashley-Ward's achievements in journalism as a reporter, photo-journalist, Editor of the California Voice, Managing Editor and now Publisher of the Sun-Reporter are significant. These awards include the 1997 Woman of the Year designated by the San Francisco Black Chamber of Commerce; the Leslie Urquhart Community Service Award; and the leaders in Action Award in journalism.

Ms. Ashley-Ward is an executive board member of the NAACP, serving as 2nd Vice President.

Ms. Ashley-Ward is also the Founding President of the Young Adult Christian Movement, which is an outreach organization that discusses faith and how to make one's life better spiritually.

I want to join with the NAACP and with community leaders throughout the Bay Area and the nation to pay tribute to the work and legacy of Ms. Amelia Ashley-Ward.

H.R. 473—PROVIDING ASSISTANCE TO FARMERS FOR CROP DISEASES AND VIRUSES

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mrs. MINK of Hawaii. Mr. Speaker, I recently introduced H.R. 473, to ensure that farmers who suffer crop losses due to plant viruses and plant diseases are eligible for crop insurance and noninsured crop assistance programs and that agricultural producers who suffer such losses are eligible for emergency loans.

Pandemics of plant viruses and diseases regularly destroy the crops of entire farms and often the crops of entire geographic areas. A single plant virus or disease outbreak can send farms into bankruptcy and farmers are left without any means of recovering. Agriculture producers can qualify for emergency loans when adverse weather conditions and other natural phenomena have caused severe physical crop property damage or production losses, however, under current law, crop viruses and diseases are not considered "natural disasters" and thus are not eligible for these types of loans.

For example, in Hawaii, the State recently ordered the eradication of all banana plants on the entire island of Kauai and in a 10 square-mile area on the Big Island in an effort to eradicate the banana "bunchy top" virus. A court order required compliance of all who did not cooperate and farmers were ordered to destroy their entire farm and livelihood without any compensation. These farmers do not qualify for emergency loans or disaster assistance and many were left with no other option but to sell their farms.

The survival of our Nation's farmers is largely dependent upon the unpredictable temper of mother nature. We provide our farmers with assistance when adversely affected by severe weather but that is not enough. Emergency loans and disaster assistance must be made available to farmers for crops suffering from calamitous plant viruses and diseases.

H.R. 473 would enable farmers to qualify for crop insurance programs, noninsured assistance programs, and low-interest emergency loans, when devastated by crop losses due to plant viruses and diseases.

I invite my colleagues to cosponsor this worthy legislation and I urge immediate consideration of H.R. 473 in the House.

TRIBUTE TO LILLIAN WEST-ADAMS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. THOMPSON of Mississippi. Mr. Speaker, today I pay tribute in memory of a dear friend who recently passed away, Mrs. Lillian West-Adams. Mrs. West-Adams was indeed a friend to me and many people in her community and will be missed by all.

Mrs. West-Adams was born December 17, 1940 in Bolton, MS. She was the third of four children. Her education began in the elementary and secondary schools of Hinds County Public School System. She went on to receive a Bachelor of Science Degree in Home Economics from Alcorn College in Lorman, MS.

She left Alcorn for Chicago after receiving her degree. It was there where Lillian accepted a teaching position with the Chicago Board of Education. It was also in Chicago where she met and later married Mr. Lonnie E. Adams. This union was blessed with one daughter, Larissa J. Adams. Education and enriching the lives of young people became her lifelong commitment.

Mrs. West-Adams will always be remembered as a warm and giving person. Whether it was her family, friends or community, she was willing to go the extra mile. In closing Mr. Speaker, I would like to say that Mrs. Lillian West-Adams made a tremendous contribution to the future of America by imparting knowledge to countless numbers of young people. My prayers go out to her family.

SENSE OF CONGRESS URGING CRITICISM OF PEOPLE'S REPUBLIC OF CHINA FOR HUMAN RIGHTS ABUSES IN CHINA AND TIBET AT ANNUAL MEETING OF UNITED NATIONS COMMISSION ON HUMAN RIGHTS

SPEECH OF

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. PORTER. Mr. Speaker, I rise today in strong support of H. Con. Res. 28. Congress must strongly signal the administration in urging the United Nations to criticize China's human rights record.

Let me start by thanking the gentleman from New York (Mr. GILMAN) for bringing this resolution to the floor, and so many of my other colleagues including the gentleman from California (Mr. LANTOS), the gentleman from Virginia (Mr. WOLF), and the gentlewoman from California (Ms. PELOSI) for their efforts to focus the attention of this body on the human rights situation in China.

China recognizes the U.N. Declaration of Human Rights as does this great Nation of ours. Unfortunately, China's recognition of this monumental document lives only on paper. China has proven through its repeated mistreatment of its citizens, its continuing genocide in Tibet, and the lack of fundamental freedom of religion and expression that it does not stand for the most basic of human rights. The United States must no longer accept China's defiance of the precepts of the U.N. Declaration on Human Rights, which the rest of the international community accepts and lives by.

China is witnessing the worst crackdown on dissent since the days immediately following the Tiananmen Square massacre. Since this crackdown began in November, the United States along with the international community has done little to condemn China. When three prominent dissidents were given absurd prison

sentences for their efforts to register the China Democracy Party, there was barely a sound from our administration. When a leading labor activist was arrested for giving an interview on Radio Free Asia, there was hardly a word. When a computer entrepreneur was arrested for selling e-mail addresses to a magazine which promotes democracy, the silence was deafening. While brave warriors for democracy sit in jail or labor in work camps, the administration has declined to stand up for these people and for the principle they embody. China's actions are indefensible; it is time our Nation stands up and shows China that its actions are unacceptable and the international community is watching.

Promotion and preservation of basic human rights is an issue for the entire international community—it is not China's internal matter. I urge the administration to begin a genuine dialog with the Congress in order to demonstrate the sincerity of its desire to work with the Congress to address the very serious human rights problems in China.

I ask all of you to join me in urging this administration to send a unequivocal message to China by having the United Nations criticize its human rights record. The United States must take the lead in preserving the most basic of rights for the people around the world and it must take a stand against the horrendous policies which China continue to live by.

HONORING PASTOR EDDIE McDONALD, SR.

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. KILDEE. Mr. Speaker, I come before you today with a heavy heart, as I stand here to recognize the achievements of a great man who gave much to his family, his community, and to the Lord. On March 8, Pastor Eddie McDonald, Sr. of Friendship Missionary Baptist Church in Pontiac, Michigan, joined the Lord after a lifetime of service.

For many years, Pastor Eddie McDonald was known as one of the most respected and influential leaders in the City of Pontiac. It is nearly impossible to imagine what the Pontiac area would be like had Pastor McDonald chosen not to move here from his home in Fayetteville, North Carolina in 1953. In 1958 he joined the congregation of Messiah Missionary Baptist Church. He was ordained as a deacon in January 1959 and became a minister on March 18, 1962.

In 1966, Pastor McDonald began a street ministry, and the following year organized Bibleway Missionary Baptist Church, serving as Pastor through its first year. On March 28, 1968, Pastor McDonald became the pastor of Friendship Missionary Baptist Church, and held the position up until his untimely death.

Pastor McDonald's influence extended not only in the Church, but the community as well. He was affiliated with a number of professional and charitable organizations including the Pontiac Ecumenical Ministry, Pontiac Citizen's Coalition, Lighthouse and the Pontiac Youth Assistance Program. Pastor McDonald also served as president of the Oakland County Ministerial Fellowship. Not limiting his good deeds to the State of Michigan, he and his family have been instrumental in food and clothing drives benefitting needy individuals throughout the country.

Mr. Speaker, when Pontiac became a part of my district, I was told by many that the first person I should meet was Pastor Eddie McDonald. This advice proved to be beneficial because from it, I gained a resource, an ally, a confidant, and most importantly, a friend. My sincerest condolences go out to his wonderful wife, Mary, their extended family, and the congregation of Friendship Missionary Baptist Church. He will be sorely missed.

TRIBUTE TO MAYOR THOMAS A. EGAN

HON. BILL LUTHER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. LUTHER. Mr. Speaker, I come before the House today to honor a devoted public servant, Thomas A. Egan of Eagan, MN. After 20 distinguished years as council member and mayor of Eagan, Tom recently decided to retire from public service. Although his leadership will be greatly missed, Tom's legacy is the shared sense of community and responsibility that Eagan residents will carry into the new millennium.

Tom also served a successful tenure as president of the National Organization to Insure a Sound-Controlled Environment (NOISE) where he was a tireless advocate of airport noise mitigation. Tom's dedication to airport noise reduction helped communities and citizens nationwide address the adverse effects of increased noise pollution.

On behalf of these communities and citizens, especially his constituents in Eagan, MN, we greatly appreciate all of Tom's contributions and efforts and we wish him all the best in his future endeavors.

CONGRATULATING THE MEMBERS OF THE UNIVERSITY HIGH SCHOOL MARIACHI CULTURAL

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. EDWARDS. Mr. Speaker, I rise today to offer my best wishes to the members of the University High School's Mariachi Cultural. This group represents Texas' multicultural heritage and helps instill pride in our Hispanic culture.

The group was started in March 1997, under the capable leadership of Jose Nino. Since then, the volunteer student group has performed at numerous events and was featured on Univision, the international cable station.

Earlier this year, the group was able to purchase new uniforms after a successful fundraising effort. The Waco community came out full force for this talented musical group and made the new uniforms a reality.

I ask members to join me in congratulating this special group on their musical successes.

THE PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT OF 1999

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. NEY. Mr. Speaker, I rise today in support of the Public Safety Employer-Employee Cooperation Act of 1999, a bill I proudly re-introduce with the gentleman from Michigan, Mr. KILDEE.

This legislation, which was originally introduced in the 105th Congress and had 203 cosponsors, establishes modest, minimum federal standards relating to collective bargaining for those groups who provide safety and security to the public, namely our fire fighters and police officers.

Unfortunately, many of those whose job it is to protect the public from danger are left to fend for themselves. They do not have the right to negotiate such basic issues as hours, wages and conditions of employment because some states still do not provide collective bargaining rights for their public employees. This is especially troublesome since fire fighters and police officers take their oaths to serve and protect the public very seriously, putting themselves at risk for the public's well-being.

Our bill recognizes the public safety officers' unique situation by creating a special collective bargaining right outside the scope of other federal labor law. More importantly, it does so without dictating to the states what their specific laws should be since the legislation is general enough to preserve a state's right to implement a collective bargaining statute on their own terms. Furthermore, states that already have collective bargaining laws in place would be exempt from the federal statute.

I would like to make it clear that this legislation does not permit strikes by public safety officers nor does it provide for mandatory binding arbitration. This is in keeping with the bill's intent to provide a basic and fundamental right of negotiating for those who protect us without endangering the lives of the people they are hired to protect.

It is well-known that labor-management relationships are based on trust, mutual respect, open communications, compromise and shared accountability. I believe this to be especially true as it relates to our public safety officers. We depend on them to maintain our safety and they depend on our respect and understanding if they are going to continue to provide us with the level of comfort in our communities to which we are accustomed. They deserve no less.

This bill has the support of the International Association of Fire Fighters; the International Brotherhood of Police Officers; the International Union of Police Associations; the National Association of Police Organizations and the Fraternal Order of Police. It also has the bi-partisan support of over 125 of our colleagues upon its introduction.

I urge our colleagues to join us in supporting the Public Safety Employer-Employee Cooperation Act of 1999.

THE PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT OF 1999

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. KILDEE. Mr. Speaker, I rise today to urge my colleagues to join my friend from Ohio, Mr. NEY, myself, and over 100 of their colleagues, to support the Public Safety Employer-Employee Cooperation Act of 1999.

Congress has long recognized the importance of assuring and protecting the right of workers to collectively bargain. Over the years, federal laws have been extended to guarantee collective bargaining to different sectors and now the only sizable group of workers without the rights to collectively bargain are employees of state and local government.

This is particularly troubling as it applies to the public safety arena. Fire fighters and police officers take seriously their oath to protect the public and as a result they do not engage in worker slowdowns or stoppages. The absence of the right to collectively bargain denies them the opportunity to influence decisions that affect their lives.

The Public Safety Employer-Employee Act provides public safety officers with a collective bargaining right that is outside the scope of other federal labor laws. This legislation establishes basic minimum standards that state laws must meet and provides a process to resolve impasses in states without such laws. States that already have collective bargaining laws would be exempt from the federal statute. Furthermore, this bill prohibits strikes and does not call for mandatory binding arbitration.

Public safety workers risk their lives every day to protect the public. At the very least, they should be allowed to bargain for wages, hours, and safe working conditions. This bill helps workers, management, and the general public, because employer-employee cooperation leads to cost savings and better delivery of services.

This bill is supported by the International Association of Fire Fighters, International Brotherhood of Police Officers, International Union of Police Organizations, National Association of Police Organizations, and the Fraternal Order of Police.

I urge my colleagues to join us in supporting the Public Safety Employer-Employee Cooperation Act of 1999.

EXPRESS YOUR CONCERN ABOUT CHINA

HON. JOHN E. SWEENEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. SWEENEY. Mr. Speaker, I would respectfully request all of my colleagues to join me in signing a letter requesting the President to use the upcoming visit with China's Premier Zhu Rongji to express our profound concern regarding several issues, including: Human rights violations in China and Tibet; China's ongoing public vilification against Japan; China's deployment of several hundred missiles against Taiwan; China's buildup of their nuclear strike capability; China's clandestine efforts to acquire secret United States military technologies; China's assistance to the development of the North Korea missile program; and China's sales of missile and nuclear technologies to terrorist states.

If you agree with me that the time has come for some truth and realism to be put back into our relations with the People's Republic of China please join in signing the letter I have submitted into the RECORD by contacting my office.

DEAR MR. PRESIDENT: We are taking this opportunity, in advance of Premier Zhu Rongji's visit, to express our profound concern about several issues involving the People's Republic of China.

Since 1994 the P.R.C. has been constructing military facilities in the Spratly Islands. The size and nature of these facilities suggest that the P.R.C. is attempting to establish a permanent strategic presence in the area, from which it could patrol the sea lanes in the South China Sea, the waterway through which one sixth of the world's trade is shipped.

The military buildup in the Spratly Islands has been accompanied by an ever more strident campaign of public vilification against Japan, a treaty ally of the United States and the base for 50,000 United States troops, the largest single concentration of United States military forces abroad. In another strategic concern, in March 1997 a Chinese controlled company was able to obtain, from Panama, the rights to the port facilities that flank the canal zone.

Then there is the matter of the democratic nation of Taiwan. The P.R.C.'s 1995 military exercises and 1996 missile firings in the Taiwan Strait have been followed by an offensive military buildup on the Chinese mainland itself that includes tripling the number of missiles (to more than 100) already deployed against Taiwan. With several hundred more missiles expected for similar deployment, the recent Defense Department study on the military balance in the Taiwan Strait describes an ''overwhelming advantage in offensive missiles which Bejing is projected to possess in 2005.''

These developments are all the more alarming when seen against the backdrop of (1) China's overall military modernization, its abandonment of a traditional, land-based ''people's army'' in favor a comprehensive strategic and nuclear strike capability by land, sea, and air; (2) China's clandestine efforts to acquire the most secret and sensitive of United States military technologies, including the know-how to replicate the W 88 warhead, the most dangerous security breach in 50 years; and (3) allegations that China has assisted the North Korean missile program, on top of its known and suspected sales of missile and nuclear technologies to terrorist states.

Mr. President, with respect to China, our country has looked the other way for too long. And we have tolerated a ballooning trade deficit for too long. We request that you make it emphatically clear to Premier Zhu that the United States has legal and moral obligations to our allies that we will honor. And if that means, as we believe it does, a land or sea based missile defense in the Western Pacific—then so be it.

Mr. President, we would also request that you emphasize the P.R.C.'s worsening record regarding human rights violations in China and Tibet. Among these violations are the recent excessive jail and labor camp sentences for pro-democracy activists, Xu Wenli, Qin Yongmin, Wang Youcai, and Zhang Shanguang, the latter for allegedly ''providing intelligence to hostile foreign organizations'' while giving an interview on Radio Free Asia regarding farmer protests.

And as for Taiwan, now is the time to remind Beijing that the Taiwan Relations Act—the law of the United States—mandates the United States to ''make available to Taiwan such defense articles in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability. That is our law, period. And that same law mandates that the determination of what Taiwan needs will be made by ''the President and the Congress.''

Mr. President, the United States policy toward the P.R.C. has been based on wishful thinking for far too long. Policy makers in the Administration of both parties have time and time again been willing to give Chinese leaders the benefits of the doubt only to be consistently let down. The occasion of Premier Zhu's visit provides a timely opportunity to put some truth and realism back into this relationship. It will take the same kind of resolution you showed by sending aircraft carriers into the Taiwan Strait in 1996. We applauded you then, and we will support you now in taking the necessary steps to protect the United States interests and our allies in the region.

PERMANENTLY FIX THE ALTERNATIVE MINIMUM TAX

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. NEAL of Massachusetts. Mr. Speaker, today I am introducing legislation to permanently fix the tax problem caused by the fact that the new tax credits for education and children are limited by the alternative minimum tax (AMT). Consequently, more and more average Americans who use the dependent care credit, the new child credit, the HOPE credit or the lifelong learning credit, will be forced to fill out the complex alternative minimum tax form. Even worse, a growing number of Americans will have all or part of these credits denied by the interaction of the regular federal income tax and the alternative minimum tax.

This is not a new issue. Last year I introduced legislation, H.R. 4489, to permanently fix this problem. Once it was clear that permanent legislation would not pass, I introduced H.R. 4611 to correct this problem for 1998. This one year temporary "fix" did pass Congress last fall as part of the Omnibus Appropriations Act. This year, the Administration's budget includes a two year "fix" of this problem. This is simply not enough. This is a permanent problem; it demands a permanent solution.

Specifically, my legislation allows personal nonrefundable credits to be used against AMT

liability. Nonrefundable credits include the child credit, the HOPE and lifetime learning credits, the dependent care credit, and the adoption tax credit. In addition, the bill eliminates the complex interaction of the partially refundable family credit with the AMT. In doing so, the bill would eliminate a penalty faced by large families.

Under current law, the total allowable amount of nonrefundable personal credits may not exceed the amount by which the individual's regular income tax liability exceeds the individual's tentative minimum tax. For families with three or more children, an additional refundable child credit is provided and this is reduced by the amount of the individual's minimum tax liability. This requires all taxpayers who claim the child credit with incomes above $45,000 for joint filers and $33,750 for single filers to make at least a rudimentary minimum tax calculation.

The Department of the Treasury estimated that in 1998, without the one year ''fix'', eight hundred thousand taxpayers who are entitled to the child credit or the education credits would have been denied the full benefit of these credits by the AMT.

In order to eliminate the complexities of the AMT in a revenue neutral manner, this bill reduces the income phase-outs for the child credit from $110,000 to $91,000 on a joint return, and from $7,500 to $60,000 for single filers.

According to the IRS, the estimated average time it takes to fill out the alternative minimum tax form is 5 hours and 39 minutes. It would, of course, take much longer for hundreds of thousands of taxpayers who may be forced to fill this form out for the first time as a result of the credits Congress offered them last year in the name of child care and education.

And to show how truly perverse this provision is, the interaction between the AMT and the partially refundable child credit will result in a tax increase on 177,000 large families if the Republican 10 percent across the board tax cut was passed into law. Some might respond that they intend to fix this problem later, but that is exactly the type of thinking that put us in this situation to begin with.

Mr. Speaker, this bill is ''must pass'' legislation, and it must be passed on a bipartisan, revenue neutral, permanent basis. I hope it will be.

HONORING GLEN STILLWELL OF ORANGE COUNTY, CALIFORNIA

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. COX. Mr. Speaker, ladies and gentlemen, I rise today to honor Glen Stillwell, one of Orange County, California's finest and most generous philanthropists.

Glen, after a long and courageous struggle, recently succumbed to a terminal illness. He has left behind his lovely wife Dotti of 53 years, and a rich legacy of service and leadership in the community of Orange County. His charitable and selfless influence upon the McIntosh Center for the Disabled, the Providence Speech and Hearing Center, the Olive Crest Treatment Center for Abused Children, the Assistance League, the Orange County Performing Arts Center, and the Freedoms Foundation at Valley Forge, allowed these much-needed institutions to thrive.

Glen Stillwell truly lived the American dream. He came to California at the end of the Great Depression and became a pioneer in the budding aerospace engineering industry—a California industry, that, with Glen's help, has become a world-leader. In time, through his own grit and determination, Glen built his own aerospace-manufacturing company, which under the example of his guidance, continues to flourish. But throughout his brilliant career, however, Glen always considered the upbringing of his two sons, Thomas and Richard, his most important calling.

Glen Stillwell was a visionary. He planted the seeds that ultimately became Chapman College and the world-renowned Orange County Performing Arts Center. He also had a passion for civic involvement, and his voice was often heard in the public arena on important issues of statecraft. Indeed, Glen was the best kind of patriot; he loved his country and he loved the community of Orange County, and he loved his family.

Orange County will miss Glen Stillwell, but will enjoy the fruits of his hard work and dedication for many generations to come.

EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

SPEECH OF

HON. JENNIFER DUNN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 800) to provide for education flexibility partnerships:

Ms. DUNN. Mr. Chairman, I rise today to support the Education Flexibility Act. Republicans in the House are working on a bipartisan basis to put education back in the hands of local teachers and schools, and provide relief from federal regulations that only serve to stifle innovation in education.

H.R. 800 will give states and communities more decision-making flexibility. This flexibility is crucial to ensure that schools can promote the best opportunities for our children so that they may reach their greatest learning potential. This bill also creates real, measurable accountability standards for teachers to encourage them to bring out the best in every child at school.

With the passage of the Ed-Flex, my home state of Washington will finally have the opportunity to utilize this flexibility when designing their education programs. Local districts and schools, such as Tahoma High School in Maple Valley, will have the flexibility to design a plan that works for Tahoma, not bureaucrats in Washington, DC. By broadening this plan from the original plan of 12 states to include the rest of the nation, we offer all states much needed relief from over-burdensome regulations.

The proof is in the reforms already begun by states that participated in the ed-flex pilot program. In both Texas and Maryland, Ed-Flex has enabled school districts in each state to improve the test scores of their poorest children. In return for greater flexibility, both states have produced solid academic results.

Ed-Flex is a program that works—for schools and for students. A Kent County, Maryland school with 60% of the students at the poverty level utilized ed-flex and now has the third highest test scores in the state for elementary schools. Parents of the students in this school know first hand the value of local flexibility. Their kids are improving their reading, writing, and math skills—some of the most important tools in life.

Mr. Speaker, I encourage my colleagues to think of the possibilities ed-flex can create in their home districts, to imagine how flexibility at the local level will stimulate new ideas and programs that will improve the quality of education for our children, and create opportunities for our teachers and educators to design plans that help our children reach their fullest potential. I ask my colleagues to support this bill.

HONORING GLORIA B. CORLEY-MCKOY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. TOWNS. Mr. Speaker, I rise today to honor Gloria B. Corley-McKoy for her exemplary community service and contribution to the Brooklyn Community.

Ms. Corley-McKoy has lived in the Brooklyn Community of East New York for the past 35 years. She was employed as a drug counselor by the Board of Education for 22 years and currently works as a community and project liaison for the AFSCME–AFL–CIO.

Although retired from her position at the Board of Education, Ms. Corley-McKoy continues her tireless advocacy on behalf of the children of New York. She currently serves as President of the Community School Board and President of the Boulevard Houses Tenant Association, a position she uses to advocate for improving the lives of children in the community.

Ms. Corely-McKoy is married to Jeffrey McKoy. She is a product of the New York Public School System. Her late son, Edward, was a graduate of Community School District 19. Ms. Corley-McKoy comes from a loving family of eight sisters and 2 brothers. One of her sisters, Priscilla A. Wooten, serves on the City Council and Ms. Corley-McKoy played an instrumental role in her sister's election while serving as campaign manager.

Mr. Speaker, it is a considerable honor for me to speak about one of our community's most cherished leaders. I have known Gloria for several years, and I can think of no better role model for the community. America should be aware of the tireless, unselfish work of community leaders like Gloria B. Corley-McKoy.

IN HONOR OF LAVATUS V. POWELL

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. PORTMAN. Mr. Speaker, I rise today to pay tribute to Lavatus V. "Vate" Powell, a friend and community leader, who passed away on February 17, 1999.

Vate was known for his integrity, straightforwardness, and positive outlook on life. His life was centered around service to others.

Vate was born in Mississippi and graduated from Jackson State University in 1955. He earned his master of science degree in 1964 from Case Western Reserve University. He was a Cincinnati Public Schools teacher from 1955 to 1965.

He began his career with Procter & Gamble in 1965 as a systems analyst in the Data Processing Systems Department. He went on to hold positions in personnel, urban affairs, and public relations, before becoming public affairs manager. He went on to become vice president of Procter & Gamble's Ohio Government Relations Division, where he served until his retirement in 1997.

Vate was an extraordinary community volunteer. He served as president of the Andrew Jergens Foundation; chairman of Preserving Affordable Housing; chairman of the Purcell-Marian High School Foundation and a member of the Purcell-Marian board of trustees; trustee of the Cincinnati Museum Center; member of the Partners of Children's Defense Fund, and a director of the Ohio Chamber of Commerce. He served as co-founder and treasurer of the Black Male Coalition; Capitol Revival Task Force; chairman of the Cincinnati United Way Government Affairs Committee; and president of the Board of Trustees of Family Service of the Cincinnati area. He was an elder at Carmel Presbyterian Church.

In 1997, he received an Imagemaker Award from Applause magazine for his efforts to promote education. That same year, he was honored by the African American Leadership Network for his work with Procter & Gamble.

Vate was a warm and caring person who gave generously of his time and talents. Cincinnati was blessed to have him as a leading citizen. Many of us were blessed to have him as a friend.

TRIBUTE TO GENE McCARTHY, IRISHMAN OF THE YEAR

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. QUINN. Mr. Speaker, I am honored to rise today on the floor of this House in recognition of Mr. Gene McCarthy from Buffalo, NY in my district, as the 1999 Goin' South "Irishman of the Year."

Born in Buffalo's "Old First Ward" in 1926, Gene McCarthy is a lifelong member of our community. After high school, Gene began working on Buffalo's waterfront at Pillsbury grain elevators, where he spent twelve years.

In 1955, Gene wed Mary (Dories). He and his wife rasied their three children, Patti, Bill, and Maureen to respect their proud Western New York and Irish-American heritage. In addition, the McCarthy's now have seven grandchildren.

Twenty-five years ago, Gene and Mary opened McCarthy's, a fine restaurant and tavern in the heart of the Old First Ward, at the corner of Hamburg and Republic Streets. Famous for its corned beef, fish fries, and friendly service, McCarthy's has become a true landmark. It is a proud symbol of not only his community, and not only the McCarthy family, but of our Irish heritage in Buffalo.

In 1996, I invited the Honorable Dermott Gallagher, then Irish Ambassador to the United States, to Buffalo to dedicate a monument which was erected in honor of the Great Famine in Ireland. During his stay, I took him to McCarthy's. Ambassador Gallagher has said that the tavern was his favorite place in all of Western New York, no doubt a reflection on the McCarthy's overwhelming hospitality.

Whether it is for the famous Notre Dame football parties in the fall, the Shamrock Run, the many local organizations and causes which the McCarthys support, or the best St. Patrick's Day atmosphere outside of Ireland, McCarthy's Tavern and Gene and Mary McCarthy will always be an important part of the proud history of our City. I am proud to call him my friend.

Mr. Speaker, today I would like to join with the entire McCarthy Family, the Goin' South community organization, and indeed, all of Western New York in tribute to Mr. Gene McCarthy, Irishman of the Year.

DEMOCRACY PROGRESSES IN SLOVAKIA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. SMITH of New Jersey. Mr. Speaker, this week a distinguished delegation from the Slovak parliament visited Washington to meet with congressional leaders and other officials. I regret that, because of a hearing on urgent developments in Kosovo, I was unable to meet with them. Nevertheless, the occasion of their visit prompts me to reflect on some of the developments in Slovakia since the elections there on September 25 and 26, 1998.

Since a new government was installed on October 30, there has been a sea change in Slovak political life. They very fact that a peaceful transition of power occurred is something we could not have taken for granted, given the increasingly authoritarian rule of Vladimir Meciar manifested by, for example, the refusal of the parliament he controlled to seat two duly elected members.

Today, the situation is very different. The formation of a new government has included key changes that were much needed and will foster greater confidence in Slovakia's renewed process of democratization. In particular, the appointment of a new head of the intelligence service, the resolution of competing claims to the position of chief of the armed forces, and the selection of a new general prosecutor help address many of the concerns that arose during Meciar's tenure. The new government's efforts to hold previous officials accountable for their violations of the rule of law and manipulation of parliamentary and constitutional democracy is also a positive sign. During local elections in the fall, nongovernmental monitors were permitted to observe the counting of the vote, further fostering public and international confidence in Slovakia's democratic structures. Direct presidential elections are scheduled to be held in May, which will fill a constitutional lacuna. The decision to permit, once again, the issuance of bi-lingual report cards restores common sense to the discussion of issues of concern to the Hungarian minority. The government's stated intent to address the concerns of the Romani minority—concerns which have led many Slovak Roma to seek asylum in other countries—is a welcome step in the right direction.

In short, Mr. Speaker, the new government is Slovakia has already undertaken important steps towards fulfilling the promises made when communism collapsed.

Slovakia is now at a critical juncture, having succeeded by a slim electoral margin in peacefully removing Vladimir Meciar after 4 years of increasing authoritarian rule. The new government must struggle to restore Slovakia's good name, repair the economy, and get Slovakia back on track for NATO and EU membership. If Slovakia is to succeed in this effort, it is critical that the current coalition hold together long enough to implement real reforms. As it seeks to do so, the new government will be aided by a wellspring of credibility with the internationally community and certainly in Washington, where as the Meciar government, in the end, had none.

That wellspring of credibility, however, is not bottomless and time is truly of the essence in Slovakia's reform process. I hope all of the parties participating in the ruling coalition will quickly address some of the issues that have been of special concern to the international community, including the adoption in the first half of this year of a minority language law. Such a step would be a concrete demonstration of the differences between this government and the last.

Mr. Speaker, I wish this new coalition government of Slovakia every success in their resolve to make lasting reforms.

TRIBUTE TO GRANDMARIE'S CHICKEN PIE SHOP

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Grandmarie's Chicken Pie Shop on the occasion of their 42nd Anniversary. Grandmarie's has enjoyed 4 decades of success at their Tower District location.

Keeping it simple and keeping it delicious was the slogan of Marie Ross, the restaurant's namesake, original owner, and grandmother of current owner Gary Ross. The Ross chicken pie tradition dates back to the early part of the

century when relatives to Marie Ross made creamy chicken tarts and left them on the window sill to cool. A legendary treat was formed and soon the Chicken Pie Shop was formed. After 42 years, Grandmarie's Chicken Pie Shop still follows Marie's advice, make it ''simply delicious.'' Simplicity is the key, large portions with all of the food groups represented at a reasonable price continues to attract thousands of Fresnans. A visit of Grandmarie's is a must for those new to the Fresno area, nothing can compare to the fine foods prepared there daily.

Mr. Speaker, I rise today to pay tribute to Grandmarie's Chicken Pie Shop on the occasion of their 42nd Anniversary. Grandmarie's remains one of Fresno's finest traditions. I urge my colleagues to join me in wishing Grandmarie's and the Ross family, many years of continued success.

HONORING FREDDIE HAMILTON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. TOWNS. Mr. Speaker, I rise today to honor Freddie Hamilton, for her tremendous contributions to the Brooklyn community and her exemplary community service.

As a native of New Orleans, LA, Freddie Hamilton has lived and worked in Central Brooklyn for almost 40 years. Over the years, Freddie has participated in numerous civic and political organizations and causes to improve the quality of life for children and families in her community.

Ms. Hamilton is the founding executive director of the Child Development Support Corporation, a child welfare agency in Bedford-Stuyvesant. The agency employs 150 people and provides a range of social services to over 3,000 children and families annually.

After losing a 17-year-old son, as a result of gun violence, Ms. Hamilton became a founding member of Parents United to Rally for Gun Violence Elimination (PURGE). The organization was created to address the issues of gun violence among African American youth. Ms. Hamilton was successful plaintiff in the first class action strict liability suit against gun manufacturers.

Since 1994, Freddie has served as the elected Democratic Committeewoman (District Leader) for the 57th Assembly District in Brooklyn.

During a recent trip to Ghana, Freddie was honored in a traditional ''Enstoolment Ceremony'' to designate her a Queen Mother. She was given the name Nana Yaa Serwaa II and she is now an official elder of the township of Pankese in Ghana, West Africa. She and her husband, Johnnie Ray, have six children and they are the proud grandparents of five grandchildren.

Mr. Speaker, please join me in saluting Freddie Hamilton for her dedication to her family and her community.

TRIBUTE TO KEITH COMRIE

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Ms. ROYBAL-ALLARD. Mr. Speaker, it is a privilege to recognize the career of one of Los Angeles' leading public officials. After 35 years of public service, Mr. Keith Comrie is retiring as the City Administrative Officer for the City of Los Angeles. During his illustrious career, Mr. Comrie served both the City and the County of Los Angeles, making significant contributions to both governments.

Mr. Comrie grew up in South-Central Los Angeles and first entered public service with the City of Los Angeles in 1963, after earning a Bachelor of Science in Accounting and a Masters in Public Administration from the University of Southern California. He moved to the County government in 1969 where he rose to become the Director of the Department of Public Social Services receiving statewide recognition from Governor Ronald Reagan for saving County taxpayers $120 million per year and for making the welfare system one of the most responsive and efficient in the state.

In 1979, Mr. Comrie returned to the City of Los Angeles at the request of Mayor Tom Bradley to serve as the City Administrative Officer. He has served in that position for 19 years, including one year as interim Administrator of the $200 million Community Redevelopment Agency. During Mr. Comrie's tenure of service, the City of Los Angeles has seen its economic base expand to keep pace with population increases that have made it not only the second largest city in the nation but a city of world class status.

Today, Mr. Comrie can look with pride at his role in successfully steering the City through the recession of the early 1990's with balanced budgets. During this time, he helped maintain the City's position as one of the best managed cities in the nation. Additionally, he played a key role in most of the major developments in the City, including such landmark projects as the renovated Central Library, the Los Angeles Convention Center, and the Staples Center Arena. He also played a central role in rebuilding the City after the 1994 Northridge Earthquake and oversaw over $3 billion in capital improvement projects such as libraries, fire and police facilities, and sewer system reconstruction.

Many of these projects are in my Congressional District, which includes much of the central business district of the City of Los Angeles. Therefore, I can attest to the significance of these projects, many of which were started under Mr. Comrie's watch.

Mr. Comrie oversaw a staff of more than 100 and worked with over 30 council members during the terms of two mayors. Mr. Comrie's accomplishments on behalf of the City of Los Angeles have been recognized by his peers. Of his many prestigious awards, he is very proud of being named the ''Best City Administrative Officer in America'' by City and State Magazine.

At 59, Mr. Comrie and his wife Sandra McNutt-Comrie can look foward to many productive years in retirement during which he can pursue his interests in cars and auto racing while taking satisfaction in a job well done for the City of Los Angeles.

TRIBUTE TO AMANDA CHRISTINE DRESCHER OF GIRL SCOUT TROOP 395

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. BACHUS. Mr. Speaker, today I would like to salute an outstanding young woman who has been honored with the Girl Scout Gold Award by the Cahaba Girl Scout Council in Birmingham, Alabama. She is Amanda Christine Drescher of Girl Scout Troop 563. She has been honored for earning the highest achievement award in U.S. Girl Scouting. The Girl Scout Gold Award symbolizes outstanding accomplishments in the areas of leadership, community service, career planning and personal development. The award can be earned by a girl aged fourteen through seventeen, or in grades ninth through twelfth.

Girl Scouts of the U.S.A., an organization serving over 2.5 million girls, has awarded more than twenty thousand Girl Scout Awards to Senior Girl Scouts since the inception of the program in 1980. To receive the award, a Girl Scout must earn four interest project patches, the Career Exploration Pin, the Senior Girl Scout Challenge, as well as design and implement a Girl Scout Gold Award project. A plan for fulfilling these requirements is created by the Senior Girl Scout and carried out through close cooperation between the girl and an adult Girl Scout Volunteer.

As a member of the Cahaba Girl Scout Council, Amanda Christine Drescher began working toward the Girl Scout Gold Award on February 12, 1998. She completed her project, Art Day Camp, and I believe she should receive the public recognition due her for this significant service to her community and her country.

PERSONAL EXPLANATION

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. HINOJOSA. Mr. Speaker, yesterday when the House was taking rollcall vote No. 39, an amendment by Representative GEORGE MILLER to the Education Flexibility Partnership Act, I was unavoidably detained and unfortunately missed the vote. Had I been present I would have voted ''yea.''

72ND ANNIVERSARY BANQUET OF YESHIVAH OF FLATBUSH

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. WEINER. Mr. Speaker, I rise today to invite my colleagues to pay tribute to the

Yeshivah of Flatbush and it's honorees on the occasion of it's 72nd Anniversary Banquet.

The Yeshivah of Flatbush has long served as a pillar of strength for my constituents by providing our children with the tools they will need to face the challenges of the twenty-first century.

Dr. Mayer Ballas, recipient of the Keter Shem Tov Leadership Award, has dedicated himself to helping members of the community as an advocate and spokesperson for Jewish people in need. He is the founding President of the Council of Rescue of Syrian Jews and has served as a member of the Federation Oversight Committee, the arm of Operation Abraham concerned with the resettlement of the most recent wave of immigrants from Syria. At the Yeshivah of Flatbush, Dr. Ballas sits on the Board of Directors and Board of Education and is a member of the Tuition Assistance Committee. He participates in all school functions and generously gives of himself and his time to the Yeshivah.

Hon. Steven Cohn, recipient of the Keter Shem Tov Community Service Award, is staunchly committed to both the Yeshivah and his community. For the past sixteen years, Mr. Cohn has served as the Democratic State Committeeman for the 50th Assembly District. He is the Vice-Chair of the New York State Democratic Party, Secretary of the Democratic Party of Kings County and has served as Parliamentarian to the Democratic National Convention. Working side by side with community leaders, elected officials and neighborhood residents to protect the environment, improve homeless shelters and maintain quality medical care in his district. His affiliation with the Yeshivah of Flatbush parallels his children's education and has strengthened over the years. In addition to working on the Banquet Journal, Chinese Auction and Building Committees, Steve is currently an Associate Treasurer on the Executive Board of Officers and sits on the school's Board of Trustees and Board of Education.

Dr. Cheryl Fishbein, recipient of the Alumna of the Year Award, is an alumna of both the Elementary School and the Joel Braverman High School. Throughout her adult life, Cheryl has focused her efforts on serving the community. She is President of the Jewish Community House in Bensonhurst and is currently overseeing its capital building campaign. She serves as the Metro Chair of the Institutional Trustees Campaign for UJA and sits on the organization's Planning and Allocations Committee. Additionally, Dr. Fishbein devotes much of her time to the Board of Jewish Education and serves as a Vice President of its Board of Directors. She also sits on the Boards of Gesher and the National Board of the Jewish Community Center Association.

Each of today's honorees have long been known as innovators and beacons of good will to all those they come into contact with. In recognition of their may accomplishments on behalf of my constituents. I offer many congratulations on their being honored by the Yeshivah of Flatbush.

SALUTE TO A. LEON HIGGINBOTHAM

SPEECH OF

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1999

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, as I witness attacks on affirmative action in education and a legal system that overlooks police brutality among African-Americans, I realize that our country is experiencing a huge gap in fairness and equality under the law with the passing of Judge A. Leon Higginbotham, Jr.

Mr. Speaker, Judge Higginbotham spent his life vigorously protecting and championing the causes of equality and opportunity for African-Americans.

The French philosopher Montesquieu once said that "In the state of nature, indeed, all men are born equal, but they cannot continue in this equality. Society makes them lose it, and they recover it only by the protection of the laws."

In confronting racial injustice, violence and inequality through the legal system, Judge Higginbotham recovered and secured equality for countless African-Americans. His life long commitment to eliminating discrimination forced our society to recognize the equality inherent in all men and women, despite their race or ethnicity.

In his capacity as special deputy attorney general of Pennsylvania, judge of the U.S. District Court for the eastern district of Pennsylvania and judge of the U.S. Third-Circuit Court of Appeals, many men and women regained their rights taken away from them by society.

His zeal in tearing down the walls of injustice and erecting the walls of opportunity began after he earned his law degree at Yale Law School by working in Philadelphia as an assistant district attorney. Six years later after becoming a special deputy attorney general for Pennsylvania, President John F. Kennedy named him to the Federal Trade Commission (FTC). This appointment was notable in the fact that it made him the FTC's first black commissioner and its youngest as well.

In 1977, after serving as a district court judge in Philadelphia from 1964 to 1977, President Jimmy Carter appointed him judge of the U.S. Third-Circuit Court of Appeals where he served with distinction as judge, chief judge and senior judge until his retirement in March 1993.

Throughout the years, U.S. Chief Justice Warren, Burger and Rehnquist appointed Judge Higginbotham to various judicial conferences. In addition, the Congressional Black Caucus benefitted from his excellent legal mind in a series of voting rights cases brought before the U.S. Supreme Court.

Current South African President Nelson Mandela also called upon his knowledge and wisdom during the country's historic 1994 national elections where Judge Higginbotham served as an international mediator.

Mr. Speaker, the aforementioned feats and accomplishments mark this important fact: when he was called upon by presidents, world leaders, Members of Congress and citizens to defend civil rights, Judge Higginbotham answered with vigor and passion.

Millions of Americans saw him protect the tenets of the Constitution during the recent House Judiciary Committee impeachment hearings. This was just two weeks before his passing on December 14, 1998.

