The Senate met at 9:30 a.m. 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, Sovereign of our Nation and Lord of our lives, we praise You for the Asian American veterans who fought with valor and heroism in World War II. Today, as the Senate family, we express our deep admiration and gratitude for Senator DANIEL INOUYE of Hawaii who will receive the Medal of Honor from the President at the White House. We thank You for his heroism in battle and his leadership here in the Senate for 38 years. Most of all, Father, we express our praise for his character traits so authentically expressed: humility, patriotism, integrity, courage, and faithfulness. You have blessed the State of Hawaii, our Nation, and this Senate with this truly great man.

Now dear God we commit this day to You and ask that all the Senators will receive Your wisdom and discernment for their decisions and mutual trust and loyalty for their working relationships with one another. This is a day You have made; we will rejoice and be glad in it. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WAYNE ALLARD, a Senator from the State of Colorado, 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.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able Senator from Colorado is recognized.

COMPLETING FOREIGN OPERATIONS APPROPRIATIONS

Mr. REID. Mr. President, let me say to my friend, the acting leader this morning, that we are going to do everything we can to cooperate and see that the foreign operations appropriations bill is completed today. I think it is going to be real difficult to do that. We won’t know for sure until we get our amendments. Considering that the first amendment is going to take until after noon, it is going to be difficult to do all the amendments that need to be done. I know there is going to be a number of them filed. We are all anxious to get to the Labor-HHS bill. It is very important, and it is going to take several days to do that. As I have indicated, the majority will have our cooperation, but we have to be realistic as to when we will be able to finish this bill. We will not know until the amendments have been filed at 3 o’clock.

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

The PRESIDING OFFICER (Mr. ALLARD). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE RECEIPT OF THE CONGRESSIONAL MEDAL OF HONOR BY SENATOR DANIEL K. INOUYE

Mr. THURMOND. Mr. President, during World War II, countless individuals distinguished themselves while serving this fine Nation. However, few displayed the valor, leadership, and selflessness of our colleague DANIEL K. INOUYE and it is with much admiration that I congratulate him on what this afternoon will be a deserving receipt of the Congressional Medal of Honor. The Medal of Honor is the highest award awarded by the United States and is reserved for those who have gone above and beyond the call of duty, at the risk of their own life, to perform a deed of personal bravery or self-sacrifice.

We have recently reached a point in U.S. history which has left only a handful of Americans who can personally recount the events that took place during World War II and even fewer who fought in this effort to free Europe from the plague of Nazis. Though history books attempt to give younger generations insight into the valiant deeds and the countless deaths which occurred during the Second World War, no words can convey the emotional tragedies and triumphs felt by the men and women who participated in this campaign.

At the age of seventeen, DAN INOUYE embarked on a life of public service. Using his knowledge of first aid, he volunteered to treat the earliest casualties of the bombing of Pearl Harbor. This marked the beginning of Dan’s exemplary service to his country. After turning eighteen, he enlisted in the United States Army’s 442nd Regimental Combat Team.

On the fateful day of April 21, 1945, outside a small town in Italy, Lieutenant INOUYE made a decision which would change the course of his life. As he led his platoon of the 2nd Battalion up a ridge, they were confronted with heavy machine-gun fire, striking Lieutenant INOUYE in the abdomen and barely missing his spine. Rather than risk the life of one of his men, the injured young officer went up against insurmountable odds, and crawled alone farther up the hill into the nest of machine guns. He struggled to stand up,
pulled the pin from his grenade, and destroyed the closest group of machine guns. He continued up the hill, bleeding from his wounds, and struck the second enemy position.

Upon reaching the third machine-gun position, Lieutenant INOUYE attempted to throw a grenade, only to have his right elbow shattered by an enemy rifle grenade. However, this did not stop him from moving forward and destroying the enemy's position. He eventually spent 20 months in hospitals after having his right arm amputated, and returned home a Captain with a Distinguished Service Cross, Bronze Star, Purple Heart with cluster along with multiple other medals and citations.

In my long life, I have met few men who have displayed the extraordinary courage, disregard for self, and devotion to their country as Senator DAN INOUYE. And though DAN gave above and beyond during his participation in World War II, he continued to serve this fine Nation through public service upon his return to the States. His commitment and concern for the welfare of others is reflected in his service in the U.S. Senate, and I feel honored and privileged to have the opportunity to serve with such a remarkable individual.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I personally appreciate the Senator from South Carolina recognizing Senator INOUYE. I have not served in Congress nearly as long, of course, as the Senator from South Carolina. I have served in Congress, which is now 18 years, there is no one that I have more admiration for than Senator INOUYE. He has been like a father to me in the Senate. He has been an adviser and a confidant. He is someone for whom I have the deepest respect.

I have followed, as have others, his war record. And that is what it is; he is certainly a warrior. The outline that was given by the Senator from South Carolina recognized Senator INOUYE’s extraordinary deeds is dramatic, but it did not cover everything that Senator INOUYE did on that day of valor.

I think it is wonderful that finally Senator INOUYE is going to be recognized, with the Congressional Medal of Honor.

Senator INOUYE has many stories to tell. I hope someday they are told. During the time he spent in the hospital with Senator Dole, their friendship developed. This is one of the friendships that has served the American people well.

Even though Senator INOUYE lost a limb, he does remarkable things. He plays the piano. One of our colleagues has a broken arm, Senator HOLLINGS. With his wit and with a lot of humility, Senator INOUYE asked Senator HOLLINGS who had tied his tie that morning, Senator HOLLINGS said he had had help doing that. Senator INOUYE ties his tie himself with one arm.

Senator INOUYE is someone who has not only been valiant on the battlefield in Italy but he has also been valiant on the battlefield in the Congress of the United States, having served in the U.S. House of Representatives and having served in the Senate. I had the good fortune to come to the Senate and be placed on the Appropriations Committee, and I was able to watch this master legislator in action. He is someone who doesn’t talk a lot, even though he is an extremely fine speaker. But he is a good legislator; he gets things done. I have watched him maneuver bills through the legislative process as no one else can.

Mr. President, I am so grateful that he is being recognized today. There will be a ceremony at the White House where he will be given this long overdue award. Having this award is only part of what this man deserves. I want to spread across this RECORD how much I and everyone in the Senate—Democrat and Republican—respect and admire this great legislator and this great soul.

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

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded. Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, I compliment the distinguished assistant Democratic leader. I wanted to come to the floor to associate myself with his eloquence and his heartfelt expression regarding this important moment in the life of one of the most respected and revered U.S. Senators today.

At long last, our country will recognize the valor, the courage, and the extraordinary commitment that one man made to his country not over 50 years ago.

I know I speak for all of our colleagues—frankly, all of the country—in expressing our heartfelt gratitude to him, our admiration for him, and the extraordinary pride we have in the knowledge that we served with him. Senator DAN INOUYE is not only an extraordinary Senator and great American in this day of the death of the hero; we find the true hero in DAN INOUYE. There ought to be more role models in our country today. But if one looks to the INOUYEs, you don’t need many more.

I have admired him for the kind of person he is, for the kind of model that he has been, and for the extraordinarily unique and very remarkable way in which he represents his State and the people he serves so well in the Senate.

The people of Hawaii can be very proud of their delegation. They can be very proud of their senior Senator, and on this day in particular they can be very proud of this country in recognizing the remarkable achievement for which this unique leader has now been recognized.

So we congratulate Senator INOUYE. We congratulate him not only on being awarded the Congressional Medal of Honor, but we congratulate him for his lifetime of service to his country—not only in the military but here in the Senate as well.

I yield the floor.

Mr. CAMPBELL. Mr. President, I am delighted to speak on behalf of Senator DANIEL K. INOUYE, a man who has distinguished himself in the House and now in the Senate for more than 40 years. He is also a man for whom I have had the honor and privilege to serve with such a remarkable individual. He is a truly national leader on a wide range of issues. Later today at a White House ceremony, DANIEL INOUYE will be awarded the Congressional Medal of Honor by the President.

This memorable occasion is one that has been much anticipated and long overdue. I have had the honor and opportunity to serve with Senator INOUYE in Congress over the past 14 years, and we have worked side by side on the Senate Committee on Indian Affairs over the past 8 years. On many occasions, I have witnessed his courage and leadership in standing up for serious issues and problems that have affected all Americans including our collective national defense.