Like so many times during his stellar legal career, he was a steadfast advocate and defender of the true meanings and intents of the law and our Constitution. During the hearings, it was not partisan winds that steered his testimony that the President should not be impeached. Rather, it was scholarly and intellectual interpretation of the Constitution and the separation of powers between the Judicial, Executive and Legislative branches of our government.

For those viewers of the hearings, that was their first contact with the great judge. However, I have constantly been a witness to—and a beneficiary of—Judge Higginbotham's passionate and eloquent defense of justice.

On behalf of the constituents of the 30th congressional district of Texas, I would like to tell his family what a great equalizer in this society he was to us. He served an extended family of poor, powerless and downtrodden individuals in this society. His advocacy for their causes meant a great deal to them and strengthened our principles as a country.

In particular he leaves his wife, Evelyn Brooks Higginbotham; two daughters, Karen and Nia; and two sons, Stephen and Kenneth. I would like to thank them for allowing the country to share and benefit from his mind, heart and soul.

STATEMENT ON THE SUPPRESSION OF RIGHTS IN SERBIA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. SMITH of New Jersey. Mr. Speaker, as we have debated today the issue of American participation in any NATO peacekeeping effort in Kosovo, I urge my colleagues, regardless of their views on that matter, to focus on what is happening in Serbia itself. Slobodan Milosevic, President of an unrecognized Yugoslav state of which Serbia and Montenegro are part, is using Kosovo to perpetuate his regime, to rally Serbia's public opinion around him, and to label as "traitors" not only his opponents but anyone who thinks independently.

Last year, Milosevic imposed draconian laws which curtailed the independence of journalists to report news freely, and threatened the academic community's ability to maintain its intellectual integrity. In response, the Helsinki Commission which I chair, held a hearing appropriately entitled: "The Milosevic Regime Versus Serbian Democracy and Balkan Stability."

As an example of what is happening right now in Serbia, I would note for the RECORD what has happened to three of the witnesses at the hearing.

On December 28, 1998—less than three weeks after the hearing—Boris Karajcic, a

leader in the university student movement ''Otpor'' (Resistance), was attacked and beaten on the street in front of his Belgrade home by masked thugs with bats. As they fled, their comments indicated the political nature of the attack.

During the first week of February, Milan Panic, the Serb-American pharmaceutical executive who is a leader of the Alliance for Change, the main coalition of political opposition to Milosevic's ruling Socialist Party, has had his Serbian subsidiary company taken over by the authorities. The purpose was likely two-fold: to intimidate Panic and to gain hard-currency assets.

On March 8, Slavko Curuvija, the chief editor of newspaper Dnevni Telegraf and the new magazine Evropljanin, was sentenced along with two of his journalists to five months in prison by a Belgrade court for ''spreading false reports with an intention to endanger pubic order.'' They remain free on appeal.

Mr. Speaker, these assaults on freedom demonstrate that Milosevic feels vulnerable to democratic forces which do, in fact, exist in Serbia, forces which may indeed be growing. Indeed, the Serbian Government undertook to make a paper prepared by the hearing witness from the United States Institute for Peace and openly circulated at that same hearing into an alleged confidential CIA document which showed, they alleged, that the U.S. Government was plotting to overthrow the Belgrade government.

Despite his insecurity at home, Milosevic does feel sufficiently secure in a U.S. policy which seemingly needs his presence for implementation for the Dayton Agreement in Bosnia, and to get an agreement in France on Kosovo. Our dependence on him, he reckons, means we will not seek to undercut his dictatorial power. The clear lack of attention many senior Administration officials have paid to Serbia' democrats has only reinforced this feeling in Belgrade.

Mr. Speaker, this must change. The actions against Karajcic, Panic, Curuvija and countless other advocates of a democratic Serbia must be condemned not with words alone. The United States must stop dealing with Milosevic directly. The United States must protest his assault on innocent civilians when they occur. The United States must encourage democratic change in Serbia, and assist those who promote this change from within, the true Serbian patriots.

One way in which the Congress can help in this regard is to move quickly on the legislation I have just introduced, H.R. 1064, the Serbia and Montenegro Democracy Act of 1999. This Act would ensure adequate attention is paid to democratic forces in Serbia and Montenegro by those allocating U.S. democratic assistance. The legislation has bipartisan support.

Mr. Speaker, I am deeply concerned about developments in Serbia generally, and the incidents involving Helsinki Commission hearing witnesses in particular. As Chairman of the Commission, I am committed to making sure that the people in Serbia have the same rights and freedoms which so many other Europeans enjoy and take for granted, the rights and freedoms enshrined in the Helsinki Final Act and defined in subsequent OSCE documents. The suppression of these rights in Serbia is unacceptable, it ultimately will prove untenable, and it must change sooner rather than later, not only for the sake of the people in Serbia but all people in south-central Europe.

HONORING GENES THOMPSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. TOWNS. Mr. Speaker, I want to recognize the unique community service of Genes Thompson.

Genes, a native of Greenville, North Carolina, has lived in the East New York community for the past 20 years with her husband, Dwight and their son, Anthony. As an East New York resident, she has devoted a great deal of her time to helping the community to be a better place in which to live. For example, Genes has been a member of the 76th Precinct Community Council since 1980 where her efforts and devotion has been instrumental in uplifting her community.

The Metropolitan Jewish Geriatric Center has employed Genes for the last 25 years as its Chief Switchboard Operator. She is also a shop delegate for Local 1199, 144 division for the past 19 years. In addition to these daily responsibilities, she is an active member of Liberty Baptist Church where she serves on the Pastor's Aid Committee as well as working with staff of Thomas Jefferson High school. Genes' civic activism includes membership in the Milford Street Block Association and work as a volunteer with the political campaigns of Senator CHARLES SCHUMER and New York State Comptroller Carl McCall.

I commend the achievements of Genes Thompson, a true community activist, to the attention of my colleagues.

HONORING MR. CHANCY WHEELER OF WEST UNION, OH

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. PORTMAN. Mr. Speaker, I rise today to pay special tribute to a distinguished resident of West Union. OH, in the Second Congressional District, Mr. Chancy Wheeler. Mr. Wheeler will turn 100 years old on June 5, and he is being honored by the Government of France for his military service in the First World War.

Mr. Wheeler was born in 1899 in Mount Olivet, KY. He volunteered for the Kentucky National Guard, and then transferred into the United States Army in 1917. As a member of the First Infantry Division, 28th Regiment, First Machine Gun Brigade, he served in 1918 in the Aisne-Marne offensive, the St. Michiel offensive, and the Meuse-Argonne offensive. He was wounded twice in battle. For his actions, he received the Silver Star medal on July 21, 1918. He also received a 75th Anniversary Commemorative Medal for World War I veterans from the U.S. Army.

Mr. Wheeler will receive the French Legion of Honor in a ceremony organized by VFW Post 3400 in West Union, OH, on March 12. In his letter conveying the Legion of Honor to Mr. Wheeler, French Ambassador Bujon de l'Estang wrote: ''The Legion of Honor is conferred on you by the French government as a sign of the high esteem my country has for you who personally contributed to the decisive support the United States gave to French soldiers in the defense of their country during World War I.''

Chancy Wheeler distinguished himself in the struggle to ''make the world safe for democracy'' and served his country with honor. All of us in the Second Congressional District are grateful for his service and commend him on his recognition by the French Government. I wish him health and happiness in the years to come.

TRIBUTE TO WILLIAM ''SONNY'' RESSEL

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. WEINER. Mr. Speaker, I rise today to invite my colleagues to pay tribute to the memory of William (Sonny) Ressel.

Sonny Ressel was neither a politician nor someone who took on the responsibility of helping others because of some ulterior motive. Despite working long hours, Sonny Ressel always found time for his family and the community that he loved.

Before his untimely death on February 8th, Sonny Ressel served as the Co-President of the New Kensington Neighborhood Association where he strove to improve his neighbor's quality of life.

Sonny Ressel was a man of action who dedicated his life to helping others regardless of who they were. Through his efforts, broken streets and traffic lights in Kensington were quickly repaired. In response to a growth in the number of hearing impaired residents in the community, Sonny secured the installation of ''Deaf People Crossing'' signs alerting motorists that some pedestrians would be unable to hear their horns.

With his loving wife Ricki, Sonny Ressel helped the old and the infirm of our community. They did this by making people laugh and reminding them that they were not forgotten.

Friends and admirers have likened Sonny Ressel to an angel who was put on earth to help others and to spread happiness. I can think of no better tribute for a man who always rose to the challenge of helping meet the needs of others.

Sonny Ressel was an innovator and beacon of good will to all those he came into contact with. On behalf of myself and my constituents, I would like to extend my condolences to the Ressel family on Sonny's untimely passing and to thank them for allowing us to share in the bright light that was his life.

TRIBUTE TO HOPE EDUCATION AND LEADERSHIP FUND

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Ms. ROYBAL-ALLARD. Mr. Speaker, on March 12, 1999, Hispanas Organized for Political Equality (HOPE) Education and Leadership Fund's Eighth Annual Symposium, entitled "A Proud Past . . . A Powerful Tomorrow," will take place in the 33rd Congressional District. In honor of this important event, I am proclaiming March 12, 1999, as Latina History Day.

The Symposium serves to address a variety of issues important to Latinas of all ages. I am pleased that Latinas benefit from the workshops on health, business opportunities, and cultural identity. This Symposium also includes Teen Track, which focuses on providing young Latinas with workshops on leadership and on establishing a path to success.

Since its founding in 1989, the HOPE Education and Leadership Fund has remained dedicated to improving the educational, political and economic status of Latinas. HOPE has anchored itself by the principle that knowledge of the political process coupled with active participation will guarantee a more representative, democratic government.

The proclamation of Latina History Day during "Women's History Month" memorializes the important role Latinas play in American society. Latinas are breaking glass ceilings and pioneering into areas our mothers never imagined. Latinas own businesses, are executives in our country's largest corporations, are being elected to public office and appointed to powerful positions. We recognize the work and sacrifices of our mothers and grandmothers, celebrate contemporary Latinas, and are building the foundation for future generations.

I commend the HOPE Education and Leadership Fund for their commitment to Latinas, and in their honor, proclaim March 12, 1999, as Latina History Day.

TRIBUTE TO KARNEY HODGE

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Karney Hodge for his many years of service to the community. Mr. Hodge has been a dedicated public servant and successful businessman.

Karney is an investment banker and vice president of Salomon Smith Barney and has spent his life in service to the community, initially as a volunteer. Hodge most recently worked as a financier of projects aimed at improving the facilities that Fresno is able to offer to its residents.

Hodge was an avid baseball player in his college days at California State University, Fresno. He seriously considered playing professionally, but he eventually left college to become a partner in the family clothing store, Hodge and Sons. He still played baseball and got his first taste of public service from an avid fan. In the 1960's Mayor Selland of Fresno, appointed Hodge to the planning commission, sparking Karney's interest in public service.

In 1982 Governor George Deukmejian was looking to involve members of the private sector in agencies like Retail Development and Planning. State Senator Ken Maddy surmised that Hodge's background in retail and long history of community service made him a perfect candidate for such a position. In 1983 Hodge and his wife Marilyn relocated to Sacramento and he embarked on his second career, Executive Director of the California Housing Finance Agency. Karney built a structure for the young agency by bringing in the best people. Under his leadership the agency became a major provider of housing to residents of California and is considered one of the highlights of Governor Deukmejian's term. Today Hodge is a vice president at Salomon Smith Barney.

Mr. Speaker, I rise today to pay tribute to Karney Hodge on his remarkable service to the community. Mr. Hodge has served well in both the public and private sector. I urge my colleagues to join me in thanking Karney Hodge for a job well done and wishing him many years of continued success.

HONORING EMILIA CONOLLY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. TOWNS. Mr. Speaker, I rise to honor the work of Emilia Conolly, a committed health professional in the borough of Brooklyn.

Emilia is a native of Honduras who immigrated to the United States over 20 years ago. She was educated in the New York City public schools, including Ft. Hamilton High School, where she received her high school diploma. Emilia began her nursing career as a student in Interfaith Medical Center's School of Nursing where she made the Dean's List, received three honorary awards and ultimately graduated as a registered nurse.

As part of her professional growth and development, she joined the nursing department at Brookdale University Medical Center. Presently, she specializes in nursing care of critically ill newborns (the Neonatal Intensive Care Unit). In addition, Emilia serves as a nurse preceptor for new graduate nurses. She strives to maintain and to develop her clinical expertise by teaching neonatal resuscitation classes to both doctors and nurses.

Emilia is an active member of Interfaith's Nurses Alumnae Association. As a member of the Mid-Brooklyn Civic Association, she helps to organize and to participate in voter registration, fundraising and the selection of candidates for outstanding community service. She has also been recognized for her strong negotiating abilities on behalf of nursing contracts within the bargaining unit of Local 1199. Emilia is married to James Conolly and they are the proud parents of two daughters, Taryn and Thalia.

As stated on one of her awards, Emilia has demonstrated "compassion, empathy and personal interests" in striving to make a difference in the lives of others. Mr. Speaker, please join me in presenting the achievements of Emilia Conolly to my colleagues.

TRIBUTE TO BILL BENTON

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. SCHAFFER. Mr. Speaker, among the most thoughtful constituents in the Colorado district I represent in Congress is Mr. Bill Benton of Fort Collins.

He recently composed a letter to me regarding the agenda of the House of Representatives. I'm grateful, Mr. Speaker, the Republican budget proposal moves the country dramatically in the direction proposed by Mr. Benton.

Moreover, Mr. Benton's sentiments are representative of a great many Americans concerned about the country's future. As such, I hereby commend the remarks of Mr. Benton to the House and urge my colleagues to consider these observations as we proceed in accomplishing the nation's business in Congress.

WILLIAM (BILL) M. BENTON,
Fort Collins, CO, February 24, 1999.

Hon. BOB SCHAFFER,
Fourth Congressional District of Colorado,

DEAR BOB: This problem of Republican leadership in both the house and the senate has been weighing heavily on my mind since we lost so much ground in the last national election.

After a lot of thought, and praying about it too, reading Cal Thomas, Thomas Sowell, Tony Snow and listening to Rush Limbaugh (as well as other "conservative" talking heads), studying what conservative leading magazines and newspapers (damn few, but available) have to say on this subject, I think I've boiled this very complicated knot down to—we've lost our soul in the party and we are running scared because of it.

Despite almost sixty years of a mass media trying to convince the general populace that we ought to be "a kinder, gentler" nation as a whole and feeding them huge amounts of liberal philosophy, we still, by and large, are a culture deeply rooted in conservative principles. I.E, less government, minimum governmental intrusion in our private affairs, minimum government "hand-outs" (let the churches handle the welfare needs), low taxing policies, States rights rather than Federal control, etc. etc. In other words, the backbone of what made The United States of America a unique entity among all the governments of the world past and present.

In eight short years, Ronald Reagan's administration *started* to get the Republican party, with its "rock ribbed" conservative tack, back on the path that the *majority* of our peoples felt "worked" and were comfortable with. My feeling is the voters didn't give him a Republican majority to work with is because the Republican leadership in both houses simply failed to lead! Robert Dole and his cohorts were on that appeasement road even then.

But he had a Judas Goat within the folds of the administration by the name of George "read my lips" Bush. Most of us didn't recognize this at the time and probably a lot of

the leadership of our party will, even now, deny this fact. But former president Bush's capitulation to appeasement with the Democratic Majority was the beginning of the end of the conservative movement in the country as it should be practiced! (Gospel according to Benton?)

The rhetoric that came out of the February 23rd meeting between the senate leadership and President Clinton turned my stomach! These guys are from the Neville Chamberlain school! We know well that ''sleeping with the enemy'' only gets you beat up and bloodied.

After forty plus years of ever-increasing Democratic liberalism, Republicans don't know how to win! The House is better than the Senate and because of the House's ''Contract With America,'' that the Senate promptly botched, it showed Republicans can win if the conservative message is packaged correctly. The loss we suffered in November can be laid directly at the Republican Senator's doorstep. Unfortunately, because we blew it, the Coach got fired (or plain tired) and our fire left the field of fight. Put that House loss in the Senate's column too.

If we are to salvage the Republican majority in both legislative bodies, we need a group of firebrands to step up and be counted—and we need it now! Our history and our soul is conservative principles. Being ''nice guys'' is stupid and dangerous. I don't mean we shouldn't have compassion for any who need a helping hand. But there are a multitude of ways to help people than through government intervention and the sooner the ''moderates'' realize this fact, the better off all of our citizens will be.

Both parties have been corrupted by foregoing their ideals. The Democrats have been taken over by the liberal faction of their party. My parents were rock ribbed anti-Roosevelt (both Franklin and Eleanor). They were Democrats who recognized the dangerous path that was starting to be followed by the New Deal Democrats. Government run pension a.k.a. Social Security that only made our oldsters dependent on the Federal octopus and our young workers drawn into one of the biggest Ponzi schemes of all time. And I remember my father saying that was only the tip of the governmental interference iceberg. In the twenties, my Dad was elected by the Trainmen's Union to be one of the board members of the Railroad Retirement Fund. I remember full well how he mustered the members of that board to resist the take over of their pension plan by the Social Security board. His faction won and that fund is one of the strongest pension plans in the world today. It is independently run on a solid actuarial basis and it hasn't loaned one damn dime to the Federal Government to hide deficit spending!

Springboarding from that background, I switched from being a Democrat to a Republican at about age twenty-five because I was very uncomfortable with the direction of the Democratic Party. Just about as uncomfortable as I am today, at age sixty-seven, with the Republican Party's inclination to forego conservatism in favor of ''getting along.''

Now that I'm getting close to the end of my life, I guess I shouldn't be so passionate about these things. However, I have children and grandchildren who deserve better from the Republican leadership than simply rolling over and playing footsie with the Liberals.

Now, Bob, I'm not about to go down shouting at the wind without offering a plan of action. This is something I proposed in 1965, on the editorial pages of the now-defunct Colorado Springs Free Press newspaper, and I think it is viable today as a conservative cause. Permanently ''fix'' the Old Age Retirement System by taking it out of the hands of the Feds per se. Much like the Railroad Retirement plan, I fashioned and envision a system that sets up a government sponsored board to make annual recommendations as to what financial institutions would be approved for investments. Coupled with this would be the requirement by each wage earner that they choose one of these financial houses and their payroll deductions go to one of the approved money warehouses. In addition, they would be required to furnish a certificate of deposit to be reported annually with their IRS filing. This way they controlled, to a certain extent, their own retirement fund but monitored by this governing board's staff. There would have to be provisions for disablement problems, but this could be tied down very stringently through the proper legislation. This way such a fund would be actuarially sound, private enterprise would be fostered, and the sorry savings rate of our citizens would be greatly improved. Plus, there would be all manners of funds available to help businesses grow, mortgages funded, etc. If done right, the Federal Government couldn't lay their grimy mitts on a single dime—not even in the form of taxation!

I do not wish to brag, and I'm not even sure this can be proven, but an acquaintance of long ago, who was a professor at Colorado College in the sixties and still a citizen of a South American country (I do not recall his name nor what land he came from), told me about five or six years ago when we re-met that he'd sent my editorial to one of the ministers in his country and it was barely possible this ''model'' fed into their social security system. He claimed it was a very solid program and had helped make his country financially strong.

You have tons of reading material and I hope this three page treatise isn't so long it will get just a cursory glance. Maybe you can read it on the plane?

Your friend and supporter,

BILL.

TRIBUTE TO PAUL M. AUSTER

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. ARCHER. Mr. Speaker, this week marks the culmination of a very successful career for Paul M. Auster who for the past twenty-three years has served as Tax Counsel for the House Committee on Ways and Means.

A native of Brooklyn, New York, Paul secured his law degree from the College of William and Mary in Virginia. Afterwards, he received his Masters in Taxation from New York University and began public service in the Chief Counsel's Office at the Internal Revenue Service. In 1976, Paul joined the Republican Staff of the Ways and Means Committee and became responsible for all areas of the Tax Code relating to employee benefits, international taxation and insurance. Anyone who is familiar with these issues knows that Paul was the principal attorney dealing with some of the most complicated provisions of the Internal Revenue Code.

Throughout his years with the Ways and Means Committee, Paul assisted Members and staff with a myriad of legislative initiatives and helped draft legislative language for at least a dozen major tax bills starting with the 1976 Tax Reform Act and finishing with the Taxpayer Relief Act of 1997. As the pension and foreign tax rules grew increasingly more complex, Paul's expertise and depth of knowledge became crucial to sound tax policy.

I know Paul's friends and coworkers join me in wishing him the very best. Paul has earned a fulfilling retirement marked with the satisfaction of a job well done. He will be truly missed by those fortunate to have worked at this side. Good Luck, Paul, and thank you.

EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

SPEECH OF

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 800) to provide for education flexibility partnerships:

Mr. GILMAN. Mr. Chairman, I rise today in support of H.R. 800, the Education Flexibility Partnership Act of 1999 and I commend the distinguished gentlemen from the education committee, Mr. GOODLING and Mr. CASTLE for bringing this important legislation to the floor today.