These qualities and traits can be witnessed throughout Senator INOUYE’s life, career, and his service in the United States Army during World War II. I would like to recount for those unfamiliar with the experience of DAN INOUYE and the “Go for Broke” regiment a brief history of the heroics and commitment to his men and the United States during his service in the 2nd Battalion, 442nd “Go for Broke” Regimental Combat Team in the War. In April of 1945, Army 1st Lieutenant DANIEL K. INOUYE, was leading a platoon of the 2nd Battalion, when it came under fire from a bunker manned by Italian Fascists fighting for their Axis partners the Nazis. There was no cover on the hill, so INOUYE crawled up alone to scout. As he was taking out a hand grenade to destroy the first position, he was hit in the abdomen by a bullet which came out his back, barely missing his spine. Although wounded, INOUYE was still able to pull the pin out of the grenade and throw the grenade inside the position. He continued to
lead the platoon and advance alone against a machine gun nest which had his men pinned down. He tossed two hand grenades, detonating one before his right arm was shattered by a German rifle grenade at close range. With his left hand, he tossed his last grenade and attacked the Italian Fascists with a submachine gun. Then he was hit in his right leg and fell down the hill. INOUYE refused to be evacuated until his men were deployed in defensive positions.

First Lieutenant INOUYE spent 20 months in Army hospitals after losing his right arm. He returned to Hawaii as a Captain with a Distinguished Service Cross, Bronze Star, Purple Heart with cluster, and 12 other medals and citations.

After graduating with a law degree from George Washington University, he entered politics, and after Hawaii became a state DAN INOUYE won election to the United States House of Representatives as the state’s first Congressman. He was reelected to a full term in 1956 and won election to the United States Senate in 1962. Mr. President, I cannot fully express to you or others the deep respect I have for this man, to the leadership he has provided to this country and the sacrifices he has made during these accomplishments. Senator INOUYE continues to inspire admiration and respect among all who serve with him—Republicans and Democrats alike. DAN INOUYE is a leader and hero to Americans across the country and a man that I am proud to consider my colleague as well as my friend.

I am pleased that the President has chosen to recognize his service and bestow upon such a deserving man as DAN INOUYE the Medal of Honor. It is my hope that people across our country will look to DAN INOUYE and his many traits and accomplishments—Army officer, Congressman, Senator—and realize as he does that first and foremost, he is an American. In this regard I would like to quote Major General Jacob Devers, Chief of the Army Field Offices, “These men . . . more than earned the right to be called just Americans, not Japanese Americans. Their Americanism may be described only by degree, and that the highest.”

I thank the Chair and yield the floor.

Ms. MIKULSKI. Mr. President, I rise to pay tribute to my dear colleague, Senator DANIEL INOUYE. Today, Senator INOUYE receives the Congressional Medal of Honor for his heroic service to our nation. This honor is richly deserved—and long overdue.

Senator INOUYE’s life is one of service and patriotism. He began his service when he was just seventeen, leaving his home in Honolulu to aid wounded civilians on the day of the Japanese attack on Pearl Harbor. As a Japanese American, he faced bigotry, resentment, and outright persecution. Even while facing this discrimination, he withdrew from his medical studies at the University of Hawaii and enlisted in the Army as one of the first American of Japanese ancestry to serve in war. When Senator INOUYE was elected to the United States House of Representatives in 1959, he was the first American of Japanese ancestry to serve in the House. Since 1962, Senator INOUYE has served with great distinction in the Senate.

Every day, we witness first-hand Senator INOUYE’s commitment to the people of Hawaii and the people of the United States. He is a leader on national security and international human rights. As a senior member of the Appropriations Committee, he works tirelessly to ensure that we meet the day to day needs of our constituents—and the long term needs of our nation. Since my earliest days on the Appropriations Committee, I’ve learned from Senator INOUYE—particularly in the area of defense policy.

Even in a war filled with heroes, Senator INOUYE’s heroism was extraordinary. It is with deep respect and affection that I offer my most sincere congratulations to Senator INOUYE for being awarded the Congressional Medal of Honor today.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

SECTION 527 ORGANIZATIONS

Mr. TORRICELLI. Mr. President, last week the Senate voted to tighten regulations on 527 organizations—organizations created to influence political campaigns in the United States; that section of the Tax Code allows them to operate without disclosure of their contributors or without limitations on their expenditures, and, indeed, on a tax-deductible basis.

The vote last week was genuinely historic in the Senate. It was the first time since 1993 that a campaign finance reform measure passed the Senate.

I congratulate Senator LIEBERMAN on his leadership of his home state to this important moment of judgment.

These “527 organizations,” as they have come to be known, are the latest threat to the integrity of our Nation’s electoral process, with unlimited funds unaccountable from unknown sources.

If this legislation does not become law, they threaten to change the entire electoral process of the country. Every reform instituted not only since Watergate but, indeed, in this century could be undone.

There is no assurance that even those limited protections—from the progressive movement in the times of Theodore Roosevelt and Woodrow Wilson that barred unlimited and undisclosed corporate contributions—and reforms could remain in place if these 527 organizations are allowed to operate and, indeed, to proliferate.

The Senate’s vote last week sent a very strong message that for whatever we are unable to do on campaign finance reform we can at least agree most importantly in the Nation. It is required and that we will not allow the Tax Code to be misused for the raising of unknown political funds.

It is, however, important that the public not accept this limited achievement as the sum total of all the Congress can do on campaign finance reform. It is only a beginning. Indeed, it is a modest beginning.

It is also true that our efforts on soft money in McCain-Feingold have been frustrated. For a variety of reasons, it is now very clear McCain-Feingold and limitations on soft money contributions are not going to be enacted in this Congress. Some of the barriers are political. Some are legislative. Indeed, as my friend, MITCH MCCONNELL, has pointed out, some are very real and constitutional. There are real problems to enacting a complete soft money ban. Federal courts have spoken on the subject. There are many who believe their individual rights might be limited. That debate will continue for years on the merits.

Now the Congress is left with a partial achievement on 527 organizations, a frustration on soft money prohibitions. The question is whether anything else can be done. Indeed, a great deal more could be done that is both easier to achieve and in some respects more important.

There is primarily a single reason that campaign fundraising is rising exponentially in the Nation. It is becoming more and more expensive to communicate with the American people through more and more news outlets. It is the heart of the problem.

A recent study has indicated that records are being broken across the Nation in the cost of political advertising. The study, led by the Alliance for Better Campaigns, cited the Senate primary in my own State of New Jersey as evidence of how broken the campaign finance system has now become and that the same broadcasters in the news media who are leading national efforts...
for campaign finance reform are a central part of the problem.

Television stations in New York and Philadelphia during the recent New Jersey Democratic primary took in a record $21 million in advertising. The chart shows the stations in New York and Philadelphia, the four rated stations, the amount of time they actually devoted to hard news. We have these stations in New York and Philadelphia bringing in $21 million in revenue from political advertising. Yet in actual news coverage of the campaigns per evening—two stations in Philadelphia—one is giving 19 seconds of coverage per evening; another, 1 second; in New York, the two top stations, WNBC and WCBS, 23 seconds and 10 seconds, respectively.

Advertising rates soar. News coverage of issues—candidates are left with no choice. There being no other means to communicate with people who live in our States, they must buy more advertising time at ever-higher and higher rates. Indeed, in the final 2 weeks of the New Jersey primary, voters in Philadelphia and New York markets were 10 times more likely while watching a news program to see a campaign advertisement than a news story—10 times more likely to see an advertisement than a legitimate news story on an issue in the campaign.

That, my colleagues, is the heart of the problem. However, it is not only a senatorial problem or not only a problem in my own region of the country. During the month before the March 7, Super Tuesday primary, the national networks aired a nightly average of only 36 seconds discussing an issue of importance to the national voters. The situation that Democrats and Republicans face in the New Jersey primary is identical to what Al Gore and George W. Bush face in the national elections—no news coverage, rising rates, higher expenditures. It is, of course, part and parcel of this problem that is driven by the individual rates for specific advertising time.

An example of this would be, in New York City, a 30-second advertisement can now cost as much as $50,000. In Chicago, the same advertisement could cost $20,000. Television stations in the Nation’s top 75 media markets took in a record of $114 million in the first 4 months of this year in political advertising.

There is no other nation in the world where the public airwaves are licensed to a private corporation which will then set commercial rates as the cost of discussing public policy issues with the Nation’s voters. This wouldn’t happen in Britain, Canada or France. These airwaves belong to the American people. The issues, be they Democrat, Republican, or Independent, be they from some other group or political party, are issues of importance to the American people. Yet the broadcast networks are using them as a revenue source while they incredibly claim to be campaigning for campaign finance reform.

There is no mistaking that the power to change the campaign finance system belongs in the Congress. We could lead to a solution. For a variety of political reasons, legislative reasons, and constitutional reasons, that is not going to happen. The question now is whether the television networks will spend the remainder of this electoral season complaining about this political problem of reaching a solution or be part of the answer. I believe they should lead by example.

Only a year ago, Mr. Kennard, the Chairman of the Federal Communications Commission, raised the prospect of, by regulation, lowering the cost of television advertising. Rather than $50,000 in New York or $20,000 in Chicago, the FCC could mandate, if the networks are unwilling to do it voluntarily, a lower cost. Since television accounts for 80 or 90 percent of the cost of the Presidential and congressional campaigns, lowering the cost of that advertising would dramatically remove pressure on fundraising. The problem could begin to solve itself. The FCC chose not to do so under pressure from Members of Congress.

The question remains, Why do the networks not do so themselves? I understand the networks looking to the Congress for an answer. They should. They are entitled to look to us, and they are entitled to expect an answer. But I also look back to them. Rather than 20 seconds a night for candidates to discuss the future of our Nation, rather than using the national airwaves to discuss every latest crime, weather pattern or cultural abnormality, the national airwaves could be used to actually discuss the Nation’s future—not 10 seconds a night or 20 seconds a night but 10 minutes a night or 15 minutes a night so candidates believe there is an alternative to communicating with the American people other than buying the public airwaves to do so.

Second, the networks, most obviously, could enhance this national debate and reduce the cost of this fundraising, remove the pressure on fundraising by dramatically reducing these costs. Political advertising is now the third largest source of revenue for the television networks. We have become an industry supporting the networks themselves, only behind retail sellers of merchandise in the Nation, spending hundreds of millions of dollars in this Presidential and congressional campaign. A reduction of those rates to allow challengers to compete with incumbent and lesser-financed candidates to compete with multimillionaires would enhance the American political system and start setting an example of how the Nation can begin to change the dominance of money in the American political system.

I hope at some point the networks, as good corporate citizens and as Americans, no less as people who claim to be for campaign finance reform, would hear this message and join this movement.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. In my capacity as a Senator from Rhode Island, I ask unanimous consent that the order for the quorum call be rescinded. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. In my capacity as a Senator from Rhode Island, I ask unanimous consent that the Senate stand in recess until 11 a.m.

Without objection, the Senate stands in recess until 11 a.m.

Thereupon, at 10:22 a.m., the Senate recessed until 11:01; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. HUTCHINSON).

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2001

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 2522, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2522) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes.

Pending:

SESSIONS amendment No. 3492, to provide an additional condition on assistance for Colombia under Plan Colombia.

The PRESIDING OFFICER. The Senator from North Carolina.

MR. HELMS. Mr. President, I ask unanimous consent that it be in order that I deliver my statement while seated at my desk.

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

AMENDMENT NO. 3508

(Purpose: Relating to support by the Russian Federation for Serbia)

MR. HELMS. Mr. President, I refer to the desk an amendment and ask unanimous consent that it be considered.

The PRESIDING OFFICER. Without objection, the amendment will be in
order at this time. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 3498.

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

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

The amendment is as follows:

On page 184, between lines 19 and 20, insert the following:

SEC. ___. SUPPORT BY THE RUSSIAN FEDERATION FOR SERBIA.

(a) FINDINGS.—Congress finds that—

(1) General Dragolub Ojdanic, Minister of Defense of the Federal Republic of Yugoslavia (Serbia and Montenegro) and an indicted war criminal, visited Moscow from May 7 through May 12, 2000, as a guest of the Government of the Russian Federation, attended the inauguration of President Vladimir Putin, and held talks with Russian Defense Minister Igor Sergeyev and Army Chief of Staff General Ojdanic; and

(2) General Ojdanic was military chief of Staff of the Federal Republic of Yugoslavia during the Kosovo war and has been indicted by the International Criminal Tribunal for the Former Yugoslavia (ICTY) for crimes against humanity and violations of the laws and customs of war for alleged atrocities against Albanians in Kosovo; and

(3) International warrants have been issued by the International Criminal Tribunal for the Former Yugoslavia for General Ojdanic’s arrest and extradition to the Hague; and

(4) The Government of the Russian Federation, a permanent member of the United Nations Security Council which established the International Criminal Tribunal for the Former Yugoslavia, has an obligation to arrest General Ojdanic and extradite him to the Hague;

(5) On May 16, 2000, Russian Minister of Economics Andrei Shapovalyants announced that his government has provided the Serbian regime of Slobodan Milosevic $302,000,000 in new loan which it had reactivated and will sell the Government of Serbia $32,000,000 of oil despite the fact that the international community has imposed economic sanctions against the Government of the Federal Republic of Yugoslavia and the Government of Serbia; and

(6) The Government of the Russian Federation is providing the Milosevic regime such assistance while it is seeking debt relief from the international community and loans from the International Monetary Fund, and while it is recruiting corn and grain as food aid from the United States; and

(7) The hospitality provided to General Ojdanic demonstrates that the Government of the Russian Federation rejects the indictments brought by the International Criminal Tribunal for the Former Yugoslavia against him and other officials, including Slobodan Milosevic, for alleged atrocities committed during the Kosovo war; and

(8) The relationship between the Government of the Russian Federation and the Government of the Federal Republic of Yugoslavia and Serbia only encourages the regime of Slobodan Milosevic to foment instability in the Balkans and thereby jeopardizes the safety of American military and civilian personnel and raises questions about Russia’s commitment to its responsibilities as a member of the North American Treaty Organization-led peacekeeping mission in Kosovo.

(b) ACTIONS.—

(1) Fifteen days after the date of enactment of this Act, the President shall submit a report to Congress detailing all loans, financial assistance, and energy sales the Government of the Russian Federation or entities acting on its behalf has provided since June 1999, and intends to provide to the Government of Serbia or the Government of the Federal Republic of Yugoslavia or any entities under the control of the Government of Serbia or the Federal Republic of Yugoslavia.

(2) If that report determines that the Government of the Russian Federation or other entities acting on its behalf has provided or intends to provide the governments of Serbia or the Federal Republic of Yugoslavia or any entity under their control any loans or economic assistance and oil sales, then the following shall apply:

(A) The Secretary of State shall reduce assistance provided to the Russian Federation by an amount equal in value to the loans, financial assistance, and energy sales the Government of the Russian Federation has provided the Government and institutions under the control of the Governments of Serbia and the Federal Republic of Yugoslavia.

(B) The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to oppose, and vote against, any extension by those institutions of any financial assistance (including technical assistance or grant) of any kind to the Government of the Russian Federation except for loans and assistance that serve basic human needs.

(ii) In this subparagraph, the term “international financial institution” includes the International Monetary Fund, the International Development Association, the International Finance Corporation, the Multilateral Investment Guarantee Agency, the Export-Import Bank, and the International Development Association.

(C) The United States shall suspend existing programs to the Russia Federation provided by the Export-Import Bank and the Overseas Private Investment Corporation and any consideration of any new loans, guarantees, and other forms of assistance by the Export-Import Bank or the Overseas Private Investment Corporation to Russia.

(D) The President of the United States shall instruct his representatives to negotiate with Russia’s international debt to oppose further forgiveness, restructuring, and rescheduling of that debt, including that being considered under the “Comprehensive” Paris Club negotiations.

Mr. HELMS. Mr. President, I offer this amendment in the hopes that it will bring about needed realism in our Government’s relationship with Russia. President Clinton continues to proclaim the Yugoslavia Government has been “a supportive and reliable partner in the effort to bring peace and stability to the Balkans.” That myth was shattered again last month by the Kremlin’s brazen display of the enormous political, military, and economic support Russia continues to provide the Milosevic regime. Surely no Senator has forgotten the visit to Moscow last month by General Ojdanic, Milosevic’s Minister of Defense, who just happens to be a war criminal indicted by the International Criminal Tribunal of the former Yugoslavia. Instead of arresting and sending this man to The Hague, the Kremlin provided not only meetings with the Russian Minister of Defense but a privileged seat at the Putin inauguration and a week of fine food and camaraderie.

Shortly after Milosevic’s Minister of Defense visited Russia, Russian officials announced that it is sending to the Milosevic regime $32 million of a $150 million loan. All of this flies in the face of the effort of the international community to isolate and undermine the Milosevic regime.

I confess that I find incredible the audacity of Russian President Putin. Here he is, providing the Milosevic regime with more than $150 million in economic support while seeking debt relief from the international community and loans from the International Monetary Fund. He is doing this while his country seeks and receives food aid from the United States and while he is asking the United States to reschedule and forgive Russian debt owed to the United States.

The Kremlin should not be encouraged to assume that Western, and particularly the United States, economic assistance and aid are an entitlement. It is, however, sadly evident that Putin has concluded that he can conduct Russian foreign policy with impunity and still count on the West’s economic largesse. The fact is, the hospitality and support provided to Serbian war criminals occurred just one month prior to President Clinton’s visit to Moscow, emphasizing how little respect Putin has for the policies of the U.S. Government.

What concerns me most about the recent Russian actions is that the progress of the Milosevic regime is the threat it poses to America’s men and women in uniform serving in the Balkans, along with those of our allies. The political, military, and economic support the Kremlin provides Milosevic directly jeopardizes the safety and security of both American and allied forces deployed in the Balkans. While we are trying to force the Milosevic regime to step down and turn power over to Serbia’s democratic opposition, Russia is signaling Milosevic that he can survive and even outlast the alliance and that Russia will help him, Milosevic, prevail.