This legislation will provide states and our local education officials with greater flexibility in using federal education funds to support locally-designed, comprehensive school improvement efforts. Currently only 12 states have this ability, but this bill would extend this flexibility to all 50 states. Supported by many groups such as the U.S. Chamber of Commerce, the National School Boards Association, and the New York State United Teachers, the expansion of the ed-flex program will give states and local school districts, much needed regulatory relief to pursue education reforms, while maintaining a level of accountability.

To ensure that this program will not be abused, the Secretary of Education must determine that a state has an approved title I plan or has made substantial progress in developing and implementing state content standards and assessments under the Elementary and Secondary Education Act of 1965, in order to be eligible for ed-flex waivers. Moreover, states are required to develop detailed improvement plans, specific to the waiver authority requested, and must continue to comply with basic federal requirements concerning civil rights and educational equity.

Ed-flex will reduce the federal demands on local school districts and will allow local officials the freedom to choose between what works and what doesn't work for their specific school system. This will in turn, help the federal government to see what federal regulations are not being used by local districts and allocate those funds to other programs that the state and local officials deem necessary and useful.

This program helps everyone. Local districts will have the flexibility to customize their

schools to bring about maximum performances from their teachers and students, and the federal government will learn from the local and state officials which programs work and which programs need to be changed.

Once again I applaud the efforts of the Education Committee and I urge my fellow colleagues to support the ed flex bill.

H.R. 1074 THE REGULATORY RIGHT-TO-KNOW ACT OF 1999

HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. BLILEY. Mr. Speaker, today I am introducing H.R. 1074, the Regulatory Right-to-Know Act of 1999. The Regulatory Right-to-Know Act is an important tool to understand the magnitude and impact of Federal regulatory programs. The Act will provide all Americans, including state and local officials, with new tools to help them participate more fully and improve our government. Better information and public input will help regulators ensure better, more accountable decisions and promote greater confidence in the quality of federal policy and regulatory decisions. Better decisions and updated programs will help Americans enhance innovation, improve the quality of our environment, make our families safer, improve our economic security, and improve the quality of life.

Mr. Speaker, we know the right steps. Over the past four years, this Congress has changed the direction of Federal Government from the endless burden of more taxes and spending to the new fiscal discipline of balance and accountability. For the past decade the genius of freedom and innovation has driven American businesses through a quality and productivity revolution. The result of this drive toward efficiency and accountability is an American economy which is the unparalleled envy of the world. The freedom and innovation of millions of Americans in private businesses have brought incredible improvements to our quality of life, health care, education, and prosperity. Through the new emphasis on flexibility and innovation, State and local officials have led the way to safer, cleaner and more prosperous places to live. We in Congress must be the allies of state and local government, American business and families through responsible management of the Nation's regulatory programs to ensure quality in necessary regulation and even greater freedom from unwise regulation.

To do our jobs we must first understand the impact of Federal regulatory programs on our economy and innovation. In addition to taxes, the Federal Government imposes tremendous costs and restrictions on innovation on the private sector, State and local governments and, ultimately, the public through ever increasing Federal regulations. Here too we must drive toward quality, efficiency and accountability.

Some estimates place the compliance costs from Federal regulatory programs at more than $680 billion annually and project substantial growth even without new legislation. These costs are often hidden in increased prices for goods and services, loss of competitiveness in the global economy, lack of investment in job growth, and pressure on the ability of State and local governments to fund essential services, such as crime prevention and education. More recently we have heard mayors decry the effect that unwise Federal regulations have on the problems of brownfields redevelopment and preventing reinvestment in our urban areas. As a former mayor of Richmond I am familiar with and very sympathetic to these problems.

Unlike the private sector, where freedom of contract and free market competition drive price and quality, Federal programs are only accountable through the political process. Over the past few decades both Congress and the Executive Branch have driven growth in Federal regulatory programs, creating layer upon layer of bureaucracy at great cost and often with diminishing returns for the American people. Congress and the Executive Branch must take concrete steps to manage and reform these programs. The Regulatory Right-to-Know Act is a fundamental building block for a smarter partnership in federal regulatory programs. The leadership we show or fail to show will affect the quality of life for ourselves and our children.

Bipartisan organizations representing the Nation's governors, mayors, professional city managers, county officials and others are unanimous in their support for the Regulatory Right-to-Know Act. Citizens for a Sound Economy, the National Federation of Independent Businesses, the U.S. Chamber of Commerce, the National Association of Manufacturers, and many others agree that the American taxpayers and consumers have the right-to-know the costs and benefits of federal regulations, and have endorsed the Regulatory Right-to-Know Act of 1999.

I would like to thank Mr. MCINTOSH, Mr. CONDIT, Mr. STENHOLM and others for their leadership on this bill in the 104th, 105th, and 106th Congresses. As evidenced by the original co-sponsorship list, the Regulatory Right-to-Know Act of 1999 has broad bipartisan support. Senator THOMPSON and Senator BREAUX have provided leadership in the Senate and have, once again, introduced the analogue to the Regulatory Right-to-Know Act.

The legislation changes no regulatory standard. It will, however, provide vital information to Congress and the Executive branch so they may fulfill their obligation to ensure wise expenditure of limited national economic resources and improve our regulatory system. Let's not forget that a tax or consumer dollar spent on a wasteful program is a dollar that cannot be spent on teachers, police officers or health care. If we are serious about openness, the public's right to know, accountability, and fulfilling our responsibility as managers, we will enact this important piece of legislation.

TRIBUTE TO ROBERT L. OZUNA

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. BROWN of California. Mr. Speaker, I rise today to pay a tribute to Robert L. Ozuna, who was Chief Executive Officer of New Bedford Panoramex Corporation in Upland, California. Mr. Ozuna died Saturday, March 6, 1999 at Queen of the Valley Hospital in West Covina, California. He was 69.

Robert Ozuna was the oldest of four children born in Miami, Arizona to Mexican-American parents. In 1940, after his father's early death, his family moved to East Los Angeles where he grew up with his mother, brother and two sisters. Robert was required to seek steady work at an early age to assist the family financially.

Robert Ozuna emerged as one of the leading Mexican-American entrepreneurs in Southern California as Founder and President of New Bedford Panoramex Corporation (NBP). He gained his business experience on the job and he gained his engineering education by attending night school in the California community and junior college system.

In 1966, Mr. Ozuna began to build his company with a second mortgage on his residence, a few electrician's hand tools, hard work, and entrepreneurial instincts into the thriving electronics manufacturing business it is today in Upland, California. NBP engages in the design, development, and manufacturing of electronic communication systems and remote monitoring systems for its primary client, the United States Government.

Mr. Ozuna's hard work and dedication were recognized through such honors as the U.S. Department of Transportation's Minority Business Enterprise Award for 1987 and again for 1991. He received the Air Traffic Control Association Chairman's Citation of Merit Award in 1994. He was an active member of the California Chamber of Commerce for various cities and a founder of Casa De Rosa Annual Golf Tournament, which he instituted to raise funds for the Rancho de Los Ninos Orphanage in BajaMar, Mexico.

As industrious as Mr. Ozuna was in business, he was equally involved sharing his prosperity with many philanthropic activities in his community. He was the sponsor of many events in the Hispanic neighborhood where he grew up, and he was a founding director in the East Los Angeles Sheriff's Youth Athletic Association, which promotes educational, athletic and drug awareness programs for more than 60,000 youths in the Los Angeles Metropolitan area.

Robert Ozuna is remembered by his employees at New Bedford Panoramex Corporation as a handsome man who had a passion for life. His concern for his employees and their families along with his abundant generosity to them was always present.

Robert Ozuna was married for 35 years to Rosemary, who passed away in November of 1998. He is survived by his mother, Amelia Ozuna; his sons, Steven Ozuna and Jeff Dominelli; his daughters, Nancy DeSilva and Lisa Jarrett; his sisters, Lillian Gomez and Vera Venegas; and his brother Tony Ozuna. He also leaves 8 grandchildren.

A Memorial Service will be held on Friday, March 12th at 12:00 noon, at St. Gregory's Church, 13935 E. Telegraph Rd., Whittier, CA. The burial will follow at Queen of Heaven Cemetery.

Mr. Speaker, Robert Ozuna's life epitomized much that is the American dream. He rose

from economically humble roots to found and head a well-respected electronics manufacturing firm, and he gave back to his community and to those around him, helping to create a better future for others through his life. America is a better place because of Robert Ozuna, and he will be sorely missed.

LEGISLATION TO MEMORIALIZE VETERANS WHO DONATE THEIR ORGANS

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. GOODLATTE. Mr. Speaker, several months ago, I was contacted by one of my constituents, Mrs. Linnae Hedgebeth of Salem, Virginia. She requested that my office intervene on a matter of great importance to her family, and others across the country.

Mrs. Hedgebeth is the widow of Roger Hedgebeth, Sr., a decorated World War II veteran and a career civil servant. When Mr. Hedgebeth passed away in 1997, he requested that his body be donated to assist in medical research, and that his ashes be memorialized at Arlington National Cemetery. Following his wishes, his family donated his body to science, but unfortunately were not able to give this military hero the final recognition that he deserved at Arlington National Cemetery.

As it stands now, due to various legal concerns, no ashes of individuals who donate their bodies to science are returned. And unfortunately, current regulations at Arlington National Cemetery prohibit memorializing veterans in the Columbarium unless their remains are actually inurned there. While I understand that space is limited at Arlington, and it is necessary to follow strict guidelines regarding burial and memorialization, I cannot accept that an entitled veteran can be denied appropriate recognition simply because he has donated his remains to further medical research.

While our nation is blessed with many treasures, none is more cherished than the peace we enjoy in our prosperous country. Arlington National Cemetery has long been a sanctuary for remembrance to veterans who provided and safeguarded that peace. We should not deny any eligible veteran that recognition simply because they may choose to help others by donating their remains to medical study.

With that said, Mr. Speaker, I submit this bill which seeks to modify current regulations to allow otherwise eligible veterans, who have donated their bodies to science, to be memorialized at the Columbarium in Arlington National Cemetery, not withstanding the absence of their physical remains. I urge my colleagues to support this important legislation.

FATHER DRINAN'S VOICE FOR SANITY

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. FRANK of Massachusetts. Mr. Speaker, my predecessor in Congress, Father Robert Drinan, was during his very impressive tenure here an important spokesman for a sensible reordering of our national spending priorities. Since leaving Congress, Father Drinan, has continued to be a leader on issues of human rights and social justice, and his most recent article on national policy makes in a compelling way the case against the proposed military budget increases President Clinton has unfortunately requested. Father Drinan sets this in the appropriate context and I believe his reasoning is persuasive and his facts compelling. As Father Drinan notes in this article in the National Catholic Report for January 22, "the world scene has changed, but neither the White House nor the Pentagon seems to have heard the good news." I ask that this important statement be printed here.

THE MILITARY-INDUSTRIAL COMPLEX JUST MARCHES ON

(By Robert F. Drinan)

When I read in early January that President Clinton had agreed to support the Pentagon's request for an increase of some $125 billion over the next six years, I became certain that the United States had failed to produce a new foreign policy for the world after the Cold War.

All my anxieties and misgivings about U.S. foreign policy in the six years of the Clinton administration coalesced into the conviction that the United States had lost an unprecedented opportunity to fashion for the entire world a policy that would relieve hunger, promote democracy and bring stability to troubled regions.

Since the Warsaw Pact and world communism dissolved in 1990, the entire human family has been looking to the United States for moral leadership that could usher in a new era of peace.

The military has not rethought its goals since 1990. The one review the Pentagon conducted resulted in the questionable finding that the United States must be prepared to wage two regional wars at the same time. That theory has never been approved by Congress following hearings or evaluated in the crucible of public opinion.

It is self-evident that the world has changed radically since the disappearance of the Soviet Union. The nations of the world do not need military jets or sophisticated armaments; they need the skill and resources to promote economic stability and make adequate provision for health and education for their people.

America could help make that happen. Instead, the White House chooses to invest the nation's wealth in the largest boost in military spending since the heyday of the Reagan buildup. The Air Force will be able to buy more F–22 fighters, and Army can acquire new Comanche attack helicopters and the Navy will build new ships.

In so doing, the president may have headed off a potentially dangerous issue in the race for the White House in the year 2000. Vice President Gore will not have to face charges of letting America's guard down. But meanwhile the opportunity to rethink the military policies of the United States in a postcommunist world is slipping away.

For me, the concession of 1999 to the Pentagon symbolize the failure of the White House to engage Congress and the country in a fundamental re-examination of what America should do as the human family struggles with feeding, sheltering and keeping all its members safe.

The White House has rejected all the voices since 1990 that have been pressing for new foreign policy priorities. Arms control experts, activists and academics in the peace community and scores of religious organizations feel spurned by Clinton as he agrees to go along with the Pentagon with business as usual.

The Council for a Livable World and similar organizations get regular assessments from military experts of what the United States needs to deal with its current challenges. Their estimate is nowhere close to the $260 billion available to the Pentagon this year.

There certainly is no need for the entire world to be spending $780 billion on arms this year.

The world scene has changed, but neither the White House nor the Pentagon seems to have heard the good news. The military is still operating with 80 percent of its Cold War budget and much the same attitude.

The military establishment in this country is awesome. It includes 1,396,000 men and women on active duty, 877,000 in the reserves and 747,000 full-time civilians. Imagine the impact if only a fraction of this vast armada joined the 7,000 Peace Corps volunteers serving the poor in useful ways.

Supervision of the sprawling world of the Department of Defense seems to be beyond even the Congress. There are 122 separate kinds of accounting used by the Department of Defense—so many that even the Pentagon's inspector general admits the need for reform. And although there is every indication that the country's military needs are shrinking, the Pentagon asked Congress for 54 new slots for generals and admirals this year.

It should also be remembered that the Pentagon resisted and prevented America's acceptance of the international ban on land mines whose advocates captured last year's Nobel Peace Prize. The Pentagon blocked U.S. participation in the new International Criminal Court, a sort of permanent Nuremberg Court, and it was the Pentagon that spent $35 billion in 1998 monitoring and maintaining some 12,500 nuclear warheads.

Opportunities to protest the latest surge in defense spending will probably be minimal, since the administration and Congress usually push such measures through as a matter of routine.

There is no sign of hope. Dale Bumpers, longtime arms control advocate, took office Jan. 4 as the new director of the Center for Defense Information. After 24 years as a Democratic senator from Arkansas. Bumpers now head up an organization composed of retired high-ranking military officers devoted to developing a sensible military policy for the United States.

Widely regarded as a leader on arms control issues, Bumpers will carry forward the center's work seeking a sensible and balanced military policy. Bumpers opposed plans for an elaborate missile defense system, fought against the F–22 and supported procurement reform at the Pentagon.

The present dominance of the Pentagon and its arms merchants reminds one of the familiar but distressingly true observation of President Dwight Eisenhower in his farewell address of Jan. 17, 1961. The only U.S. general to be president in the 20th century said:

"We must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex."

ONE YEAR ANNIVERSARY OF THE STONEVILLE TORNADO

HON. RICHARD BURR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. BURR of North Carolina. Mr. Speaker, on the afternoon of March 20, 1998, a tornado ripped through the town of Stoneville, NC which is in my district. The people of this small town had no warning before the powerful winds of an F2 tornado ravaged the downtown area and touched the surrounding towns of Madison and Mayodan.

The path of the tornado was 12 miles long and 100 to 400 yards wide. It claimed the lives of 2 individuals while damaging or destroying 500 to 600 homes and nearly all of the businesses in the downtown area.

Yet, after facing this devastating force of nature, the people of Stoneville did not give up. They pulled together with the aid of their neighbors and have been rebuilding their homes, their businesses and their lives over the past 12 months.

I was there the night of the tornado, and from that time until now I have witnessed the best in the human spirit as everyone has volunteered to help those in need.

The buildings were destroyed, but not the determination to survive. This is a true example of American's working together for the good of their fellow man.

I salute the people of Stoneville and all of their neighbors who have volunteered for their will to rebuild rather than to let their heritage be destroyed. I wish them the best and brightest future which they surely deserve.

HONORING VALERIA SOWELL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. TOWNS. Mr. Speaker, I rise to honor Ms. Valeria Sowell for her distinguished service to the Brooklyn community of East New York. A teacher for fifteen years, Ms. Sowell has served her community as educator, lobbyist, and activist.

Known for her no nonsense approach to solving problems, Ms. Sowell earned the respect and admiration of members of the community by helping to establish The Cleveland Street Block Association. In addition to community development, Ms. Sowell is concerned about health issues in Brooklyn. Wearing her hat as community lobbyist, Ms. Sowell is presently working with members of the New York General Assembly to change state law to permit HMO coverage of alternative forms of medicine.

While serving as American Federation of Teachers School Delegate, Ms. Sowell was honored by her peers with the prestigious Very Special Arts Award and later the Impact Award. She is affiliated with several organizations, including the NAACP, Democratic National Committee, New York Alliance of Black School Educators, New York Coalition of Black School Educators, Association of Orthodox Jewish Teachers, and the New York Coalition of 100 Black Women.

Ms. Sowell is an active member of the Christian Life Center in Brooklyn. Born in Brooklyn, New York, Ms. Sowell was the fourth of five children from the union of her beloved parents, Mildred and Clyburn Sowell.

In closing, Mr. Speaker, I am pleased to honor an unselfish, positive role model for the community, Ms. Valeria Sowell.

A BUDGET WORTHY OF OUR NATION'S VETERANS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. FILNER. Mr. Speaker, I rise today to speak about a travesty that happened in the House Committee on Veterans' Affairs just a few hours ago. As we all know, this committee has had a long-standing tradition of bipartisanship, of working together, of advocacy for our nation's veterans.

That all changed today. Unbelievably, on the eve of the bipartisan retreat in Hershey, Pennsylvania, the Members of the majority on this committee decided not to allow a discussion or a vote on an alternative budget that was derived from the Independent Budget for Fiscal Year 2000, a comprehensive policy document created by veterans for veterans and endorsed by over 50 veterans' service organizations.

As we are well aware, the Administration's fiscal year 2000 budget for veterans is completely unacceptable. Under this budget, the VA health care system is drastically underfunded and in danger of actual collapse. This budget for the GI Bill is far short of realistic needs and failing as a readjustment benefit and as a recruitment incentive. Desperately needed staffing increases included in this budget appear to be phony—little more than transparent shell games. The National Cemetery System has been underfunded for years, and the money needed for the most basic repairs and upkeep is unavailable. These are drastic problems and they demand serious, substantial solutions! Veterans have been wronged by this budget, and it is the responsibility of Congress to right that wrong.

For many, many years, America's veterans have been good soldiers. They have done their duty and been conscientious, responsible citizens. Every time the Veteran's Affairs Committee was handed a reconciliation target, it met that target. Billions of veterans' dollars have been handed over in order to balance the budget and eliminate the deficit. Time and time again, America's veterans answered their nation's call. The country needed their support, and America's veterans gave all that they could give.

Well, the budget deficit has been eliminated. That battle has been won. I believe that this year, it is time for America's veterans to come first. We, as a nation, owe them that.

I listened closely to the testimony of the many veterans' service organizations as they have come to Washington to appear before the House and Senate Veterans' Affairs Committees over the past few weeks. I carefully studied the Independent Budget for Fiscal Year 2000, which I mentioned earlier. I hear a strong sense of urgency and frustration and even anger that I've never heard before. America's veterans are telling us that they have done more than their fair share—and now they expect us to be their advocates.

As I read the Independent Budget, I was struck by this powerful statement that I would like to share with you. The signers of the Independent Budget said, ''As the Administration and Congress develop budgets and policies for the new millennium, we urge them to look up from their balance sheets and into the faces of the men and women who risked their lives to defend our country. We ask them to consider the human consequences of inadequate budgets and benefit denials for those who answered the call to military service.''

I took this to heart! Because, as I said earlier, the Administration budget of $43.6 billion is completely unacceptable, we Democrats on the Veterans' Affairs Committee developed a proposal, based on this Independent Budget, that would add $3.19 billion to the Administration proposal.

We came to the meeting today, hoping for a full discussion of the chairman's proposal which added $1.9 billion to the Administration's request, the Democratic alternative which added $3.19 billion—and a vote on which one to send to the Budget Committee. For I believe that it is our duty, as members of the Veterans' Affairs Committee, to send to the Budget Committee the very best ''views and estimates'' on the VA budget that we can.

In a democratic society, it is our right to be able to express ourselves, to debate and discuss various alternatives, and to vote!

The chairman's recommendation could have gained more votes than the Democratic alternative proposal, but we will never know. Because a vote was not permitted. Not to allow a full discussion of the needs of veterans and the best way to meet those needs—this is simply outrageous. These are the needs of our veterans that we are talking about! Let us hope that the travesty that occurred this afternoon in the Veterans' Affairs Committee will not be repeated for a very long time.

As the Independent Budget asks of us, I ask my colleagues to remember the faces of the men and women who sacrified so much as we develop a budget worthy of our nation's veterans.

TRIBUTE TO DR. MARLENE DAVIS

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. LEVIN. Mr. Speaker, I rise today to honor Dr. Marlene Davis, Superintendent of the Southfield Public Schools.