There is no reason the American taxpayer should provide Russia loan forgiveness and economic assistance when the Kremlin continues to support a regime in Serbia whose forces directly threaten U.S. troops who are trying to bring peace to the Balkans.

My amendment, which I have just offered, simply underscores that the U.S. assistance is not an entitlement benefiting the Kremlin. The amendment

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proposes that the United States withhold assistance to Russia by an amount equal to the amount which Russia provides to abet terrorism.

The amendment also will preclude any debt forgiveness or re-scheduling of OPIC and Eximbank programs along with U.S. support for loans from international financial institutions to Russia. This assistance cannot be made available unless Russia provides to Justice for aiding or abetting paramilitary military groups, including the names of Co- and Attorney General to disband para-

on the extent to which such personnel have been held by the Secretary of Treasury, until the national Financial Institution shall be with-

That of the funds appropriated under this heading, not less than $1,200,000 should be transferred not later than October 30, 2000.

AMENDMENT No. 3500

(Purpose: To require the Secretary of State to submit a report concerning human rights violations in Colombia, and for other purposes)

On page 142, on line 5 strike: """Provided further, That of the funds made available under this heading, not less than $5,000,000 shall be made available for administration of demobilizing and rehabilitating activities for child soldiers in Colombia"" and insert in lieu thereof: "Provided further, That of the amount appropriated under this heading, $5,000,000 shall be available to the Secretary of State for transfer to the Department of Labor for the administration of the demobilization and rehabilitation of child soldiers in Colombia, of which amount $2,500,000 shall be transferred not later than 30 days after the date of enactment of this Act, and the remaining $2,500,000 shall be transferred not later than October 30, 2000.""

AMENDMENT No. 3504

On page 151, line 10, after "6105" insert "HERBICIDE SAFETY.

On page 151, line 12, strike "Surgeon General of the United States" and insert in lieu thereof: "Director of the National Center for Environmental Health at the Centers for Disease Control and Development".

On page 151, line 11, strike "aerial spraying" and insert in lieu thereof "use".

On page 151, line 18, strike "water or leach in soil" and insert in lieu thereof "ground or surface water".

AMENDMENT No. 3506

On page 63, on line 9 after the words ""Sec. 530."" strike all through line 15 and insert the following: """"(a) PROHIBITION.—Notwithstanding any other provision of law and except as provided in subsection (b), the United States may not purchase, lease, or otherwise make available, under the Arms Export Control Act or chapter 2 of part II of the Foreign Assistance Act of 1961, Stinger ground to air missiles to any country bordering the Persian Gulf in order to replace, on a one-for-one basis, Stinger missiles previously furnished to such country if the Stinger missiles to be replaced are nearing the scheduled expiration of their shelf-life.""

AMENDMENT No. 3507

At the appropriate place in the bill, insert the following new general provision.

PROCUREMENT AND FINANCIAL MANAGEMENT

REFORM

SEC. 6. (a) Of the funds made available under the heading "International Financial Institutions" in this or any prior Foreign Operations, Export Financing, or Related Programs Act, 10 percent of the United States portion or payment to such International Financial Institution shall be withheld by the Secretary of Treasury, until the Secretary certifies that—

(1) the institution is implementing procedures for conducting an audit by qualified independent auditors for all new lending;

(2) the institution has taken steps to establish an independent fraud and corruption investigatory organization or office;

(3) the institution has implemented a program to assess a recipient country's procurement and financial management capabilities including an analysis of the risks of corruption prior to initiating new lending; and

(4) the institution is taking steps to fund and implement measures to improve transparency and anticorruption programs and procurement and financial management controls in recipient countries.

(b) REPORT.—The Secretary of Treasury shall report on March 1, 2001 to the Committees on Appropriations on progress made to fulfill the objectives identified in subsection (A).
June 21, 2000

CONGRESSIONAL RECORD—SENATE

AMENDMENT NO. 310

(Purpose: To require the submittal to the congressional intelligence committees of reports on waivers relating to assistance to countries providing sanctuary to indicted war criminals.)

On page 102, beginning on line 13, strike “Committee on Appropriations” and all that follows through “House of Representatives” and insert “Committees on Appropriations and Foreign Operations and the Select Committee on Intelligence of the Senate and the Committees on Appropriations and International Relations and the Permanent Select Committee on Intelligence of the House of Representatives”.

AMENDMENT NO. 311

(Purpose: To make available certain environmental assistance funds for the People’s Republic of China)

On page 140, between lines 19 and 20, insert the following:

SEC. 9. USE OF FUNDS FOR THE UNITED STATES-ASIA ENVIRONMENTAL PARTNERSHIP.

Notwithstanding any other provision of law that restricts assistance to foreign countries, funds appropriated by this or any other Act making appropriations pursuant to part I of the Foreign Assistance Act of 1961 that are made available for the United States-Asia Environmental Partnership may be made available for activities for the People’s Republic of China.

AMENDMENT NO. 312

(Purpose: To make available funds for education and anti-corruption programs)

On page 140, between lines 19 and 20, insert the following:

SEC. 10. EDUCATION AND ANTI-CORRUPTION ASSISTANCE.

Section 638 of the Foreign Assistance Act of 1961 (22 U.S.C. 2398) is amended by adding at the end the following new subsection:

“(c) Notwithstanding any provision of law that restricts assistance to foreign countries, funds made available to carry out the provisions of part I of this Act may be furnished for assistance for education programs and for anti-corruption programs, except that this subsection shall not apply to section 409 of this Act or any other comparable provision of law.”

AMENDMENT NO. 313

(Purpose: To add $2,500,000 to Title Research and Development for the Foundation for Environmental Security and Sustainability to support the need for environmental security assessments for economic planning, and operations support)

At the appropriate place in the bill, insert the following:

Of the funds to be appropriated under this heading, $2,500,000 is available for the Foundation for Environmental Security and Sustainability to support environmental threat assessments with interdisciplinary experts and academicians utilizing various technologies to address issues such as infectious disease, and other environmental indicators and warnings as they pertain to the security of an area.

The PRESIDING OFFICER. Without objection, the amendments are agreed to en bloc.

The amendments (Nos. 3499 through 3515), en bloc, were agreed to.

Mr. McCONNELL. 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. McCONNELL. Mr. President, over the past two years, the Subcommittee has held hearings which have focused on corruption, fraud and financial management problems at the international financial institutions. The GAO determined in part by flagrant abuses which compromised the World Bank’s program in Indonesia. The Bank’s Country Director ignored internal reports detailing program kickbacks, skinning and fraud because he was unwilling to upset the Suharto family and their cronies whom he believed were responsible for Indonesia’s economic boom. A change of government and country directors presented an opportunity to set a new course for management and lending policies.

Because of these problems, I asked GAO to conduct a review of the Bank’s management with an emphasis on anti-corruption policies and programs in several of the largest borrowing countries, including Indonesia, Russia, and Brazil. While the Bank limited GAO’s access to documents, and set up a special committee to supervise their work, they still did an excellent job.

In brief, the GAO concluded the Bank has launched an ambitious effort to identify problems, but significant challenges lie ahead. We are a long way from real solutions.

Let me tick off some of the conclusions which concerned me the most—

First, although the World Bank has established an Investigations Unit which answers to a new Fraud and Oversight Committee, many local problems in borrowing countries never reach the investigators. In one country where the Bank itself identified corruption as a serious problem, 30 allegations of abuse reported to their local officials had not been referred on to the Investigations Unit or Committee.

Second, both the Investigations Unit and the Committee answer to one of the Bank’s Managing Directors. GAO concluded that the independence of investigations could be compromised by the fact that a Managing Director controls the unit’s budgets and makes final decisions on whether an investigation is pursued, including those that may involve employees who answer to the Director.

Third, new initiatives introduced in 1998 to improve financial and procurement procedures only apply to 14% of the Banks 1,500 projects. In recent audits, 17 of 25 borrowers showed a lack of understanding or noncompliance with procurement rules. GAO’s review of 12 randomly selected projects identified 5 projects where the borrowing countries implemented the agreements, but little or no experience managing projects.

Fourth, when making project recommendations for Board approval, the staff’s risk analysis fails to adequately address corruption or undue political influence as long as only 8 of 12 projects examined showed signs of corruption.

To remedy these problems, GAO recommends the Bank integrate the investigatory function and establish its organizational independence, include more complete corruption data in risk assessments and country strategies, develop a system for allocating anti-corruption assistance, improve borrowing countries’ capabilities to monitor, implement and supervise fraud free projects, and improve auditing and project supervision.