Dr. Davis recently was named the 1999 Michigan School Superintendent of the Year. A native of Dearborn, Michigan, Dr. Davis has an extensive educational background. She holds a Bachelors of Arts in Art History, from Michigan State University; a Masters of Arts in

Guidance and Counseling, from the University of Michigan; a Masters of Science and a Ph.D. in Education Administration, from Purdue University.

Before coming to the Southfield Public Schools in 1991, Dr. Davis was the Superintendent of Novator Unified Schools and Fillmore Unified Schools, in California from 1985 to 1991. She was also a proud member of the United States Peace Corps for three years, serving in Sierra Leone.

Dr. Davis was named Michigan's 1999 Superintendent of the Year because of her vision and leadership as exemplified by her initiation of the Southfield Public Schools strategic plan, designing the framework of the high school restructuring plan and the implementation of various diversity programs.

Although she has dedicated the last 20 years of her life to make education a priority for the leaders of tomorrow, Dr. Davis is deeply involved in the Southfield community as well. This includes serving on the Boards of the following: Southfield Chamber of Commerce, the Southfield Community Foundation, the Metro Detroit Bureau of School Studies, Gilda's Club and the Southfield Total Living Commission.

Mr. Speaker, I ask my colleagues to join me in congratulating Dr. Marlene Davis as the recipient of this most prestigious award and wishing her success as she continues to serve the educational community.

A TRIBUTE TO RICHARD KILEY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. GILMAN. Mr. Speaker, it is with deep regret that I report to our colleagues the passing this past weekend of one of the outstanding actors in American show business—an individual for whom respect was universal.

Richard Kiley was one of the most respected members of his craft because he brought sincerity and professionalism to everything he did. Richard Kiley was not only a gifted actor, but a great humanitarian, whose friendship spanned nearly a half century.

Richard was one of the few people in show business who had the reputation of lending class to every project he had undertaken. From originating the starring role in ''Man of LaMancha'' to providing the voice over of thirty years of ''National Geographic'' documentaries, and from his Emmy-winning role as star of ''A Day In The Life'' to his guest appearances on various other programs, and his most recent film, ''Patch Adams,'' Richard Kiley brought grace, dignity and intelligence to all of his many roles.

In recent years, we came to rely on Richard Kiley, not only for his advocacy of the National Endowment for the Arts and other programs to encourage artistic development, but also his concern for the environment of his home town of Warwick.

Richard Kiley is perhaps best known as the first actor to play the title role in ''Man of LaMancha'' for which he received the Tony Award for ''the most distinguished performance by a musical star'' as well as the Drama Critics Poll and the Drama League Award. He repeated the role in London Center, and on a record-breaking tour of the United States.

Born in Chicago, Richard began his career in radio as a soap opera juvenile in such vintage favorites as ''The Guiding Light'' and ''Ma Perkins.'' After three-and-a-half years in the Navy, his first significant employment was to understudy Anthony Quinn in the touring company of ''A Streetcar Named Desire'' and later take over the role of Stanley. He was first seen on Broadway as Joey Percival in the successful revival of Shaw's ''Misalliance,'' for which he received the Theater World Award.

Richard's first musical role was the Caliph in ''Kismet'' in which he introduced the classic, haunting song, ''Stranger in Paradise,'' which was one of the biggest hit songs of the 1950's. For a time he was in the enviable position of alternating straight plays with musicals, following the Caliph and Major Cargill in the Theater Guild's ''Time Limit.'' He co-starred with Gwen Verdon in ''Redhead,'' for which he won his first Tony Award. The following season he was seen as Brig Andersen in ''Advise and Consent,'' the dramatization of Allen Drury's Pulitzer Prize-winning novel, after which he co-starred with Diahann Carroll in Richard Rodgers' ''No Strings.''

Richard co-starred with Colleen Dewhurst in the Spoleto Festival production of O'Neill's ''A Moon for the Misbegotten.'' He returned to Broadway as Caesar in ''Her First Roman,'' followed by the ''Incomparable Max,'' ''Voices'' with Julie Harris, ''Absurd Person Singular,'' ''The Heiress,'' and ''Knickerbocker Holiday.'' He appeared at the Kennedy Center in ''The Master Builder'' and at the Edinburgh Festival in an American poetry reading with Princess Grace of Monaco. He played Tartuffe at Philadelphia's Drama Guild, Moliere in ''Spite of Himself'' at the Hartford Stage, and toured as Scrooge in a new musical version of ''A Christmas Carol.'' He was last seen on Broadway in the revival of Arthur Miller's ''All My Sons'' for which he received a Tony nomination.

His television career began during the medium's ''Golden Age'' and continued until his death with regular guest appearances on many popular shows. He received both the Emmy and Golden Globe Awards for his performances in ''The Thorn Birds,'' as the lead star in the series ''A Day In The Life,'' and as Kathy Baker's father on the acclaimed series, ''Picket Fences.''

Richard Kiley's motion picture career began with his spellbinding, standout performance in the classic 1955 film, ''The Blackboard Jungle.'' Other notable performances include his roles in ''Eight Iron Men,'' ''The Phoenix City Story,'' ''The Little Prince,'' and ''Looking for Mr. Goodbar,'' in which he appeared as Diane Keaton's father. Richard also appeared in ''Endless Love,'' and his last film, the box office and critical smash, ''Patch Adams.'' Richard Kiley possessed one of the most melodious and thus frequently heard voices in show business. He narrated numerous television programs throughout the years, including thirty years of ''National Geographic'' specials, ''Mysteries of the Bible,'' ''Nova,'' and ''The Planet Earth.''

Unlike many successful show business personalities, Richard Kiley did not divorce himself from his community, but remained an activist who his neighbors in Warwick, NY, knew they could count upon for assistance with community concerns, most especially in protecting the local environment.

Richard devoted time and energy to a number of charitable concerns, and has never been known to turn his back on any worthy cause or individual in need of help.

Richard Kiley was truly a man for all seasons and all generations.

We extend our condolences to Richard's widow Pat, and to his six children: Kathleen, Erin, Dierdre, David, Michael, and Dorothy. Richard also leaves behind 12 grandchildren and one great-grandchild.

Richard Kiley was a person who could serve as a role model not only to aspiring actors and actresses, but to all young people who aspire to success in their professions and as good citizens. Richard Kiley is an individual whose shoes will be difficult to fill, and who will long be missed.

CHEAP CAR PARTS CAN COST YOU A BUNDLE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. TOWNS. Mr. Speaker, I would like to bring to my colleagues' attention the attached article, ''Cheap Car Parts Can Cost You a Bundle'', from Consumer Reports which appeared in its February 1999 issue.

CHEAP CAR PARTS CAN COST YOU A BUNDLE

One January morning last year, Daniel Della Rova was passing another car at about 55 mph on Route 222 near Kutztown, Pa. Suddenly the hood of his 1988 Honda Accord flew up, fractured the windshield, and wrapped itself around the roof. Unable to see ahead, Della Rova gripped the wheel tightly and managed to steer to the side of the road. ''Luckily,'' he says, ''I didn't hit anything.'' But the insurance company declared the car a total loss.

According to Charlie Barone, a vehicle damage appraiser in Malverne, Pa., who has examined the car, the cause of the mishap was what collision repairers disparagingly call offshore ''tin''—a cheap imitation hood made by a Taiwan manufacturer. It's one of many, mostly Asian-made imitations of automakers' OEM (original equipment manufacture) parts.

Barone, an outspoken critic of imitation parts, says they're cheaper than OEM for a reason: ''They're inferior to original manufacturer parts.''

He adds that the previous owner of Della Rova's Honda, who had damaged the original hood in a minor accident, probably paid $100 less for the imitation hood than the $225 the Honda OEM part would have cost. But the real cost could have been catastrophic.

An auto-repair problem similar to Della Rova's may be parked in your driveway right now. If your car was ever in an accident, the repair shop may have installed cheap imitation parts, perhaps without your even knowing it.

Crash parts are a big business. Each year, U.S. drivers have an estimated 35 million automobile accidents costing some $9 billion in crash parts. The most frequently replaced parts are bumpers and fenders.

Not all imitation parts are bad. Various brand-name replacement batteries, filters, spark plugs, and shock absorbers can provide quality along with competitive pricing. Some body-part copies are OK, too, but others are junk.

Several consumer groups have supported imitation crash parts, and for good reason: These parts provide competition, forcing automakers to reduce prices. That's good for consumers—but only if quality doesn't suffer. Unfortunately, the quality of imitation crash parts can vary widely.

Many collision repairers complain that imitation parts generally don't have the same fit and quality as OEM parts. ''Approximately 75 percent of the time, you have to make modifications or tweak the sheet metal to make aftermarket body parts fit,'' says Phillip Bradshaw, owner of Bradshaw Collision Centers in Madison, Tenn. ''And even then, it's often impossible to get the alignment and fit right.''

In an effort to assure the quality of imitation body parts, the insurance industry established the nonprofit Certified Automobile Parts Association in 1987. To date, CAPA's certification program covers a small percentage of imitation body parts.

Because of the controversy over the price and quality of collision-repair parts, we decided to conduct our own tests on fenders and bumpers to learn about their quality firsthand. All the non-OEM fenders that Consumer Reports tested were CAPA-certified. (CAPA doesn't certify bumpers.)

We also investigated the claims and counterclaims about the benefits of aftermarket parts. Our tests and investigation uncovered two key findings:

Most auto insurers endorse imitation parts because they can be 20 percent to 65 percent less expensive than OEM. But the companies we surveyed provided no evidence that those savings are being passed on to policyholders.

The imitation bumpers and fenders we tested were inferior to OEM parts. The bumpers fit badly and gave poor low-speed crash protection. Most of the fenders also fit worse than OEM fenders, and they rusted more quickly when scratched to bare metal.

THE PRICE VS. QUALITY DEBATE

Some insurers acknowledge there's a quality problem. That's why the Interinsurance Exchange of the Automobile Club of Southern California uses only OEM metal body parts. ''We have found significant problems in the quality and specifications of non-OEM sheet metal,'' says spokeswoman Carol Thorp.

Raleigh Floyd, an Allstate spokesman, says that his company uses OEM parts—and imitation parts ''whose quality has been certified'' by CAPA. But our tests of some CAPA-certified fenders indicate that the CAPA seal of approval is no guarantee of quality comparable with that of an OEM part. (The CAPA seal was affixed to the hood on Della Rova's Honda.)

Also, some consumers may not know what kind of parts they're getting. They may simply assume their car will be restored to its precrash condition.

Besides fenders and hoods, CAPA certifies other sheet-metal and plastic parts. In the crash parts market, CAPA parts account for 3 percent or less of the units sold. OEM parts account for 72 percent; salvage parts, 10 percent. Non-CAPA imitation parts make up the remaining 15 percent. CAPA loons large in the industry because it's the only organization that sets quality standards for imitation replacement parts. Although its overall market share is small, CAPA is growing.

The debate over quality should heat up this summer as a $10.4 billion class-action lawsuit, Snider vs. State Farm, goes to trial in Marion, Ill. The suit accuses State Farm of pressing shops and policyholders to use imitation parts that aren't equal in quality to OEM parts. That's ''a breach of their promise to resote the vehicle to pre-loss condition, says Thomas Thrash, an attorney for the plaintiffs.

State Farm firmly denies this. ''We believe these [non OEM] parts are of the same quality as the manufacturer parts,'' says spokesman Dave Hurst.

Insurers haven't always looked kindly on non-OEM crash parts. In the early 1980s, State Farm's periodic repair reinspections revealed that many repair shops were charging for OEM parts but installing cheaper imitations and pocketing the difference.

''The shops were making a very long dollar,'' says Stan Rodman, director of the Automotive Body Parts Association, which represents manufacturers and distributors of imitation parts—and which was briefly the predecessor of CAPA. ''They were getting a non-OEM fender for 90 bucks that the insurance company was paying them $400 for.''

By the mid-'80s, however, insurers began recommending imitation parts. Their repair estimates assured policyholders that the parts were as good as OEM parts.

The plaintiffs in the State Farm suit allege that the insurer knew better. In June and August 1986, for example, State Farm consultant Franklin Schoonover warned the company's research department that a sampling of imitation crash parts tested earlier that year by the Detroit Testing Laboratory represented a ''major risk for consumer usage when compared to the GM OEM parts.''

The lab found that some of the imitation parts weren't as strong, were more likely to have problems with cracking and peeling paint, and showed weight differences, indicating a wide variation in quality control.

In 1987, Ford sued Keystone Automative Industries, the largest distributor of non-OEM body parts in the U.S., for using the phrase ''like kind and quality'' to compare its imitation parts with OEM parts. In 1992, a U.S. District Court ruling found that Keystone's claims were ''false'' and ''made with the deliberate intention of misleading the public.'' In a $1.8 million settlement, Keystone agreed to allow Ford to state in its advertising, ''Crash parts from Keystone do not meet Ford OEM quality.''

''We should not have made those statements,'' says Charles Hogarty, president and CEO of Keystone, which now uses the term ''functionally equivalent'' to describe its products. Hogarty says the description is ''probably loose enough to mean whatever you want it to mean . . . it's not identical and there may be some minor, we'd say insignificant, differences.''

THE CONSUMER CONNECTION

After it was established in 1987, CAPA compiled a manual that spells out quality controls, test procedures, and other steps required for manfuacturers to get its seal.

In 1988, CAPA added consumer advocate Clarence M. Ditlow to its nine-member board. Ditlow is executive director of the Center for Auto Safety, a nonprofit watchdog group founded in 1970. (He is also on the board of directors of Consumers Union, Publisher of Consumer Reports. The center received funding from CU during its early years.)

In 1989, CAPA hired Jack Gillis as its executive director. Gillis is also director of public affairs for the Consumer Federation of America and the author of a long list of consumer-oriented books.

Ditlow says that CAPA parts are better quality than non-CAPA imitation parts ''by virtue of the fact that you set a standard.'' But when asked, neither he nor Gillis provided compelling evidence to support that claim.

Gillis also says that CAPA parts are of ''like kind and quality'' to OEM parts. But CAPA's quality-standards manual requires only ''functionally equivalent'' parts. Such a careful choice of words is significant: A Saturn may be functionally equivalent to a BMW, but the two are hardly equal.

A twice-a-year survey of 500 repair shops done for the auto industry by Industrial Marketing Research of Clarendon Hills, Ill., does suggest that CAPA parts are better than non-CAPA and that the quality of all imitation parts is improving. But according to the same study, only one-third of repair shops termed CAPA parts an acceptable substitute for OEM parts. Two-thirds judged the quality of CAPA parts ''somewhat worse'' or ''much worse'' than OEM parts.

In the IMR study, repairers also indicated that customers came back twice as often with complaints about imitation parts, and that shops often must absorb the cost of extra labor.

Last March, the Automotive Service Association (ASA), representing more than 12,500 repair shops, withdrew its support of CAPA because ''CAPA has failed in its mission'' and hasn't assured imitation crash parts that are equal in quality and consistency to OEM.

''ASA is no friend of the consumer,'' says Ditlow. ''These are people who have an agenda, and that agenda is higher repair costs.'' But CAPA board member Clark Plucinski, who oversees a network of 30 repair shops, says that ASA has grown frustrated with the slowness of CAPA's progress, despite the fact that CAPA is improving the quality of all imitation parts.

Gillis says that CAPA has an ''aggressive'' program to solicit complaints from repair shops, but that last year it received only 1,055 complaint forms on some 2.3 million CAPA parts used. However, Plucinski says that hands-on collision-repair people are more likely to chew out the parts supplier than to fill out a complaint form.

ONE SIZE FITS NONE

Collision repairers we talked to almost universally complained that too many imitation parts, whether CAPA-certified or not, leave noticeable gaps and don't always match the car's contours. They ''fit like a sock on a rooster's foot,'' says a Scottsdale, Ariz., collision repairer who fixes almost 200 cars each month.

''Fifty to 70 percent of the time the darn things don't fit,'' says John Loftus, executive director of the 8,000-member Society of Collision Repair Specialists, a trade association.

Jerry Dalton, owner of the Craftsman Auto Body chain in Virginia, says, ''I like the idea of alternate parts other than OEM to keep pricing in line, and we try to use them as often as we can. But we still have to return a large percentage of them.''

In a demonstration in Colorado Springs, Colo., last October by the Collision Industry Conference (CIC), a repair-shop education and training group, a CAPA hood and fender and a non-CAPA imitation headlight assembly didn't fit properly on an undamaged 1994 Toyota Camry, though a non-CAPA parking light and grille did fit. (Gillis, who was at

the demonstration, says that the fender had been decertified just days earlier, and that he himself decertified the hood on the spot.) At another CIC demonstration in Dallas last December, all the CAPA and non-CAPA substitute parts fit well.

Of 160 repairs shops surveyed last year by Frost & Sullivan, an independent international marketing-consulting firm in Mountain View, Calif., 89 percent said that it takes about two hours longer to install an imitation part, costing $60 to $90 extra in labor.

HOW CAPA TESTS

CAPA uses Entela Laboratories, an independent test lab in Grand Rapids, Mich., to verify adherence to its standards. Entela has industry-standard equipment and the capability for testing materials.

Reports provided by Entela detail various side-by-side tests of materials in parts being considered for CAPA certification and their OEM counterparts. Entela reports for the Honda and Ford fenders we evaluated include material thickness, chemical composition, tensile strength, and corrosion resistance. The imitation part must be within certain limits of the OEM part in order to be granted certification.

The other half of the certification process is inspection of fit, done at the factory. The Entela fender reports we read list measurements of gaps, flushness with mating parts, and size and location of holes and slots. Each report gives the range of dimensions that the CAPA part must fall within.

The Ford and Honda fenders like those we evaluated appeared to have fallen within CAPA limits in the reports, and they were certified. We did find inconsistencies in the number of holes and slots among the same CAPA-certified part made by different manufacturers.

There may be two reasons for the poor fit of CAPA parts that repair shops complain about. One is ''reverse engineering''—where manufacturers make copies of OEM parts. Although Gillis didn't acknowledge problems of fit with CAPA parts, he blames OEM parts for being inconsistent.

But Greg Marshall, Entela's research and development manager, says the OEM parts variations are perhaps 0.060 inch. Even when magnified by the copying process, that shouldn't account for the fit problems we found in CAPA fenders.

The second problem is that CAPA sheet-metal parts are tested for fit on a jig rather than on a car. Gillis says CAPA is changing its standards to require that each part be designed and fit-tested to its intended vehicle as of April. If implemented, that should improve fit. But Gillis says that the requirement will be only for newly certified parts. Parts already certified aren't affected by this change unless CAPA receives at least five complaints about the part in one year.

Repair-shop owner Dalton, a CAPA adviser and a former member of its technical committee who has visited plants in Asia, raises another issue. He says that CAPA isn't able to exercise sufficient control over quality ''because they don't buy or sell the parts, and CAPA is a voluntary program.''

To assess the claims and counter-claims of the controversy, we installed a sampling of replacement fenders and bumpers on cars and simulated several real-world challenges.

CR'S TEST RESULTS: FENDERS

Our engineers mounted three OEM and six CAPA left fenders on each of two popular cars, a 1993 Honda Accord and a 1993 Ford Taurus. (Our shoppers, who bought the fenders in the New York area and in California, couldn't find non-CAPA fenders for these cars.) Without making the extensive modifications a professional shop might have to carry out, we judged their appearance.

Two of the Ford OEM fenders matched up nicely, while the third didn't fit as well, By contrast, we found fit problems with all six CAPA fenders for the Ford. Some would require widening the holes or using shims. The worst didn't match the contour of the car and would require significant reworking.

All three Honda OEM fenders fit well. Three of the CAPA fenders for the Honda also fit well, but the other three had problems similar to those for the Ford.

We then had a repair shop install one OEM feeder and two CAPA fenders on each car, allowing the professionals to work the metal as they ordinarily would to make it fit. The shop found problems similar to the ones we found with the CAPA fenders. After working for an extra 30 to 60 minutes, the shop judged the resulting fit acceptable, though not as good as that of the OEM fenders.

Rust resistance. To simulate what rocks, vandals, or a shopping cart might do in the real world, we scratched a grid down to bare metal on four primed but unpainted fenders—two OEM and two CAPA-certified. We then hired a lab to put them through a cyclic 168-hour salt-spray fog test, in accordance with industry test standards. Both CAPA fenders showed heavy red rust by the end of the test. The Ford OEM fender showed only moderate white corrosion; the Honda OEM fender, nearly none.

The superior performance of the OEM fenders (and the telltale white corrosion) resulted from galvanization, in which a zinc coating is bonded to the steel. When the paint and primer are scratched, the zinc protects the steel by sacrificing itself, oxidizing into a white residue less damaging than rust. Most OEM parts are galvanized on both sides. The CAPA parts we tested aren't galvanized.

CAPA's corrosion test is different from ours. Entela engineers scratch an ''X'' in the primer and then expose the fender to a 500-hour salt-spray test. The parts get CAPA approval even when the X-ed area rusts, since the test is designed to evaluate the primer rather than the metal beneath. CAPA regards the results as problematic only if the rust spreads, making the primer blister or flake 3 mm beyond the ''X,'' or if 10 percent of the entire fender shows red rust.

Gillis says galvanization is ''not much of a value added because today's automotive paint processes are quite good.'' But Bruce Craig, a fellow of the National Association of Corrosion Engineers and author of the American Society of Metallurgists' Handbook of Corrosion Data, says, ''It's kind of a slam dunk that galvanized is better. I'm perplexed why there would be a controversy.''

That's a reason the Interinsurance Exchange of the Automobile Club of Southern California won't use imitation body parts: ''You get bubbling, paint flaking off, premature rusting,'' says Gil Palmer, assistant group manager for physical damage claims.

Gillis told us that CAPA would begin requiring all sheet-metal parts manufactured starting January 1 to be galvanized to earn certification. That should be a major step toward equality with OEM parts. Meanwhile, distributors will continue to sell ungalvanized CAPA parts that are already in the sales pipeline.

Strength. We found the CAPA fenders comparable with OEM in one respect: Our tests for tensile strength uncovered no significant differences between CAPA and OEM fenders.

CR'S TEST RESULTS: BUMPERS

CAPA doesn't certify bumpers. A repair shop under our engineers' supervision installed a total of 4 OEM and 17 imitation bumpers, bought in the New York area and in California, on our Honda Accord and Ford Taurus. We saw startling deficiencies in the imitations.

How they fit. All the OEM bumpers fit nicely. But none of the imitations did, even after we redrilled or widened their holes as needed. All left large gaps or uneven surfaces.

How they protect. Our hydraulic bumper-basher simulated the thumps that might occur, say, in a parking lot—at 5 mph head-on, 5 mph offset, and 3 mph on the right corner. That's our standard test for new cars.

The OEM bumpers suffered only minor damage. Even so, repairing the scuffs and indentation on the Ford bumper would cost $235, and replacing the Honda's scuffed bumper cover and underlying brackets would cost $576. Those are pricey scuffs, but at least the OEM bumpers protected the cars themselves from damage.

In our 25 years of bashing hundreds of new-car bumpers, we've seen few perform as miserably as the imitations. Twelve of the 17 sustained so much damage in the first bash that we couldn't test them any further.

One imitation bumper shattered and allowed our basher to damage the Ford's headlight mounting panel, radiator support, and air-conditioner condenser. Repairs, using OEM parts, were estimated at $1,350. Another imitation bumper allowed our basher to damage the Honda's radiator, air-conditioner condenser, radiator-support tie bar, and center lock support. Repairs, using OEM parts, were estimated at $1,797.

LIMITED CHOICES

Most insurance adjusters don't clearly disclose that you're getting imitation parts of potentially lesser quality. (''Like kind and quality'' or ''LKQ'' on the paperwork is a cryptic giveaway.) Some repair shops complain that they must follow the insurer's ''recommendation'' or risk losing customers from ''direct repair programs''—the automotive equivalent of managed health care that most auto insurers use to cut costs.

The Automotive Service Association says that 33 states require repair shops to disclose the use of imitation parts to consumers. Six others—Arkansas, Indiana, Oregon, Rhode Island, West Virginia, and Wyoming—also require the consumer's written consent.

But disclosure and consent are meaningless if insurers promise higher quality than they deliver. The lawsuit against State Farm argues that the insurer did not restore damaged vehicles to pre-loss condition as promised.

Don Barrett, an attorney for the plaintiffs, says that cars repaired with ''2/55 fenders''—an appraisers' disparaging term for fenders identifiable as imitations ''from two miles away at 55 mph''—reduce appraised value by at least 10 percent.

John Donley, president of the Independent Automotive Damage Appraisers Association and a CAPA proponent, says that it's poor fit and poor corrosion resistance, not the mere fact that a part is an imitation, that hurts appraised value. Either way, that could be a problem not only at resale time but possibly at the end of a lease.

Industrial Marketing Research found that insurers call for imitation parts 59 percent of the time. We surveyed 19 of the nation's largest private auto insurers, who wrote 68 percent of the $115 billion in policies in 1997, and asked if they require or recommend imitation body parts for covered repairs. Nine

didn't respond (American Family, California State Auto Assn., CNA, GEICO, GMAC, Metropolitan, Progressive, Prudential, and Safeco). Of the ten that did, Allstate, Erie, Farmers, State Farm, and USAA said they recommend but didn't require imitation parts.

Allstate says that if a customer insists on OEM parts, it will pick up the bill. Erie, State Farm, and Travelers make the customer pay the difference.

The Hartford said it doesn't recommend imitations for safety-related parts but does allow them for noncritical applications. And Travelers Insurance doesn't recommend imitations for cars less than two years old or with less than 20,000 miles.

The Interinsurance Exchange of the Automobile Club of Southern California, which writes policies only in Arizona, California, New Mexico, and Texas, calls for imitation parts only for nonmental trim items like bumper covers and moldings.

INSURERS AND CONSUMERS

Many of the insurers maintain that imitation parts keep premiums down, but none provided hard data to prove it.

CAPA and auto insurers have spent the last decade promoting imitation parts as purely pro-consumer. By breaking the automakers' ''strangle-hold monopoly'' over crash parts, says one recent release from the Alliance of American Insurers, auto insurers protect consumers from high parts prices and high insurance premiums.

''There is absolutely no question the insurance industry is on the side of the angels on this issue,'' says Gillis.

But there is a question.

Buying imitation parts simply diverts money from the pockets of one big industry—automobile manufacturing—to the pockets of another big industry—auto insurance. The insurers won't earn their wings until they demonstrate that a fair share of the money they save ends up in the pockets of consumers.

And CAPA, whose executive director often accuses automakers and repair shops of having a financial interest in promoting OEM parts, has its own financial interests. Half of its $3.9 million budget comes from insurance companies (the other half comes from the sale of CAPA seals to parts manufacturers). And six of the nine CAPA board members are insurance-industry executives.

The Center for Auto Safety—whose executive director, Clarence Ditlow, is a CAPA board member and a staunch advocate of CAPA parts—also receives funding from the insurance industry, though to a much lesser extent. In 1998, State Farm and Allstate contributed some $50,000 to CAS, accrding to Ditlow. (He says that amounts to only five percent of annual revenues. He also says that CAS' insurance funding has steadily decreased since the mid-1970s.)

Where's the consumer in all this? For now, stuck in a bind between automakers that charge high prices for factory body parts and auto insurers that push less-expensive parts of questionable quality. Until things change, car owners—including used-car buyers who may inherit the inferior crash parts—are being ill served.

CELEBRATING THE 10TH ANNIVERSARY OF VA'S CABINET DESIGNATION

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. FILNER. Mr. Speaker, I rise today to recognize Monday, March 15th as the 10th anniversary of the Department of Veterans Affairs (VA) as a Cabinet-level position.

Because by 1988, VA had become the largest independent agency in government, thought was given to its recognition as a member of the President's Cabinet.

Serving a population of 27.5 million veterans with a budget of $28.3 billion, with 245,000 employees, it was second only to the Department of Defense in the number of staff providing service to our citizens.

At the urging of both Congress and many veterans' service organizations, the current President endorsed the idea that the time had come for the VA to become a part of the Cabinet. It was time to give our nation's veterans their seat at this highest table of government.

Elevating the Department of Veterans Affairs to Cabinet level status provided the Department the opportunity to have greater national impact for veterans in the fields of health care, education, housing, and insurance. It was a move that cost virtually nothing in that era of tight budgets, yet gave veterans a prominent voice in the issues that dominate the national agenda.

I congratulate the Department of Veterans Affairs on a decade of growth in service to our nation's veterans, the dedicated men and women who accepted the challenge to protect their country, many of which gave the ultimate sacrifice for our freedom and liberty. I further encourage the Secretary of the Department of Veterans Affairs and his staff to continue to take full advantage of the opportunity that Cabinet-level status provides to advocate on behalf of these brave men and women.

REFORESTATION TAX ACT OF 1999

HON. JENNIFER DUNN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Ms. DUNN. Mr. Speaker, I am introducing today the Reforestation Tax Act of 1999 along with 16 of my colleagues who are deeply concerned about the future of our forest products companies. With the global marketplace becoming more competitive, we must take positive steps to remove barriers to our companies' ability to compete abroad. In the case of forest products, one of the largest impediments to success is our nation's tax code.

Beginning with changes brought about by the Tax Reform Act of 1986, America has been struggling to competitively produce timber in a global market. Despite a tax system that gives U.S. forest products companies one of the highest effective tax rates in the world, they have been one of the most visionary sectors in helping to expand trade into new markets. During the recent negotiations over sectoral liberalization in the Asia Pacific Economic Cooperative forum, forest products companies worked closely with Congress and the Administration to try to develop a long-term agreement to benefit American workers. Unfortunately, this process has not come to fruition due to disagreements among competing nations, something common when we solely rely on multilateral trade agreements to increase our competitiveness. It is time to focus on what we can do unilaterally: adjust our tax code so that our companies are not disadvantaged in the global marketplace.

The Reforestation Tax Act recognizes the unique nature of timber and the overwhelming risks that accompany investment in the industry. It will reduce the capital gains paid on timber for individuals and corporations by 3 percent each year up to 50 percent. Because this reduction would apply to all companies, we minimize the current inequity whereby neighboring tracks of the same timber are taxed at different rates simply because of the business form of their investment. For timber companies, the capital gain on these forest products can be enormous. In some regions, tree farmers must wait more than 50 years from the planting of a relatively worthless seedling to the harvest of a mature tree. No other industry faces the extreme risks from wind, fire, and disease in protecting their asset over such an expansive period of time so they can realize a profit.

In addition, the Reforestation Tax Act rewards those environmentally-conscious companies that choose to use their dollars for reforestation of their lands. By extending tax credits for all reforestation expanses, and shortening the amortization period for reforestation costs, Congress encourages and assists those companies that are making a conscious effort to operate in an ecologically-sound manner.

The Reforestation Tax Act represents the best of tax, global competitiveness, and environmental policy. I urge my colleagues to support this important initiative.

IN MEMORY OF JOSEPH PAUL DIMAGGIO

HON. KAREN McCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Ms. MCCARTHY of Missouri. Ms. Speaker, I rise today to honor the memory of the greatest baseball player who ever lived. Joe DiMaggio was my hero and a hero to our Nation. I am saddened by his passing, and I extend my heartfelt sympathy to his friends and family. The Yankee Clipper personified dignity and greatness. He understood the importance of having both guts and grace, and he took his responsibility as a national figure seriously.

DiMaggio and dignity are synonyms. Mr. DiMaggio viewed his position as an example to the young people of America and was always careful about the impression he made. He never lost control in public and was always conscious of his reputation and responsibility. He played every game as if it were the last

game of the World Series, so someone seeing him for the first time would not be disappointed.

The people of my district in Kansas City, MO, were fortunate enough to see Mr. DiMaggio play in an exhibition game against the Kansas City Blues. A Yankee teammate and Kansas City resident Hank Bauer said of DiMaggio, ''He was the most outstanding center fielder I have seen.'' He taught America what it means to embrace excellence and strive for greatness without seeking acclaim. I and others of my generation are in public service today because of role models like Joe DiMaggio.

Joe DiMaggio served as an inspiration to my generation. Simon and Garfunkel memorialized his leadership in their song *Mrs. Robinson.* The lyrics, ''Where have you gone Joe DiMaggio? Our Nation turns its lonely eyes to you,'' express dismay at the absence of heroes like the Yankee Clipper to lead our Nation to peace and prosperity.

The number five will always hold a special place in the hearts of Yankee fans everywhere. His record of safe hits in 56 consecutive games might never be broken. His lifetime batting average of .325 and his 361 career home runs remain impressive numbers even when we have new heroes such as Mark McGwire and Sammy Sosa. He led his Yankee to nine World Series titles and was the American League's Most Valuable Player three times. As our Nation turns its lonely eyes once more toward this hero, let us learn from his life and his example of heroism. In the words of the Negro League Legend Buck O'Neil, ''I don't cry for Joe. I cry for the people who never got to see him play.''

MILLS-PENINSULA HOSPITAL HONORED FOR OUTSTANDING CARE AND PERFORMANCE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. LANTOS. Mr. Speaker, it is my distinct privilege today to recognize the Mills-Peninsula Hospital, which is located in my congressional district. In an annual study, ''100 Top Hospitals: Benchmarks for Success,'' Mills-Peninsula was named one of the top hospitals for 1998 in the United States. The study was conducted by HCIA, a health care information company based in Baltimore, and William M. Mercer, a New York-based human resources management consulting firm. Nine measures of clinical, operational, and financial performance were used in the study to determine accurately the best hospitals.

Mills-Peninsula is a not-for-profit health service organization, and it has managed to improve and maintain existing services, despite battling extreme difficulties associated with the costs of managed care. By combining the highest quality care with the most cost-efficient operation, Mills-Peninsula has increased the standard of medical care and quality of life in the Bay Area. We are truly honored to have such an outstanding hospital located in our area.

Managed health care has sought to improve cost reductions and to streamline operations. The standards of excellence in health care management are becoming ever higher. Mills-Peninsula has thrived in this challenging atmosphere and continued to deliver a high level of care, and at the same time shown an ability to respond to change.

Mr. Speaker, the recognition of Mills-Peninsula Hospital has only confirmed the high value which residents of my district already place on the hospital's services. I offer my deepest and warmest congratulation to those individuals that have contributed to the success of Mills-Peninsula Hospital.

Mr. Speaker, I ask that the editorial praising Mills-Peninsula Hospital from The Independent be placed in the RECORD.

PENINSULA HOSPITAL AMONG TOP 100

Bravo to Peninsula Hospital for being named among the top 100 performing hospitals in the nation by the consulting firm of William M. Mercer Inc., of New York, NY, the honor is one that should reassure residents in the area that they have one of the top hospitals in the country taking care of their health needs.

The study, naming Peninsula Hospital, was published in the December issue of Modern Health care magazine. This assessment of the nations benchmark acute care hospitals is published annually by Mercer and HCIA Inc., a data processing company based in Baltimore.

The study considers three separate categories including financial management, operations and clinical practice. Each category is then broken down into smaller components and evaluated.

The elements considered under clinical practices include mortality rates of complications during treatment. The information is published to show legitimate health care data about patients and health care facilities to measure performance.

This is a study that is in its sixth year of identifying the top management teams and best run facilities in the country. The longer the publication studies industry trends, the more established and prestigious its list becomes. People throughout the country are concerned and interested in the performance of their community hospitals and this rating hospital care.

In an interview with this newspaper, Mills-Peninsula CEO Robert Merwin explained the price pressures Peninsula is under, to maintain services at the hospital. Merwin explained that the business community, Medicare and the costs of managed care, put pressure on all hospitals throughout the country, so maintaining standards of excellence was a major challenge.

We are happy to see that Peninsula has met that challenge and among the thousands of hospitals throughout the nation, been rated one of the best. That makes us proud of Peninsula and of the management and staff at the hospital who have carried the ball of excellence in recent years while the health care industry has been in radical change.

We know what happens when change comes to an industry, when economic pressures for change bring so many disruptions to the way a hospital does business. We commend the folks at Peninsula for not letting these changes disrupt the quality of health care they provide to the community. This rating is welcome news, especially in light of the fact that a decision must be made soon to spend millions of dollars either retrofitting peninsula or rearing it down to build a new facility.

We don't know which decision the powers to be will make but we do know that Peninsula is a very special hospital facility that is valued by everyone in the community. The rating only bears out the fact that its management and staff have been outstanding in face of unbelievable stress in the industry. We congratulate the people, all of them, that made this rating possible and look forward to the continuation of an evaluation that places Peninsula among the top 100 hospitals in the nation.

INTRODUCTION OF THE WATER POLLUTION CONTROL AND ESTUARY RESTORATION ACT

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. CROWLEY. Mr. Speaker, I rise in strong support of the Water Pollution Control and Estuary Restoration Act being re-introduced today by the gentlelady from New York, Mrs. LOWEY, and gentlelady from Connecticut, Ms. DELAURO. I compliment and applaud my colleagues for their untiring efforts on behalf of our Nation's valuable fresh and estuarine water bodies.

Mr. Speaker, the protection of America's lakes, rivers, streams, and near coastal waters should indeed be one of our top concerns as a Nation, and I am proud and honored to be an original cosponsor of this important piece of legislation. The DeLauro-Lowey bill is a reasonable, straightforward measure that seeks to build upon past successes under the Clean Water Act (CWA). This measure will continue and strengthen several progressive programs to protect and enhance water bodies throughout our country, and I urge my colleagues to support this common sense and cost effective means of cleaning-up and protecting our water resources.

The DeLauro-Lowey bill will ensure that the existing State Revolving Loan Fund (SRF) program continues to be adequately funded to provide the financial wherewithal for States and municipalities to maintain and upgrade their wastewater treatment facilities to protect America's water bodies. This program has achieved tremendous success in the past and clearly deserves to be maintained and enhanced.

While fresh water is important for life itself, and clean lakes and rivers provide a multitude of recreational benefits to society, the vitality of our estuaries is also of great importance. Estuaries, near coastal waters, play a dual function of protecting coastal lands as well as serving as the all important nursery grounds for most marine species. Of course, these waters also provide many important recreational activities.

The Congresswomen's legislation will serve to strengthen the U.S. Environmental Protection Agency's existing National Estuary Program (NEP) that is widely regarded as a model for watershed-based pollution control. In addition, the legislation will clarify EPA's responsibility to assist States in developing and implementing their estuary management plans.

Mr. Speaker, as the Representative of the 7th Congressional District of New York, which includes a substantial portion of the Long Island Sound coastline, and a Member of the House Committee on Resources, I can think of few efforts more important to our environment. I intend to work closely with Congresswoman LOWEY and Congresswoman DELAURO to ensure we enact this vital measure into law early on in the 106th Congress.

TRIBUTE TO QUENTIN AND ELLEN BURKE

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. HUNTER. Mr. Speaker, I rise today to recognize the outstanding service and dedication of two of my constituents, Quentin and Ellen Burke of Imperial County. It is my understanding that Mr. and Mrs. Burke will be retiring after working for 34 years with the American Field Service (AFS), the international student exchange program.

Mr. and Mrs. Burke, who were publishers of the Holtville Tribune for 25 years, began their dedicated service to AFS in 1964 when they interviewed a visiting student, Helen Keel, from Switzerland and became excited about the program. Soon thereafter, they began to regularly print articles and photographs in their weekly newspaper regarding AFS activities and events. For 15 years, Ellen acted as liaison between the Imperial Valley chapter and AFS international.

During the past three decades, Quentin and Ellen Burke have served as hosts for foreign students, worked with local families to open their homes and encouraged American students to travel abroad for the opportunity and experience to learn about other lands and cultures. I firmly believe that through their efforts with AFS, Mr. and Mrs. Burke have made a contribution to promoting peace through the global exchange of ideas, the sharing of customs and the collaboration of knowledge. On March 21, friends and family will gather in El Centro to honor this generous and caring couple. I would like to join with these individuals in honoring Mr. and Mrs. Burke for all their remarkable achievements and wishing them great happiness and success in all their future endeavors.

TRIBUTE TO BEN ALEXANDER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. MCINNIS. Mr. Speaker, I wanted to take this opportunity to recognize former state Senator Ben Alexander who, for the last four years, has provided strong leadership and a dynamic voice for Western Colorado in the Colorado General Assembly. In doing so, I would like to pay tribute to my friend for his distinguished service and wish him well in all of his future endeavors.

Following his election to the state Senate in 1994, Senator Alexander rose through the rank and file with unprecedented speed serving as Vice-chairman of the Senate Finance Committee in his first year in the legislature. In just his third year, Senator Alexander was named Chairman of the powerful Senate Education Committee where he would play a leading role in shaping Colorado's education policy for the next two years. In addition to his duties as chairman, Senator Alexander also provided powerful leadership on the Senate's Finance and Business Affairs and Labor committees.

In addition to his service in the Colorado legislature, Senator Alexander also served his country distinguishedly and with great valor as an F–111 pilot for the Air Force during the Vietnam War. Senator Alexander's remarkable bravery during his 69 air combat missions earned him the Distinguished Flying Cross and Air Medal with three Oak Leaf Clusters as well as the respect and gratitude of those familiar with his extraordinary sacrifices.

Senator Alexander's eagerness to serve the American people, both as a pilot and legislator, has won him the unwavering esteem and admiration of friends and colleagues alike. It is clear that Colorado is a better place because of his remarkable service.

It is with this, Mr. Speaker, that I pay tribute to this true public servant and friend for his extraordinary efforts and wish him all the best in each of his future endeavors.

INTRODUCTION OF THE MEDICARE FULL ACCESS TO CANCER TREATMENT ACT

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. GREEN of Texas. Mr. Speaker, today I am introducing the Medicare Full Access to Cancer Treatment Act. This bill is critical to protect the Medicare beneficiary's access to the newest and best treatments for cancer.

The BBA of 1997 directed HCFA to implement a prospective payment system (PPS) for hospital outpatient services provided through the Medicare program. When Congress passed this requirement, we recognized that some services would be difficult or impossible to include in a PPS and therefore authorized HCFA to use its discretion to exclude certain services from the payment system. Unfortunately, under their proposed rule, HCFA would bundle the costs of all cancer drugs into a small number of Ambulatory Payment Categories (APCs) and pay hospitals only for the average cost of these services.