These problems are not unique to the World Bank. We have all read the stories about the IMF being caught by surprise in both Russia and Ukraine regarding manipulation of loans and loan data. I am sure there are similar problems in the regional institutions as well.

To accelerate a solution to these pressing issues, Senator LEAHY and I felt it was prudent for the Secretary of the Treasury to encourage these institutions to implement GAO’s recommendations. The amendment before the Senate requires the Secretary to withhold 15% of our contribution to each institution until audits in place, independent investigation units are established, and the problem of corruption is being addressed in risk assessments. We also expect the institutions to strengthen local government capacity so that lending and projects are better supervised to prevent corruption.

This amendment addresses one of the most fundamental issues which has compromised support for the multilateral banks. Bringing more transparency to lending and improving procurement and management procedures will help restore confidence and support to the banks.

AMENDMENT NO. 3511

Mr. ROBERTS. I support the Baucus-Roberts amendment to engage China on the important issue of rapid industrialization and the environment. The amendment would permit appropriated funds for the US-Asia Environmental Partnership (USAEP)—an initiative of the U.S. Agency for International Development (USAID)—to be used for environmental projects in the People’s Republic of China (PRC). In other words, the U.S. government would finally be able to, for example, help U.S. businesses connect with provincial and
municipal governments in China to initiate badly needed environmental engineering projects—this is necessary to attempt to prevent a possible long-term environmental catastrophe resulting from intense industrialization and development in the PRC and Asia in general.

Why should we care whether Chinese or Asian people breathe clean air or drink clean water? Besides the obvious humanitarian concern, a ruined environment throughout Asia will—at some point—affect us here in the United States and our interests. This is common sense.

The Baucus-Roberts amendment also sends a strong pro-engagement message to the PRC since the U.S. excluded de jure or de facto the PRC from U.S. foreign aid programs with passage and signing of the FY 90–FY 91 State Department Authorization, specifically section 902 of H.R. 3792.

Our government purports to be concerned with environmental issues. Mr. President, about avoiding contamination of the world’s water, air, and soil. Yet, we prohibit ourselves from consulting and cooperating on a government to government basis with the one nation with the greatest potential to impact the world’s environment over the next 50 to 100 years. That makes no sense.

What is the United States-Asian Environmentally Sound and Energy Efficient Technologies Program (USAID)? It is a public-private initiative implemented by the U.S. Agency for International Development (USAID). Its aim is to encourage environmentally sound development in Asia as that region industrializes at a phenomenal rate. By “environmentally sustainable development,” we mean industrial and urban development that does not irreparably damage the air, water, and soil necessary for life. It’s really that simple.

US–AEP currently works with governments and industries in Hong Kong, India, Indonesia, Korea, Malaysia, Philippines, Singapore, Sri Lanka, Taiwan, Thailand, and Vietnam. In creating US–AEP, the U.S. government recognized the long-term environmental hazards of Asia’s rapid industrialization and the need for the U.S. government to engage on the issue.

The program provides grants to U.S. companies for the purpose of facilitating the transfer of environmentally sound and energy-efficient technologies to the Asia/Pacific region. Again, the objective is to address the pollution and health challenges of rapid industrialization while stimulating the growth of U.S. technologies. In cooperation with the U.S. Department of Commerce, US–AEP has placed Environmental Technology Representatives in 11 Asian countries to identify trade opportunities for U.S. companies and coordinate negotiations between potential Asian and U.S. business partners.

Mr. President, on the basic issue of the global environmental impact of Asian industrialization, specifically Chinese modernization, the Senate has the responsibility to authorize at least $21 million for programs to combat tuberculosis and malaria. The funding for these activities was included at my request, and I want to express my appreciation to Chairman McCONNELL for that.

Like every Senator, I would like to see the highest possible levels of funding to combat these two dreaded diseases. However, in countries suffering in developing countries, I have worked to do that for several years, and I fully intend to continue doing so. If our FY01 budget allocation would permit it, I would recommend higher funding for programs, including to combat TB and malaria.

However, we are forced to make excruciating choices. I want to be sure that we allocate our resources wisely, and that we also have sufficient resources to support vital programs to combat anti-microbial resistance, which is a worldwide problem of great urgency and immense proportions, and to strengthen disease surveillance in developing countries.

The purpose of this amendment is to ensure that in addition to providing increased funding above the current levels for programs to combat TB and malaria, we are also able to at least maintain, and preferably increase funding for anti-microbial resistance and surveillance. My hope is that effects of this amendment will only be temporary, that we will receive a higher allocation in the Conference, and that we will then be able to provide higher levels of funding for all of these critically important health activities.

AMENDMENT NO. 3502

Mr. LEAHY. Mr. President, I want to be sure there is no misunderstanding about my purpose in offering this amendment, which would reduce funding in the bill by a total of $21 million for programs to combat tuberculosis and malaria. The funding for these activities was included at my request, and I want to express my appreciation to Chairman McCONNELL for that.

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AMENDMENT NO. 3522

Mr. BROWNBACK. Mr. President, this amendment would allow the United States to provide non military education and anti corruption assistance to countries and their governments, that are not on the terrorism list, and that are denied U.S. assistance or are under U.S. sanctions. Let me just reiterate that this amendment is not applicable to countries on the terrorism list or which are major producers or traffickers in illegal drugs.

This provision is specifically intended to enable the U.S. Government to conduct a broad range of rule of law programs, as well as other programs such as setting up elementary schools, high school exchanges, health education, economic reform measures; tax reform, tariff regulation, developing rational and transparent budgeting procedures, privatization, or drafting a commercial code, etc.), so long as there is some component of the program that includes educating or providing information to persons.

Mr. President, the United States has been working for a long time to try to find ways to help the most vulnerable populations around the world. Allowing the United States to continue to provide assistance in education and anti corruption training is something which ultimately is in our own interests.

In many parts of the world, we are up against elements like the Wahhabis, the Saudis, the Iranians and the likes of Bin Laden and others, who are pouring money into the poorest regions of the world to set up schools which are dedicated to teaching children anti-Western attitudes, as well as how to carry weapons.

In many countries, because of the dire poverty, such schools are the only game in town. And the single common denominator, which allows this flourish is poverty and ignorance. There is no other option for many people. The poverty and the lack of education leads to radicalism, and violence, often directed first against women, and a host of problems which every one on this floor can list.

The growth of this radicalism comes back and haunts us and affect American lives and American security. The popularity of Bin Laden for example, and the anti-Western fervor which is rampant in the Middle East and South Asia can too often lead to terrorism and attempts to destabilize developing countries that are trying to remain secular and pro-west. Ultimately, this is a threat to U.S. security.

This lack of education also leads to tragic global phenomena like the trafficking in women and children: Education would substantially increase in many regards regarding the practice of international sex slavery. This involves forcing women and children into prostitution against their will, who are held in slavery-like conditions, having been transported into a strange country.

There is a general sentiment in the Congress these days that sanctions have gone too far, that they don’t work and that we should remove all of them. I do not share this view, I believe sanctions have a role to play, and are appropriate in certain situations. But denying ourselves the opportunity to provide education in a variety of fields in certain parts of the world is counter-productive. We are only hurting ourselves.

Instead of being able to implement education programs which would help bring a secular alternative to the lack of education, or the types of schools I mentioned earlier, we find our hands are tied when assistance is denied to a country or when general sanctions are imposed on a country—including sanctions on countries that for one reason
or another default on their loans. Yes, we should be able to take political action against countries that are doing bad things to themselves, but we should not be put in a situation where programs in education or in anti-corruption training is involved. We shouldn’t be mandating sanctions in an area, like education, which are of long term assistance to the United States.

We sit and complain about such things as corruption or lack of environmental awareness, or lack of democracy, or child labor, or trafficking in women and children. Education could help make a dent in such things, from helping to set up elementary schools, having exchanges at higher school levels, to such things as providing information to people in such areas as economic reform, equitable distribution of wealth, strengthening their economies, implementation of tax reform and tariff regulation, development of rational and transparent budgeting procedures, development of rule of law and democratic institutions, and privatizing or drafting a commercial code.

And yet we occasionally find ourselves in the position of having to deny assistance in the very area which would help fix these problems.

That is why I am introducing this amendment today. Denying U.S. assistance to a country is a right we should preserve, but we shouldn’t be cutting our ability to influence countries at such a basic level as education and we certainly should do what we can to combat anti-corruption.

The most effective way to overcome the anti democratic threats and the lure of terrorism is to go to the root of the problem and to encourage the development of civil society.

Mr. McCONNELL. Mr. President, the Senate from Minnesota is here.

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota is recognized to offer an amendment relative to Colombia.

Mr. WELLSTONE. Mr. President, I am pleased to be offering an amendment out. I will wait about 5 minutes before I offer the amendment. I am waiting for some last-minute wording.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. 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. LOTT. Mr. President, parliamentary inquiry. What is the situation now? Are we open for general debate on the foreign operations appropriations bill?