The main problem with this proposal is that it fails to recognize the complexities of cancer treatments and the wide range and individual needs of each patient with cancer. As a result, the new payment system could threaten the quality and availability of cancer treatment for Medicare beneficiaries. In fact, under HCFA's plan, the lowest reimbursement rate for some cancer treatments would be only $52.70 (which is expected to include supportive care such as anti-nausea drugs)! Moreover, under the proposal, new drugs, which are defined as anything after 1996, would be reimbursed at this lowest rate. Such a policy would have a crippling effect on research and development for new drug therapies.

This policy will create an overall reduction in the quality of patient care since hospitals will be pressured to provide the least expensive, rather than the most effective treatment. Moreover, research and development for new drug therapies may be diminished or delayed, ultimately denying the patients of today and those of future generations access to more effective treatments.

To correct this problem, the Medicare Full Access to Cancer Treatment Act would carve-out cancer treatment from the outpatient PPS. This simple yet sensible action would fully protect Medicare beneficiaries' continued access to the best and most effective cancer care.

I am pleased to introduce this legislation with over twenty bipartisan original cosponsors as well as the support of several patient and provider organizations, including Center for Patient Advocacy, National Alliance of Breast Cancer Organizations, Cancer Care, Inc., Cancer Research Foundation of America, Oncology Nursing Society, Association of Community Cancer Centers, Lymphoma Research Foundation of America, Alliance for Lung Cancer Advocacy, Support and Education, Lupus Foundation of America, US–TOO International and the Multiple Myeloma Research Foundation.

CONSUMER PROTECTION LEGISLATION

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. PAUL. Mr. Speaker, I rise to introduce my Consumer Protection Package—consisting of two pieces of legislation which will benefit consumers by repealing federal regulations. The first piece of legislation, the Consumer Health Free Speech Act, stops the Food and Drug Administration (FDA) from interfering with consumers' access to truthful information about foods and dietary supplements in order to make informed choices about their health. The second bill, the Television Consumer Freedom Act, repeals federal regulations which interfere with a consumers ability to avail themselves of desired television programming.

The Consumer Health Free Speech Act accomplishes its goal by making two simple changes in the Food and Drug Act. First, it adds the six words "other than foods, including dietary supplements" to the statutory definition of "drug," thus allowing food and dietary supplement producers to provide consumers with more information regarding the health benefits of their products, without having to go through the time-consuming and costly process of getting FDA approval. This bill does not affect the FDA's jurisdiction over those who make false claims about their products.

Scientific research in nutrition over the past few years has demonstrated how various foods and other dietary supplements are safe and effective in preventing or mitigating many

diseases. Currently, however, disclosure of these well-documented statements triggers more extensive drug-like FDA regulation. The result is consumers cannot learn about simple and inexpensive ways to improve their health. Just last year, the FDA dragged manufacturers of Cholestin, a dietary supplement containing lovastatin, which is helpful in lowering cholesterol, into court. The FDA did not dispute the benefits of Cholestin, rather the FDA attempted to deny consumers access to this helpful product simply because the manufacturers did not submit Cholestin to the FDA's drug approval process!

The FDA's treatment of the manufacturers of Cholestin is not an isolated example of how current FDA policy harms consumers. Even though coronary heart disease is the nation's number-one killer, the FDA waited nine years until it allowed consumers to learn about how consumption of foods and dietary supplements containing soluble fiber from the husk of psyllium seeds can reduce the risk of coronary heart disease! The Consumer Health Free Speech Act ends this breakfast table censorship.

The bill's second provision prevents the FDA's arbitrary removal of a product from the marketplace, absent finding a dietary supplement ''presents a significant and unreasonable risk of illness or injury.'' Current law allows the FDA to remove a supplement if it prevents a ''significant or unreasonable'' risk of disease. This standard has allowed the FDA to easily remove a targeted herb or dietary supplement since every food, herb, or dietary supplement contains some risk to at least a few sensitive or allergic persons. Under this bill, the FDA will maintain its ability to remove products from the marketplace under an expedited process if they determine the product causes an ''imminent danger.''

Allowing American consumers access to information about the benefits of foods and dietary supplements will help America's consumers improve their health. However, this bill is about more than physical health, it is about freedom. The first amendment forbids Congress from abridging freedom of all speech, including commercial speech.

My second bill, the Television Consumer Freedom Act, repeals federal regulations which interfere with a consumers ability to avail themselves of desired television programming. For the last several weeks, congressional offices have been flooded with calls from rural satellite TV customers who are upset because their satellite service providers have informed them that they will lose access to certain network television programs.

In an attempt to protect the rights of network program creators and affiliate local stations, a federal court in Florida properly granted an injunction to prevent the satellite service industry from making certain programming available to its customers. This is programming for which the satellite service providers had not secured from the program creator-owners the right to rebroadcast. At the root of this problem, of course, is that we have a so-called marketplace fraught with interventionism at every level. Cable companies have historically been granted franchises of monopoly privilege at the local level. Government has previously intervened to invalidate ''exclusive dealings'' contracts between private parties, namely cable service providers and program creators, and have most recently assumed the role of price setter. The Library of Congress, if you can imagine, has been delegated the power to determine prices at which program suppliers must make their programs available to cable and satellite programming service providers.

It is, of course, within the constitutionally enumerated powers of Congress to ''promote the Progress of Science and useful Arts by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.'' However, operating a clearing-house for the subsequent transfer of such property rights in the name of setting a just price or ''instilling competition'' via ''central planning'' seems not to be an economically prudent nor justifiable action under this enumerated power. This process is one best reserved to the competitive marketplace.

Government's attempt to set the just price for satellite programming outside the market mechanism is inherently impossible. This has resulted in competition among service providers for government privilege rather than consumer-benefits inherent to the genuine free market. Currently, while federal regulation does leave satellite programming service providers free to bypass the governmental royalty distribution scheme and negotiate directly with owners of programming for program rights, there is a federal prohibition on satellite service providers making local network affiliate's programs available to nearby satellite subscribers. This bill repeals that federal prohibition and allows satellite service providers to more freely negotiate with program owners for programming desired by satellite service subscribers. Technology is now available by which viewers will be able to view network programs via satellite as presented by their nearest network affiliate. This market-generated technology will remove a major stumbling block to negotiations that should currently be taking place between network program owners and satellite service providers.

Mr. Speaker, these two bills take a step toward restoring the right of free speech in the marketplace and restoring the American consumer's control over the means by which they cast their ''dollar votes.'' In a free society, the federal government must not be allowed to prevent people from receiving information enabling them to make informed decisions about whether or not to use dietary supplements or eat certain foods. The federal government should also not interfere with a consumer's ability to purchase services such as satellite or cable television on the free market. I, therefore, urge my colleagues to take a step toward restoring freedom by cosponsoring my Consumer Protection Package: the Consumer Health Free Speech Act and the Television Consumer Freedom Act.

''AUDIOLOGIST'' FOR MEDICAID

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. WHITFIELD. Mr. Speaker, today I am introducing a bill with my good friend from Ohio, Mr. SHERROD BROWN, that would establish a Medicaid definition of ''audiologist'' used for Medicare reimbursement. Congress updated the definition of ''audiologist'' for Medicare reimbursement in 1994, but the same update has not yet occurred for Medicaid. The definition used by Medicare, and which I am proposing to be used for Medicaid purposes, relies primarily on state licensure or registration as the mechanism for identifying audiologists who are qualified to participate in the program.

Currently, under Health Care Financing Administration (HCFA) regulations, the Medicaid program uses a definition of ''audiologist'' that is nearly thirty years old and relies upon certification from third party organizations. HCFA's Medicaid definition has not kept pace with the significant changes that have occurred in audiology credentialing over the last three decades. The current definition also does not reflect the critical role that state licensure/registration now plays in assuring the quality of audiology services. State licensure/registration statutes currently exist in 49 of the 50 states.

Today, there are approximately 28 million Americans with some degree of hearing loss. While this number will grow along with the aging of the Baby Boomers, hearing loss is not exclusively an ''older'' person's problem. A recent article in the Washington Post entitled ''Hearing Loss Touches A Younger Generation'' points out that more and more Americans are suffering from various degrees of hearing loss at a younger age. The article refers to a Journal of the American Medical Association study which found that nearly 15% of children ages 6 to 19 who were tested showed some hearing deficit in either low or high frequencies. Audiologists are specifically trained and licensed to provide a broad range of diagnostic and rehabilitative services to persons with hearing loss and related disorders (e.g. vestibular/balance disorders).

The legislation would not expand or change the scope of practice for an audiologist, or alter the important relationship that exists between audiologists and Ear, Nose and Throat physicians. There would be no new benefits or services under this legislation. The bill I am introducing today, while technical in nature, would help establish uniform professional qualifications for audiologists, and a more reliable standard for the more than 28 million people with a hearing loss who may use audiological services.

EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

SPEECH OF

HON. DAVID D. PHELPS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 800) to provide for education flexibility partnerships:

Mr. PHELPS. Mr. Chairman, I rise today to express my strong support for H.R. 800, the Education Flexibility Partnership Act, of which

I am proud to be a co-sponsor. I have made the improvement of our nation's public education system one of my top priorities as a legislator, and I believe that the Ed-Flex bill represents an important step towards the fulfillment of this goal. This legislation should not be viewed as a solution to the myriad problems which plague our schools, but I wholeheartedly support it and hope that the valuable debate it generates will catalyze our continued efforts on critical education issues.

H.R. 800 extends to all 50 states the opportunity to participate in the ''Ed-Flex'' program, currently in place as a demonstration program in 12 states. Under Ed-Flex, the Department of Education allows states to grant local school districts waivers to certain federal regulations if the state believes such a waiver would enhance local school reform efforts. I believe it is important for those of us in Washington to recognize that local officials, parents, teachers and students are often in a better position to creatively and effectively address the particular educational issues being faced in their communities. H.R. 800 will allow localities the flexibility to begin responding to the unique needs of their school systems, and I embrace any measure that will help our children obtain the top-quality education they need and deserve.

I must voice some concern that the accountability provisions of H.R. 800 are not as strong as they should be. I am, for example, disappointed that this body did not agree to the Miller-Kildee amendment, which would have required states to have in place a viable plan for assessing student achievement, as well as concrete goals for such achievement. In addition, it must be clearly understood that, although Ed-Flex can be an important component of our education reform efforts this session, many critical issues remain to be addressed, such as class size, school safety and student discipline.

Mr. Chairman, I urge my colleagues to join me in supporting Ed-Flex today, not because it solves all of our problems, but because it represents a substantive bipartisan effort to begin addressing the many difficulties which plague our local school systems. I am pleased that we are getting an early start in meeting our obligations to America's students, and I look forward to confronting these crucial education issues as the 106th Congress continues.

EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

SPEECH OF

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 800) to provide for education flexibility partnerships:

Mr. CROWLEY. Mr. Chairman, I take this time to state for the record my reasons for voting against H.R. 800 the Ed-Flex bill.

Mr. Chairman, I am not opposed to the idea of flexibility in education. I laud my colleagues for their desire to work on the education issues facing our country. Ed-Flex has the potential to be a workable program that provides states and local school districts with the flexibility to improve academic achievements and the quality of education for their students.

However, I believe that we need to protect those students who come from families in need. The intent of Congress, through Title I of the Elementary and Secondary School Act, was to target funds toward low-income students, in order to help them have a chance at success in life. I could not vote for Ed-Flex unless I was sure that students from low-income families are not going to lose their funds through waivers. This is why I supported the Scott-Payne amendment, which would have required that only schools in which at least 35% of the students come from low-income families may seek a waiver to use their Title I funds to operate a school-wide program. For my New York City District, this provision is especially important. We have many students coming from low-income families in the Bronx and Queens, and I cannot support a program that does not have provision to prohibit funds being taken away from those needy students.

I am also concerned about the timing of this legislation. In the coming year, we need to reauthorize the Elementary and Secondary Education Act. It does not make sense to me that we pass legislation to waive the requirements that we have not even written yet! The best solution would have been to consider Ed-Flex and ESEA together. Then, we could have worked to alleviate my concerns, and those of my colleagues, regarding the targeting of ESEA funds under the provisions of the Ed-Flex program.

Finally, I would like to express my dismay that the majority did not allow class-size reduction and school construction initiatives to be attached to H.R. 800. Public schools are working hard to raise academic standards and improve student achievement, but in many schools their efforts are hampered by overcrowded classes and inadequate and deteriorating facilities. Smaller class sizes improve student learning and are effective in improving student achievement. But we cannot reduce class size without considering the condition and lack of space in school facilities. These issues go hand-in-hand. This is why I feel Ed-Flex should not have been considered now, but rather considered along with ESEA and school construction.

I strongly support bipartisan efforts to strengthen our school systems and help our students. I look forward to working with my colleagues on school construction legislation and on reauthorizing the Elementary and Secondary Education Act. It is with regret that I had to vote against the first education bill on the floor of the House in the 106th Congress and I thank you for allowing me the opportunity to outline my reasons for my opposition to H.R. 800.

HONORING REVEREND DR. H.M. CRENSHAW

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Ms. KAPTUR. Mr. Speaker, I rise today to recognize the work and achievements of a shepherd to our entire community, Reverend Dr. H.M. Crenshaw, a spiritual leader of enormous dimension. Reverend Crenshaw's 30 years of personal ministry to the Jerusalem Missionary Baptist Church congregation is to be recognized in a special celebration in Toledo, OH on March 13, 1999.

After his ordination as a minister in 1952, Reverend Crenshaw pastored in the First Baptist Church of Rossford, Ohio from 1953 until 1958. He then went on to First Baptist Church in Fostoria, OH, and during his decade-long tenure there he led the congregation in the building of a new church as well as the purchase of additional land. In December of 1968, Reverend Crenshaw was called to minister to the congregation of Jerusalem Missionary Baptist Church, where he remains today.

A true community leader, Reverend Crenshaw has guided his congregation through growth, property acquisition, and building expansion and enhancement. Through it all, he has been a revitalizing force both in the community and the church. Recognizing the deeper needs of the youth in the church's neighborhood, Reverend Crenshaw founded the Jerusalem Outreach Center in 1982. With a goal to motivate and direct young people not targeted by other programs to fully realize their greatest potential, Reverend Crenshaw and the Jerusalem Outreach Center staff have helped over 1,675 at-risk youth and their families. Working through referrals from the juvenile court and juvenile justice systems, the local school system and an area mentoring program, the Jerusalem Outreach Center has redirected the path for these young people and their families. Further, the center serves as a beacon in the neighborhood: a welcoming place for the youth.

Ever mindful of the need to provide stewardship to promising young people, Reverend and Mrs. Crenshaw established the Crenshaw Scholarship Fund in memory of their deceased daughter Marilyn. This fund has contributed over $12,500.00 toward the college education of students in the church.

The holder of a Bachelor of Theology from the International Bible Institute and Seminary, a Master of Arts in Psychology and Counseling from Ashland Theological Seminary, a Doctorate of Divinity from Calvary Bible College, and an Honorary Doctorate from Selma University, Reverend Crenshaw is the author of a book, ''A Reality Roadmap for Delinquent Youth'' and a teaching video, ''The Reality of Therapeutic Techniques in Working with Delinquent Youth.''

In addition to pastoring to his congregation, engaging in outreach to troubled youth, and raising a family, Reverend Crenshaw has also found time to serve on several key area boards including the Lucas County Criminal Justice Coordinating Council, Lucas County

Mental Health Advisory Council, Baptist Pastors' Conference, Interdenominational Ministerial Alliance, Interracial Religious Coalition, Board of Community Relations, the Board of Education's Alternative School Programming Committee, Baptist Ministers Conference, and Chairman of the Advisory Board of the American Baptist Theological Seminary Extension of Toledo.

His unwavering commitment to the causes of social justice, his dedication to God and living His Word, and his deep involvement in the fabric of our community have earned Reverend Crenshaw the admiration of many in our area who hold him in high esteem. He has been showered with honors too numerous to mention, has received commendations from federal, state, and city officials, and has received accolades from his peers in the psychology, counseling, and ministerial fields.

Reverend Crenshaw is married to Frances, and together they have raised five children: Marvin, Shirley, the late Marilyn, Vanessa and Kay. They are also proud and loving grandparents to O'Shai and O'Lajidai, and great grandson O'Mauryai.

The constant thread through Reverend Crenshaw's life of service is his devotion to "his ministry in saving souls." I am greatly honored and deeply humbled to join his congregation and community in offering thanks for his 30 years as pastor of Jerusalem Missionary Baptist Church. May God continue to bless him, his wife, their family and the Jerusalem Missionary Baptist Church congregation.

INTRODUCTION OF HATE CRIMES PREVENTION ACT OF 1999

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. CONYERS. Mr. Speaker, I am pleased to be introducing the Hate Crimes Prevention Act of 1999, along with Representatives MORELLA, BALDWIN and FORBES. As of today there are 118 original cosponsors. This legislation will amend Federal law to enhance the ability of Federal prosecutors to combat racial and religious savagery, and will permit Federal prosecution of violence motivated by prejudice against the victim's sexual orientation, gender or disability.

In 1963, the Sixteenth Street Baptist Church in Birmingham, was dynamited by the Ku Klux Klan. The killing of four African-American girls preparing for a religious ceremony shocked the Nation and acted as a catalyst for the civil rights movement. Last month, 36 years after the brutal bombing in Birmingham, AL was witness to another heinous act of violence motivated by base bigotry. The beating and burning of Billy Jack Gaither is testament to the reality that a guarantee of civil rights is not enough if violence motivated by hatred and prejudice continues. The atrocity, coming on the heels of last year's torture and murder of James Byrd in Jasper, TX and Matthew Shepard in Laramie, WY illustrates the need for the passage of the Hate Crimes Prevention Act of 1999.

Current Federal hate crimes law only covers crimes motivated by racial, religious or ethnic prejudice. Our bill adds violence motivated by prejudice against the victim's sexual orientation, gender or disability. This legislation also makes it easier for Federal authorities to prosecute racial, religious and ethnic violence, in the same way that the Church Arson Prevention Act of 1996 helped Federal prosecutors combat church arson by loosening the unduly rigid jurisdictional requirements under Federal law for prosecuting church arson.

Under my legislation, States will continue to take the lead in the persecution of hate crimes. In the years 1991 through 1997 there were more than 50,000 hate crimes reported. From 1990 through 1998, there were 42 Federal hate crimes prosecutions nationwide under the original hate crimes statute. Our bill will result only in a modest increase in the number of Federal prosecutions of hate crimes. The Attorney General or other high ranking Justice Department officials must approve all prosecution under this law. This requirement ensures Federal restraint, and ensures that States will continue to take the lead.

At one time lynchings were commonplace in our Nation. Nearly 4,000 African Americans were tortured and killed between 1880 and 1930. Today, Americans are being tortured and killed not only because of their race, but also because of their religion, their disability, their sex, and their sexual orientation. It is long past time that Congress passed a comprehensive law banning such contemptible acts. It is a Federal crime to hijack an automobile or to possess cocaine and it ought to be a Federal crime to drag a man to death because of his race or to hang a man because of his sexual orientation. These are crimes that shock and shame our national conscience and they should be subject to Federal law enforcement assistance and prosecution. There certainly is a role for the States, but far too many States have no hate crimes laws and many existing laws do not specify sexual orientation as a category for protection.

This problem cuts across party lines, and I am glad to be joined by so many of my colleagues on both sides of the aisle in proposing this legislation today. This is a battle we cannot afford to lose—we owe it to the thousands of African Americans who have been lynched, and we owe it to the families of James Byrd, Matthew Shepard and Billy Jack Gaither.

SOCIAL SECURITY

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. SANDERS. Mr. Speaker, I would like to call your attention to an article printed in the March edition of the Labor Party Press, and submit the article to the CONGRESSIONAL RECORD for my colleagues' benefit:

[Labor Party Press, Volume 4, Number 2, March 1999]

"DON'T BLOW AWAY SOCIAL SECURITY" (PART 2 OF 3)

WHAT'S WRONG WITH PRIVATIZING SOCIAL SECURITY?

1. The stock market is volatile.

The stock market goes up and up. And sometimes it goes down and down. Even without an economic catastrophe, the stock market's volatility would make our retirement income entirely unpredictable. Dean Baker has noted that if the economy grows as slowly as the Social Security trustees are predicting, then the prognosis for the stock market isn't too rosy either. Social Security barely covers seniors' expenses as it is now.

Former Congressional Budget Office director Robert Reischauer has pointed out that if we had private Social Security accounts back in 1969, a person retiring in that year would have had a 60 percent larger payout upon retirement than someone retiring seven years later, after the market dipped. John Mueller, a former economic advisor to the House Republicans, makes a similar observation. Since 1900, he notes, there have been three 20-year periods in which returns on the stock market fell to about zero. In between were periods of positive returns. "This meant that some people earned a negative real return from investing in the stock market, while others received a real pretax return as high as 10 percent." For retirees, it would be the luck of the draw.