The PRESIDING OFFICER. The Senator from North Carolina sent up an amendment by unanimous consent, and the regular order is to recognize the Senator from Minnesota to offer an amendment.

Mr. LOTT. Mr. President, I would like to use leader time at this point to speak with regard to the Wellstone amendment, which I understand he will be offering momentarily.

I rise to speak against the Wellstone amendment that I understand will be offered. What this amendment would do would be to knock out the funds that are included in the foreign operations appropriations bill for Colombian aid. Is that correct about the intent of the amendment by the Senator from Minnesota?

Mr. WELLSTONE. Mr. President, no, it is not. This amendment leaves several hundred million dollars out of the $2.3 billion that would go to the southern Colombia military campaign. I will talk about the military and the right-wing violence groups and go through State Department reports and human rights reports about this. But in any case, what is this amendment for?

Mr. LOTT. You would move a significant portion of the funds in excess of $900 million into another category to be used for exactly what? Will the Senator describe that to me?

Mr. WELLSTONE. I am pleased to. We are working on this final wording because we are trying to figure whether to do this out of emergency designation or whether we can do this in a different way.

What this amendment says is that we are absolutely committed to institutional building in Colombia; we are committed to helping out in every way, shape, or form, including interdiction and police action.

There are very serious concerns that have been raised by a whole range of religious groups. I have a list of hundreds of nongovernment organizations in Colombia, but a particular portion, $225 million, would go to this one military campaign in southern Colombia. This money instead would say—and this follows up on what General McCaffrey and others have said, which is that we also need to deal not just with interdiction but also the demand side in this country.

I say to the majority leader, I am going to be presenting compelling evidence about the huge gap in the number of people who are not getting any treatment. We have to figure out a way to cut down on the demand side in our country so we will provide money for prevention and treatment programs in this country.

Mr. LOTT. I thank the Senator for his explanation.

At this time, rather than just speaking against his amendment, I will speak for what is in the foreign operations appropriations bill for the Colombian aid package. As a matter of fact, the Senate version has over $900 million in this area. The House bill actually included around $1.7 billion because the House thought they only needed those funds for the war in Colombia—I believe they also provided more than what had been asked for by the administration—they also provided some aid for other countries in the area that are also having some difficulty in fighting the drug situation in that part of the world.

Let me emphasize that we have been very much involved, obviously, in being supportive of bringing about a peaceful solution in Kosovo. It has been, of course, debated what should be done there, if we should do what we have done there, and how much should be spent there. The administration has pursued the policy there and the Community has gone along with it, for better or for worse, at a cost of billions of dollars.

I point out on this map the area we are talking about. Kosovo is in this area of the world. It is very important to Europe and to our allies in Europe. I have suggested to our allies—NATO, Germany, Britain and other countries—they should assume more of the responsibility there, not less. I have been very concerned they have not met their responsibilities. Until just very recently, they seemed to be doing a better job of providing the money and the people they committed.

My point is while this is important, it is not nearly as close and as directly involved in the U.S. national security as the situation in Colombia. This map depicts Colombia. This whole region is experiencing some transition now. Since we have turned over the Panama Canal and closed our bases there, we see evidence that already there has been an increase of drug trafficking through Panama. We are concerned about the narcotics traffickers in Colombia; we are concerned about what is happening in Venezuela, and this whole region of the world. It is in our neighborhood.

For years, to our own detriment, in my opinion, we have not been as involved with Central America and South America as we should have been. Now we see democracy and economic opportunity being increase occurring through Latin America as we should have been. Now we see democracy and economic opportunity being increase occurring through Central America, in the Caribbean, and democracy at least blossoming in parts of South America, but we see a threat, and it is being driven by drugs.

In addition to being in our hemisphere and in close proximity, we are talking about activities by people who are undermining the Colombian Government, who are killing people, and who are killing our children. The drugs that come out of Colombia are coming right into the United States—coca and heroin. They are poisoning our children.

I take this not very well. I am very concerned about it. I think we ignore it.
to our own peril. Should we do more in our country to deal with the demand problem and to treat it? Sure. We ought to find ways to do that. But we shouldn’t do it by taking away from the efforts that are underway in Colombia.

That is why I call this a close national security interest for our own country. There are those who are worried if we do this, we are slipping toward being involved. Where better to be involved than to try to take action and provide support for people who are trying to move toward greater democracy and greater economic development and to control and stop the drug trafficking and the drug pushers in that part of the world? I think we should do this. I think we should have been doing more a year ago or 2 years ago. I worked in the Senate with Senators COVERDELL, DEWINE, and others in communication with our own drug czar in America that we were not doing enough in Colombia.

Finally, the administration has said, well, we need to do something more; we need to be involved. I commend them for that. We need to get it done. That is why we pulled this foreign operations bill up as early as possible. We think we should get this foreign operations bill done and we should get the Colombian aid package included. This is very important for us.

President Pastrana of Colombia has asked for our help—not to solve the problem for him. We are not advocating U.S. troops go in or that we have direct involvement in their efforts there but to help him without American troops. Give them the money and let them deal with the narcotics issue. They need to fight these massive narcotic drug cartels in Colombia and that part of the world.

President Clinton’s plan is multifaceted: Economic, political, social, and military means to gain the upper hand in dealing with the narcoterrorists who control vast amounts of Colombian territory. That is an area where I have some concern. I think too much territory has been conceded to these narcoterrorists.

Make no mistake, the FARC and the ELN guerrillas are ruthless. They don’t know anything or care anything about human rights. They only want power to rule the country virtually unchallenged. Panama, which has no army, is helpless to secure its frontier from smugglers of drugs and narcotics.

President Pastrana doesn’t ask us to do his fighting for him. In fact, no man alive has taken more risks for peace. If anything, he might be criticized for making too many concessions to bring the guerrillas to the peace table.

Do not support amendments that will take away funds in this package and move them over into other areas. It is the minimum that we should do.

I thank Senator WELLSTONE for allowing me to go forward at this time. I yield the floor.

Mr. WELLSTONE. Mr. President, I say to the majority leader, I appreciate his comments and I did not want to interrupt him while he was speaking.

I will, in as thoughtful a way as possible, respond to some of his comments. I don’t think there is any question that we need to deal with narcoterrorists. I do not really believe that is the issue. I will take time to develop this.

My colleague from New York wanted to speak.

Mr. President, I ask unanimous consent that I be allowed to follow the Senator from North Carolina.

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

The Senator from North Carolina.

Mr. HELMS. Mr. President, I thank the Senator from Minnesota.

Mr. President, more than 80 percent of the cocaine, and most of the heroin flooding America’s streets comes from Colombia. That is just one of many reasons why helping honest Colombians is an urgent and absolute necessity.

Today, Colombia’s democratically elected government is besieged by blood-thirsty communist guerrillas who have gone into business with narcotics. And Mr. President, without U.S. help, Colombia may very well lose its fight with these narcoterrorists—and that is why the United States must move swiftly to help President Andres Pastrana save the second oldest democracy in the Americas.

I support doing whatever it takes to save Colombia—not only because of the enormous cost of drugs to our country but because the United States of America should stand with a decent, democratic government in our own hemisphere that is threatened by Marxist terrorist groups.

I am grateful to the distinguished Senator from Alaska, Mr. STEVENS, and the able Senator from Kentucky, Mr. MCCONNELL, for including in the foreign operations bill the emergency anti-drug assistance for Colombia and surrounding countries.

This bill deserves our support even though I expect that the House-Senate conference will choose to make some adjustments.

For example, we must resist unrealistic conditions that will block the delivery of badly needed support. Also, I am persuaded that we must supply the Colombian Army with Blackhawk helicopters before they have the mobility to respond to the hit-and-run tactics of the guerrillas who are part of the drug trade.

The stakes are enormously high. Colombia is one of the most important U.S. trading partners in the Americas, with $4.5 billion in direct U.S. investment in sectors—not counting the key petroleum sector. Also, the guerrillas have expressly targeted American businesses and citizens in Colombia for bombings, kidnapings, and murders.

Further, the threat to regional stability is acute: Venezuela, Peru, and Ecuador have massed troops on their borders with Colombia. Panama, which has no army, is helpless to secure its frontier from smugglers of drugs and narcotics.

President Pastrana doesn’t ask us to do his fighting for him. In fact, no man alive has taken more risks for peace. If anything, he might be criticized for making too many concessions to bring the guerrillas to the peace table.

The guerrillas have responded by launching murderous attacks on civilian targets. While President Pastrana is going the extra mile for peace, the guerrillas have launched a recruitment drive—bent on tearing Colombia apart.