Under our current system, the government bears the risk of economic downturn, and we're all promised a constant monthly amount of retirement income. Under a privatized system, we each individually bear the risk. Even the cleverest investor will likely lose money in a major financial downturn. And not all of us are so clever—or can afford to spend our time playing amateur Wall Street trader.

2. Shifting to a privatized system would require a hugely expensive period of transition.

Say we begin establishing private Social Security accounts for all of us Americans who are currently working and under 65. Who will generate funds to cover the current retirees? You and me. Essentially, the next several generations of Americans would have to pay twice—once into our own fund, and again to sustain current retirees. According to one estimate, full-scale privatization of Social Security would require about $6.5 trillion in additional taxes over the next seventy-two years. The Employee Benefits Research Institute estimates that transition costs could amount to something like 5 percent of the nation's Gross Domestic Product for the next 40 years. By instituting privatization, we'd be starting a Social Security crisis, not ending one.

3. Maintaining private accounts will be costly.

Many of us tend to think that any federal program must be incredibly inefficient and bureaucratic. A Roper poll asked Americans to estimate the administrative costs of Social Security as a percentage of benefits. They guessed, on average, 50 percent. The real answer is one percent. Only one percent of the money that goes into Social Security is spent on administration. By comparison, the administrative costs for private insurance are about 13 percent of annual benefit amounts.

The main reason Social Security administration is so cheap is that the whole fund is invested in one place, the U.S. Treasury. Imagine the administrative cost of managing

millions of separate accounts invested in a myriad of stocks and bonds. Much of the money would go to Wall Street investment houses which is why they like the privatization idea so much.

In Chile, which privatized its retirement system in 1981, people pay between 10 and 20 percent of their annual retirement contribution just to maintain their account. The stock market would have to perform spectacularly to make up for that kind of expense.

WHAT'S WRONG WITH INVESTING THE SOCIAL SECURITY FUND IN STOCKS?

Clinton and others are advocating that part of the Social Security system's extra money be invested in the stock market instead of the Treasury, hoping that it would collect more interest there. Because the money would still stay in one big lump, the administrative costs wouldn't stack up the way they would if everyone had their own account.

But again, the stock market is volatile. There's no guarantee that the gamble would pay off.

Dean Baker and others also worry that investing the Social Security Fund in the stock market just opens the door to further privatization. ''I think it plays into the hands of people who want individual accounts,'' he says. ''It logically leads people to believe that there's a fortune to be made in the stock market. And if there's a fortune to be made, well then, let me get access to that as an individual. But in fact, there isn't a fortune to be made, because they've overestimated the returns.''

As it happens, financial institutions hate this aspect of Clinton's plan. If dollars are going to be invested in the stock market, they want to get a cut. But that won't happen if the government does the investing in one big lump. Financial types have also complained about the ''danger'' of having the government controlling such a big chunk of change on Wall St.

Because so much of the Social Security reform debate is being driven by Wall Street, Baker believes this plan isn't going anywhere. And he's glad.

RAISING THE RETIREMENT AGE & OTHER ''POPULAR IDEAS''

There are many other proposals afloat for ''saving'' Social Security. There's Clinton's idea of setting up voluntary ''Universal Savings Accounts'' outside the Social Security system. Workers could contribute through payroll deduction and the government would match their contribution. Workers could then invest this pot of money in the stock market. What's ironic about this plan is that it does nothing to address the alleged crisis in the Social Security system. But it does address the deep desire of Wall Street brokers to get a massive new influx of commissions. And it would also ease the way for cutting back Social Security in the years to come.

Some people have proposed shoring up Social Security by cutting back or even eliminating rich people's access to Social Security. At a time when the rich are filthy rich, this does sound appetizing. But politically, it's probably poison. Because these days, any program that's perceived as a poor people's program is likely to end up on the chopping block—just like Medicaid and welfare.

Some of our elected officials propose raising the eligibility age to get full Social Security benefits as a way of keeping money in the system. The retirement age is already slated to rise from 65 to 67 in the coming years, but they want to force us to work even longer. Proponents of this idea think it's only fair, since Americans are living longer than they used to.

Anyone who can make this argument has probably never worked in a hospital, a refinery, or on a railroad. No one should be forced to do this work at the age of 70! The average black man can't possibly like this idea, since in this country a black man born in 1950 was expected at birth to live only 59 years, on average: he'll never see a dime of Social Security money. Instead, we should be talking about lowering the retirement age to match that in other industrialized countries—and to reflect our growing productivity (See ''But Other Countries Do Better.'')

One plan by two leading Democrats, Sen. Daniel Patrick Moynihan of New York and Sen. Bob Kerrey of Nebraska, would both increase the retirement age to 68 and reduce Social Security's cost-of-living adjustment by a percentage point. Dean Baker points out that such a COLA cut would really add up for people who live into their 80s and 90s. By the time someone reaches 85, they would see their annual benefit reduced by 19 percent. That makes it hard to pay the rent.

There are more equitable ways to bring more money into the Social Security system. The Labor Party and others advocate eliminating the cap on the payroll tax. But our main message is this: When it comes to Social Security, our most popular and efficient social program . . . if it ain't broke, don't fix it.

EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

SPEECH OF

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 800) to provide for education flexibility partnerships:

Ms. PELOSI. Mr. Chairman, I rise in support of the Miller Amendment to the Ed Flex Bill to promote educational accountability. We all recognize that education is central to the lives of America's children and is central in our effort to develop healthy communities. At today's Appropriations Subcommittee Labor-HHS-Education Hearing, I listened to the Department of Education's testimony.

They stress the importance of results and performance based educational instruction and funding. While Federal education programs should be administered with flexibility, this flexibility must be met with effective accountability provisions and assurances funds targeted for America's impoverished children.

For these reasons, I support Democratic amendments to strengthen educational reporting and accountability requirements and to require local districts to target funds to economically disadvantaged students. To be effective and accountable, states and schools must develop and maintain effective management and information systems, collect student data, design and implement effective assessment plans, and issue timely and parent-friendly reports.

I support Representative MILLER's amendment to require States that seek waivers to first have in place a viable plan to assess student achievement. It also requires States to use the same plan throughout H.R. 800's full five-year flexibility plan. States must establish, as they determine appropriate, concrete quantifiable goals for all their students as well as specific student subgroups, such as impoverished students. If states find achievement gaps between student subgroups, they must set goals to close these gaps.

We must not choose between flexibility and accountability. America's children deserve both. We must work for both and target our education funds effectively. I urge my colleagues to support the Miller amendment.

EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

SPEECH OF

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 800) to provide for education flexibility partnerships:

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of H.R. 800, the Education Flexibility Partnership Act. This bill would expand the ''Ed Flex'' demonstration program, which is currently in use in 12 states, to allow all 50 states to participate, and has broad, bipartisan support from a number of groups from our governors to our local school boards.

I support this bill because I believe that our states need more flexibility when it comes to making decisions on spending Federal education dollars. Local school board members and school administrators are better positioned than Federal bureaucrats in Washington to make decisions that will lead to positive improvements in our children's education.

The ''Ed Flex'' bill will allow local school districts to have greater flexibility in how they spend Federal education dollars. It empowers them to determine how to best meet the needs of their students. In exchange, states will get greater accountability from local school districts on how that money is being spent, and whether the flexible spending has improved results.

We hear of numerous examples from the pilot states that have benefitted from the ''Ed Flex'' program. In these states, scores have increased and students have excelled, even in the poorest areas. My governor in New Jersey, Christine Todd Whitman, has made clear what ''Ed Flex'' will mean to our students. She said, ''Ed Flex would be another tool in our arsenal to better coordinate state and Federal requirements to provide maximum support for our reform efforts with the specific goal of improving student performance.''

''Ed Flex'' is an idea whose time has come. The flexibility will allow school districts to stretch limited dollars farther, and use money where it is most needed. There must still be accountability from our local school districts on how the money is being spent, and whether core needs—such as math and science education—are being met. This bill provides that accountability.

Mr. Chairman, I support H.R. 800, and urge my colleagues to do the same.

EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

SPEECH OF

HON. MATT SALMON

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 800) to provide for education flexibility partnerships:

Mr. SALMON. Mr. Chairman, I rise today in support of the Education Flexibility Partnership Act (H.R. 800). This legislation, as the title implies, empowers states with greater flexibility in administering certain federal education programs. When one considers that federal dollars represent only about seven percent of total primary and secondary education funds, but 50 percent of the time districts spend on paperwork, common sense demands a more flexible process of distributing federal resources.

Federal education programs have been more successful in creating jobs for bureaucrats—over 25,000 a year—than in improving the educational performance of America's children. The results of the Third International Mathematics and Science Study (TIMSS), released last year, emphasize this point. TIMSS revealed that U.S. 12th-graders scored next to last in advanced math and dead last in physics. Reading scores, which were not measured by the international tests, were equally disappointing. Forty percent of fourth graders can't even read at the basic level. Unfortunately, the increased federal contribution in education over the past 30 years has not resulted in a corresponding improvement in the quality of the education our children receive. Hopefully, passage of Ed-Flex will mark the first of many steps taken by the 106th Congress to reform antiquated federal education programs.

Only 12 states currently participate in Ed-Flex. As constructed, Ed-Flex provides greater state and local flexibility in utilizing federal dollars. The legislation before us provides for the expansion of this program to all 50 states.

In a letter to me dated March 9th (which I will have included in the CONGRESSIONAL RECORD) Arizona Superintendent of Public Instruction Lisa Graham Keegan expressed support for H.R. 800 and stated that Arizona will apply for Ed-Flex status. There is one potential glitch that needs to be resolved so that Arizona can participate. A November 1998 GAO report on Ed-Flex concluded that Arizona did not qualify for this program because the state did not have the authority to waive state statutes or regulations—a prerequisite to participate in the program. I have been assured by the Education Committee that report language to accompany the bill will clarify that Arizona is eligible to participate in Ed-Flex.

Passage of Ed-Flex marks progress in the effort to loosen the federal strings that have strangled innovative and effective education programs. We've taken a positive step today and I look forward to working on additional legislation that will remove administrative burdens so that schools can spend more time teaching kids.

DEPARTMENT OF EDUCATION,
Phoenix, AZ, March 9, 1999.

Hon. MATT SALMON,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN SALMON: Later this week, the U.S. House of Representatives will begin its debate on H.R. 800, the Education Flexibility Partnership Act of 1999. While this legislation still falls short of giving State and local education agencies the full flexibility they need to deliver the best education to children, it is, nevertheless, a step in the right direction. For this reason, the Arizona Department of Education (ADE) urges you and your colleagues to support this legislation.

Given the opportunity afforded by this legislation, Arizona will apply for Ed-Flex status. According to the General Accounting Office's November 1998 report on Ed-Flex, Arizona did not qualify for the Ed-Flex program because the State did not have the authority to waive State statutes or regulations. While the Arizona State Board of Education has never asserted its right to waive State statute, Arizona Administrative Code R7–2–801 clearly gives the Board the authority to issue waivers from administrative rules. I have enclosed a copy of this rule for your reference.

We are uncertain if whether upon review of Arizona's administrative structure it was determined that the State Board of Education's authority to waive regulations did not sufficiently meet the Ed-Flex Act requirement that the ''State'' have such waiver authority. As our State Board has the authority to act as the ''State'' when it comes to accepting federal dollars, we feel its ability to waive state regulations should also clearly mean that the ''State'' has such an authority when it comes to meeting the requirements of Ed-Flex. We therefore support including report language to clarify that, in states where a State Education Agency is defined as the State Board of Education, the authority of the State Board to waive regulations should be considered adequate authority to qualify for Ed-Flex.

While ADE will, as mentioned above, apply for Ed-Flex status, I must bring to your attention one provision of this legislation that is still of serious concern to Arizona

Under Section 4(c)(1)(E) of H.R. 800, States are prohibited from waiving any statutory or regulatory requirements relating to the distribution of funds to States or to local education agencies. There are a number of reasons this explicit prohibition will directly obstruct our efforts to improve the quality of education in Arizona.

As you know, Arizona is home to more charter schools than any other state in the nation, with 311 schools serving more than 30,000 students across our State. New charter schools are being created and chartered regularly, and it is our policy to provide to the charter school the federal funding that its attending students generate as soon as the charter school comes into existence. This is what we call ''real time'' funding. We do not wait for the charter school to report is student data to us at the end of the year, and then fund the school based on prior year data. However, in order to ensure that we will have funding on hand to provide to these charter schools that crop up, it is ADE's policy to reserve a portion of its Title I funding at the State level to be used specifically for this purpose.

The federal government recently changed the way it allocates Title I funding, so that these dollars now flow directly to the existing LEAs. In most circumstances, I strongly support efforts that leave the SEA out of the equation and provide as much funding as possible to the local level. However, this allocation method does not take into account any charter schools that might come into existence at a later date. That means that these new charter schools, and the children attending them, are left holding the bag without any funding—and that, I can tell you, I do not support.

For this reason, ADE would like the flexibility to continue with its unique policy of reserving funds at the State level for the sole purpose of funding newly-created charter schools. However, even Ed-Flex, with its explicit prohibition on waiving requirements related to the distribution of funds, will not allow us to do this. The current proposal will not allow us to fund charter schools in a way that is consistent with our state policy and which aligns itself with our philosophy of sending funding directly to the school where that student is being taught as quickly as possible.

I find it ironic, and a bit discouraging, to know that even as the President and the Administration are encouraging the creation of 3,000 charter schools by the year 2000, they are, at the same time, impeding the efforts of states to fund them. Nonetheless, even with the prohibitive language included in this bill, we plan to include a request to waive some restrictions on the allocation of federal funds in our Ed-Flex proposal. As I understand it, flexibility and accountability are at the heart of Ed-Flex. It is our intention, then, to allocate dollars in a manner consistent with Arizona's philosophy of funding students while at the same time remaining fully accountable for these funds. I know we can count on your support for these efforts, and I hope we can count on the Congress' support as well.

The Arizona Department of Education prides itself in helping educators across our State concentrate on the task of teaching students, not conforming with burdensome regulations and reporting requirements. For this reason, we are supportive of any efforts by the Congress to give schools and State and local education agencies the flexibility they need to do their jobs well. H.R. 800 is a good start, and deserves the support of Congress.

I urge swift passage of this legislation.

Sincerely,

LISA GRAHAM KEEGAN,
Superintendent of Public Instruction.

THE HEALTHY KIDS 2000 ACT

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mrs. EMERSON. Mr. Speaker, today I join my colleague, Senator KIT BOND, in introducing legislation that addresses one of the greatest challenges of our Nation: assuring quality health care for pregnant women and appropriate pediatric care for infants. Our bill, the Healthy Kids 2000 Act, builds upon the Birth Defects Prevention Act signed into law last April, by consolidating programs and providing more funds for local initiatives to prevent birth defects and maternal mortality.

The idea behind our proposal is simple: we want pregnant women to be healthy, and we want children to be healthy. To accomplish this, we must remove some of the barriers women and children encounter in receiving adequate, appropriate health care.

The Healthy Kids 2000 Act will allow States greater flexibility in ensuring quality prenatal care by allowing States to enroll eligible pregnant women in the State Children's Health Insurance Program (CHIP), for which Congress provided $25 billion in 1997 to assist 10 million uninsured children in receiving the most basic health care. A recent study by the March of Dimes estimates that 45,000 uninsured pregnant women who are not eligible for Medicaid could be covered by S–CHIP if States were given the flexibility of extending coverage to income eligible pregnant women age 19 or older.

Additionally, the bill increases enrollment of Medicaid-eligible pregnant women. Currently, approximately 77 percent of uninsured pregnant women are eligible for Medicaid but are not enrolled. The bill also ensures direct access to obstetric care for women, and direct access to pediatric care, since children have health needs that are very different than those of the adult population.

Another crucial element of our bill allows our Nation's independent children's hospitals to receive Federal funding for graduate medical education. Currently, children's hospitals receive almost no Federal GME funding. With few Medicare patients, these children's hospitals receive less than $400 in Federal funds for each medical resident they train, while other teaching hospitals receive on average more than $79,000 for each resident—creating a serious inequity in the competitive market for these children's hospitals. As these hospitals try to fulfill their teaching missions, competitive market pressures provide little incentive for private payers to contribute toward teaching costs.

In an effort to reduce our Nation's infant death rate and to improve the chances of healthy birth outcomes, the Healthy Kids 2000 Act establishes a National Center for Birth Defects Research and Prevention, and strengthens local initiatives for drug, alcohol, and smoking prevention and cessation programs for pregnant mothers. An estimated 150,000 infants are born each year with a birth defect, resulting in one out of every five infant deaths. More children die in the U.S. from birth defects in the first year of life than from any other cause. Effective locally-based programs will prevent these horrific outcomes by equipping mothers, families, and health care providers with information and approaches needed to ensure women safer pregnancies.

Furthermore, our bill increases funding for the National Institutes of Health by creating the Pediatric Research Initiative, which will provide further money to research efforts on diseases and conditions which afflict our Nation's children, such as birth defects, SIDS, cystic fibrosis, juvenile diabetes, and muscular dystrophy.

Our health care professionals in southern Missouri and across the Nation work very hard to provide the highest quality care for our children. The reality is that pediatric care, like all health care, does cost money. We need to take positive steps to ensure that every mother-to-be and their children are able to access this quality care. I am very pleased to again be working with Senator BOND on an important children's health initiative. On behalf of our youngest and most vulnerable citizens, I urge my colleagues to review the Healthy Kids 2000 Act, to discuss this bill with families in their districts, and to join me in cosponsoring this important legislation.

DELAURO-LOWEY WATER POLLUTION CONTROL AND ESTUARY RESTORATION ACT

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mrs. LOWEY. Mr. Speaker, today Congresswoman DELAURO, Congressman SHAYS, and I are once again joining with a geographically diverse group of our colleagues in reintroducing legislation to renew and expand the Federal Government's role in controlling pollution and in stewarding our coastal resources.

Without question, much remains to be done to take our Nation's estuaries off the endangered list. Nationally, we face an appalling backlog of water quality infrastructure upgrade needs that threatens to choke our economy just as it is robbing our waters of life-giving oxygen. Quite simply, we need leadership at the Federal level to match the energy and ingenuity of our communities that are working toward a better environmental and economic future. Without strong Federal leadership and substantial funds to back it up, we run the risk of squandering over 20 years of progress in cleaning up and protecting our waters.

Therefore, our legislation will re-ignite Federal, State, and local cooperation in water pollution control by significantly increasing annual authorization levels for the State Revolving Fund [SRF] Program to $4 billion in 2005, thereby providing the resources to expand and modernize the Nation's water pollution control infrastructure.

Moreover, our legislation would strengthen section 320 of the Clean Water Act, which authorizes the National Estuary Program. First established under the Water Quality Act of 1987, the NEP provides a mechanism for bringing together Federal, State, and local authorities—and interested citizens—to develop comprehensive, watershed-based plans for cleaning up and protecting nationally significant estuaries. In Long Island Sound, Puget Sound, Massachusetts Bay, and a number of other estuaries, the NEP has helped bring about unprecedented cooperation aimed at saving these threatened waters and the economies that rely on them.

Our bill would build on the success of the NEP by clarifying the funding and staffing responsibilities of Federal agencies concerned with the program, including the Environmental Protection Agency [EPA] and the National Oceanic and Atmospheric Administration [NOAA]. Specifically, the bill states that implementation of estuary management plans is a nondiscretionary duty of the EPA. The measure seeks to improve Federal leadership in the NEP by directing the EPA to promulgate guidelines for development, approval, and implementation of comprehensive management plans. Other important proposed changes include measures to improve coordination of clean-up efforts with other Federal activities in estuaries. In short, this bill is designed to make certain that those plans do not end up on shelves in bureaucrats' offices, but instead truly clean up these critical bodies of water.

Mr. Speaker, our legislation is a call to action that says through sensible investments in water pollution control we can help ensure our economic and environmental future. Without Federal assistance, our estuaries will die while the long-term growth of our economies suffers.

The time has come to act, Mr. Speaker.

MILITARY RESERVE (DUAL STATUS) TECHNICIANS RETIREMENT EQUITY BILL

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. ABERCROMBIE. Mr. Speaker, our National Guard and Reservists have performed admirably whenever called upon to assist our military at home and abroad and to aid federal, state and local emergencies. Serving side by side with active military personnel, fire fighters and other professional counterparts, some Guard and Reservists are exposed to hazardous and physically demanding duty as a routine part of their job. A well-earned and timely retirement should be a welcome relief from a job that requires youth, strength and virgo. Yet, for a select group of talented individuals, known as Dual Status Technicians, retirement eligibility is several years beyond that of their counterparts.

Dual Status Technicians are held to the same physical and mental criteria as their military counterparts and the jobs they perform are likewise challenging. Although active military personnel, fire fighters and federal police can retire after 20 years of service, Technicians must work until age 55 with 30 years of service to receive full benefits. This bill gives Dual Status Technicians retirement eligibility equity with their counterparts.

The Military Reserve (Dual Status) Technicians Retirement Equity Bill allows qualified National Guard and Reservists the option to retire under the same criteria as other professionals in similar challenging careers.