These guerrillas are criminals and terrorists who thrive on drug trafficking, kidnaping, and extortion. They are playing an ever-increasing role in the drug trade, which earns them a billion dollars annually from the sale of drugs.

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mountainous country almost twice the size of Texas.

What can the United States do to help?

We can approve emergency anti-drug aid to Colombia and to her neighbors, thereby giving them a fighting chance to stem the tide of lawlessness and cocaine that threatens the entire Andean region.

U.S. support will bolster the Colombian army’s counter-drug battalions, providing continued U.S. military training, better intelligence and communications, and increased mobility in the form of transport helicopters. We will also provide support to eradicate illegal crops and create alternative employment for displaced farmers.

Current U.S. law requires that any military units receiving U.S. aid must be "scrubbed" for human rights violations. That is as it should be. But we should not hold U.S. support hostage to unrealistic preconditions.

If America fails to act, Colombia will continue to hurdle toward chaos. If the war drug traffickers and paramilitaries lose their struggle or are forced to appease the narco-guerrillas—the United States and the rest of the hemisphere will pay a very dear price.

The longer we delay, the higher that price will be.

I urge Senators to support emergency anti-drug support for Colombia—and to do so without delay.

The PRESIDING OFFICER. The Senator from Minnesota. Without objection, the Senator’s time will be charged under the previous order against his time on the amendment.

Mr. WELLSTONE. Mr. President, we are working on the final version of the amendment, but I will outline for colleagues what this amendment is about. I will send the amendment to the desk in a short while.

This amendment would essentially transfer $225 million—as I said to the majority leader, this is by no means an amendment that says we don’t supply assistance to Colombia—from the Colombian military for purposes of the push into southern Colombia to the domestic drug treatment programs.

Specifically, this amendment would transfer funds to the substance abuse prevention and treatment block grant program to provide—I will marshal evidence to colleagues—desperately needed funds for State and local community-based programs and for drug treatment programs within a variety of different facilities, such as correctional facilities and other facilities in the country.

By the way, part of the argument that I present today is that we deal with this drug problem for sure, but there is a considerable amount of evidence that we don’t want to all of a sudden militarize this whole package, especially with the record of the military in Colombia.

Moreover, we want to deal with the demand side in our country. By the way, I am sure the vast majority of the drug use in the United States of America agree.

This amendment leaves substantial assistance for the Colombian Government and civil society, including all sorts of alternative development programs such as judicial reform and human rights programs.

I want to make this clear, given some of the comments of the majority leader. It also leaves extensive funding for interdiction, investigating, and prosecuting drug trafficking and money laundering, and for the counter-narcotics effort of the Colombian national police, as well as for other counter-narcotics programs in other Latin American countries. It doesn’t cut it out from paramilitary death squares.

Since 1989, virtually all U.S. assistance to Colombia has officially been intended to fight illicit drug production and trafficking. The majority leader comes to the floor and speaks as if we have not been making this effort. But what is sold as a war on drugs to the Congress and the American public is far more complex. This is where I dissent from the majority leader. This is much more complex than just a war dealing with drug production and trafficking.

Colombia today is embroiled in the hemisphere’s largest and longest civil war with the military increasingly linked to paramilitary death squads.

The majority leader says this is just a matter of whether or not we are serious about the war on drugs. That is not what this amendment deals with. I am serious about the war on drugs. I am serious about interdiction. I am serious about getting the assistance to Colombia for that. But when the majority leader says: I am concerned about human rights, he then quickly brushes this aside.

We need to understand that there is a civil war in Colombia. There is a military, given this record, a massive corruption and widespread human rights atrocities. The rebel insurgency has also expanded throughout large sections of the country, and innocent civilians have been killed by these rebels as well. Colombia now has the third largest internally displaced population in the world.

Before I go any further, since we are now by a 7-to-1 ratio going to change our assistance from police to military—that is what worries me with American advisers—let me talk about the military.

Let me, first of all, quote from the 1999 country reports on human rights practices released by the U.S. Department of State, February 25, 2000.

Paramilitary groups and guerrillas attack at all consuming level, unarmed civilians, including extrajudicial killings, at a level that was roughly similar to that of 1998. Despite some prosecutions and convictions, the authorities rarely brought officers charged with the paramilitary death squares and the police charged with human rights offenses to justice, and impunity remains a problem. At times, the security forces collaborated with paramilitary groups that committed abuses.

Paramilitary groups and guerrillas were responsible for the vast majority of political and extrajudicial killings during the year. Throughout the country, paramilitary groups killed, tortured, and threatened civilians suspected of sympathizing with guerrillas with an orchestrated campaign of terrorizing them into fleeing their homes thereby depriving guerrillas of civilian support.

This report goes on. It basically says you have the military directly linked to the paramilitary death squads. Colombia has committed widespread abuses of human rights and which have murdered innocent civilians.

I am all for interdiction. But I have to raise some questions about what we are doing all of a sudden in this package and dramatically changing the ratio of our support and giving much more to the military linked to these death squads. I don’t think that is what our country is about.

Moreover, I don’t believe the militarization of this package will work. I will get to that in a moment.

The majority leader says he is concerned about human rights. He said it in a word or two. But I would like to spend a little bit more time on this.

Amnesty International, May 3, 2000:


Paramilitary groups working in some areas with the tolerance and open support of the armed forces continue to mass murder civilians, commit selected killings and special terror.

Democratic Senators and Republican Senators, now we are going to give this military, given this record, a massive infusion of money for a campaign in southern Colombia with American advisers with them.

Let me quote again from the “Human Rights Watch World Report 2000." That is this year.

Paramilitary groups working in some areas with the tolerance and open support of the armed forces continue to mass murder civilians, commit selected killings and special terror.

I argue that we should take this seriously.

Amnesty International, May 3, 2000:

Jesus Ramiro Zapata, human rights defender, was abducted and killed in Segovia, department of Antioquia. Several days earlier he reported that members of paramilitary groups had inquired into his whereabouts about eight times in the latter part of April. On the 3rd of April, 50 paramilitaries
The armed forces, the military that we are now going to provide money to with American advisers watching and standing by idly as paramilitary groups violate the rights of innocent people, leave intact critical assistance for democracy stabilization and drug interdiction efforts in Colombia, while also supporting the vastly underfunded drug and alcohol treatment and prevention programs here in the United States.

Public funding for treatment primarily serves low income and indigent people who are seeking treatment in order to reclaim their lives. When looking at drug and alcohol addiction, we find that in addition to being a disease itself, it is a critical risk factor for health problems such as the spread of HIV and other infectious diseases as well as social problems such as crime and domestic violence.

Additionally, treatment and prevention systems have faced increased pressure from entitlement reforms, specifically welfare and SSI programs, that decrease system capacity while increasing the need for public treatment and prevention services. Successful criminal justice programs involving (and often transforming) law enforcement, including drug courts, have proliferated and are steadily increasing the demand for treatment.

We feel that a balanced approach to the drug problem, one that increases drug prevention and treatment programs has not received adequate funding to keep up with demand. The Wellstone amendment adds necessary prevention and treatment funds to treatment programs that will save lives and tax payer dollars.

On behalf of the 18 million Americans who chronically use drugs or alcohol and the 8.3 million children whose parent(s) abuse drugs or alcohol, we ask that you support drug and alcohol prevention and treatment programs by supporting the Wellstone amendment.

We thank you for your consideration.

Sincerely,

Tom McGrath
Director of National Policy, Legal Action Center.

William D. McColl, Esq.,
Executive Director,
National Association of Alcoholism and Drug Abuse Counselors (NAADAC).

Sarah Kayson,
Public Policy Director,
National Council on Alcoholism and Drug Dependence (NCADD), Partnership for Recovery, National Association of Addiction Services (SAAS),

ART SCHUT,
Director of National Action Center, National Association of Alcoholism and Drug Abuse Counselors (NAADAC), National Council on Alcoholism and Drug Dependence (NCADD), Partnership for Recovery, National Association of Addiction Services (SAAS),

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1999 COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES
COLOMBIA

Colombia is a constitutional, multiparty democracy, in which the Liberal and Conservative parties dominated politics. Citizens elected President Andres Pastrana of the Conservative Party and a bicameral legislature controlled by the Liberal Party in generally free, fair, and transparent elections in 1998, despite attempts at intimidation and fraud by paramilitary groups, guerrillas, and narcotics traffickers. The civil judicial system is relatively independent of government influence, although the suborning or intimidation of judges, witnesses, and prosecutors by those indicated is common.

The Government continued to face a serious challenge to its control over the national territory, as longstanding and widespread internal armed conflict and rampant violence—both political and criminal—persisted. The principal participants were government security forces, paramilitary groups, guerrillas, and narcotics traffickers. In some areas government forces were engaged in combat with guerrillas or narcotics traffickers, while in others paramilitary groups fought guerrillas, and in still others guerrillas attacked demobilized members of rival guerrilla factions. Paramilitary groups and guerrillas attacked at increasing levels unarmed civilians suspected of loyalty to an opposing party in the conflict. The two major guerrilla groups, the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army, consist of an estimated 11,000 to 17,000 full-time combatants organized into more than 100 semi-autonomous groups. The FARC and the ELN, along with other smaller groups, exercised a significant degree of influence and initiated armed action in nearly 1,000 of the country’s 1,055 municipalities during the year, compared with 700 municipalities in 1998.

The major guerrilla organizations received a significant part of their revenues (in the hundreds of millions of dollars) from fees levied on drug traffickers and paramilitary traffickers. Guerrillas and paramilitary groups also planted absent state institutions in many sparsely populated areas of the national territory. In July 1998, the President-elect Pastrana met with the FARC leader, “Manuel Marulanda Velez,” and agreed to a demilitarized zone (“despeje”) in which the two sides could pursue direct peace talks. In November 1998, the despeje was initiated in 5 southern municipalities, with a total population of approximately 100,000 persons. Security forces completed their withdrawal from the area the following month. In January 1999, Marulanda failed to appear for the scheduled formal inauguration of peace talks in the despeje. President Pastrana and Congress held a series of informal discussions with the ELN during the year, but insisted on the ELN’s release of the victims of specific mass kidnappings and the undertaking of formal negotiations and dismantling of a zone in which the ELN could hold its national convention. At year’s end, the ELN had not complied with the Government’s request and still held captive several dozen of the specified kidnap victims.

The civilian-led Ministry of Defense is responsible for internal security and oversees both the armed forces and the National Police, although civilian management of the armed forces is limited. The security forces include armed state law enforcement, investigative, and military agencies, including the National Police, army, air force, navy, marines, coast guard, the Administrative Department of Security (DAS), and the Prosecutor’s General’s Technical Corps of Investigators (CTI). The army, air force, navy, marines, coast guard, and National Police fall under the direction of the Minister of Defense. The DAS, which performs intelligence gathering, law enforcement, and investigative authority, reports directly to the President, but is directed by a law enforcement executive. The police are charged formally with maintaining internal order and security, but in practice law enforcement responsibilities often were shared with the armed services, especially in rural areas. The security forces regularly failed to confront paramilitary groups, and members of the security forces sometimes illegally collaborated with paramilitary forces. The armed forces and the police committed numerous, serious violations of human rights throughout the year.

Despite years of drug- and politically related violence, the security sector is developing. However, the economy has suffered a recession, and there was negative growth of 5 percent in 1999 for the first time in the country’s modern history. The Government has privatized many public-sector entities and liberalized trade and financial activity since 1991, and it plans further deregulation. Growth and cut flowers are the principal legal exports. Narcotics traffickers continued to control...
large tracts of land and other assets and ex-erited interests and societies, economic, social, and political life. The official unemployment rate peaked at 20 percent, a record high, although it had declined to 18.1 percent by year’s end. Inflation at year’s end was 9.2 percent. The government passed an austerity budget to address the fiscal gap, which was at 6 percent of gross domestic product (GDP), and has prepared reform proposals in areas such as pensions and regional finance. The balance of payments deficit was 4.5 percent of GDP. Income distribution is highly skewed, with 20 percent of the population living in pov-erty. Per capita GDP was approximately $2,100.

The Government’s human rights record re-mained poor; there was some improvement in several areas, and the Pastrana adminis-tration took measures to initiate structural reform, but serious problems remain. Gov-ernment forces continued to commit numer-ous, serious abuses, including extrajudicial killings, at a level that was roughly similar to that of 1998. Despite some prosecutions and convictions, authorities often brought officers of the security forces and the police charged with human rights offenses to justice, and impunity remains a problem. Security forces have collabo-rated with paramilitary groups that committed abuses; in some instances, individ-ual members of the security forces ac-lished support for these organizations grew tive, coca-growing regions and engaged di

The FARC and the ELN regularly attacked the security force officers accused of serious paramilitary forces responsible for massacres, assassinations of community leaders and human rights defenders, and over 70% of Colombia’s human rights abuses. A report released by Human Rights Watch this month links half of Colombia’s 18 brigade-level army units to paramilitary activity.

Colombia’s internal conflict has produced 1.6 million internally displaced persons, more than in Kosovo or East Timor, and an increasing number of refugees fleeing to Panama and Venezuela. It is our fear that the proposed aid package will draw the U.S. deeper into Colombia’s civil war, intensify the conflict, and make the U.S. complicit in violations of human rights.

Colombia is currently the third largest re-cipient of U.S. military assistance. Yet reports from the United Nations, the U.S. Depart-ment of State, independent human rights organizations, and Colombian judicial authorities point to continuing ties between the Colombian security forces and paramilitary groups, responsible for the majority of cases of forced disappearances, the majority of extrajudicial killings, and the majority of human rights violations.

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the possible negative effects on U.S. military aid on those peace processes. It is our judgment that such aid will undermine them. We urge you to vote against increased U.S. military involvement in Colombia.

RACIEL RODRIGUEZ, Program Associate, Latin American and Caribbean Office, Global Ministries, United Church of Christ—Disciples of Christ.

DAVID A. VARGAS, Executive for Latin America and the Caribbean Global Ministries, United Church of Christ—Disciples of Christ.

THOM WHITE WOLF, Program Associate, Caribbean Office, United Church of Christ.

FASSETT, General Secretary, United Methodist Board of Church and Society. STEVEN BENNETT, Executive Director, Witness for Peace.

Mr. WELLSTONE. They are opposed to this aid package for the push into southern Colombia, again with the same concern about the basic violation of human rights and the close connection between the armed services and these paramilitary terrorist organizations.

Mr. President, I also have here a document which is from Human Rights Nongovernmental Organizations and the Peace Movement In Colombia. I ask unanimous consent this be printed in the RECORD.

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

COLOMBIA ANSWERS PLAN COLOMBIA: A PLAN FOR PEACE OR A PLAN FOR WAR?

(A Declaration From Social and Human Rights Nongovernmental Organizations, and the Peace Movement in Colombia, Bogota, May 31, 2000)

We would like express our support for those offers of international assistance that contribute to resolving the armed conflict through a process of political negotiation, and that strengthen and unite Colombian society and the economy. We support proposals that include viable and integral solutions to the problem of drug trafficking, the design of a new development model agreed to by the people, and the strengthening of a new kind of democratic institutionalization.

However, Plan Colombia, presented by the Government of President Pastrana, has been developed with the same logic of political and social exclusion that has been one of the structural causes of the conflict Colombians have experienced since the time of our formation as a Republic.

In this same vein, because we feel it is a mistake, we are obligated to reject the fact that Plan Colombia includes, as one of its strategies, a military component that not only fails to resolve the narco-trafficking problem, but also endangers the efforts to build peace, increases illicit crop production, violates the Amazonic ecosystem, aggravates the humanitarian and human rights crisis, multiplies the problem of forced displacement, and worsens the social crisis with fiscal adjustment policies. In its social component, the Plan is limited to attending to some of the tangential causes and effects of the conflict.

What we are proposing is the need for a concerted agreement between different actors in Colombian society and the international community, one where civil society is the principal interlocutor, where solutions to the varied conflicts are found, and where stable and sustainable peace is constructed. We are ready and willing to design strategies, to define forms of implementation, and to monitor a plan that reflects these intentions.

Taking into consideration the arguments put forth above, we the undersigned are given no choice but to reject the U.S. assistance for Colombia that you are considering at this time.

Mr. WELLSTONE, I will quote one section:

In this same vein, because we feel it is a mistake—

They are talking about this package—

we are obliged to reject the fact that Plan Colombia includes as one of its strategies, a military component that not only fails to resolve the narcotracking problem, but also endangers the efforts to build peace, increases illicit crop production, violates the Amazonic ecosystem, aggravates the humanitarian and human rights crisis, multiplies the problem of forced displacement, and worsens the social crisis with fiscal adjustment policies.

It is from a variety of about 70 nongovernmental organizations, including religious organizations as well, in the country of Colombia. They are saying don’t do this. Provide the assistance; the need it. Let’s support the civic building organizations, get it to the police, get it to some of the interdiction efforts, get it to some other economic development efforts. But don’t put the money into the military for this campaign, given the military’s record of torture, murder, and widespread violation of human rights.

In short, continuing to pursue our current Colombia counterinsurgency policy, cloaked under the veil of antinarcotics efforts—that is not what this is about. This is not about an antinarcotics effort. That is not what the vote is about. The vote is about whether or not you are going to put money into this military anti-insurgency effort. It risks drawing us into a terrible quagmire. History has repeatedly shown, especially in Latin America—I just think of Nicaragua or El Salvador—that the practical effect of this strategy now underway consideration is to militarize, to escalate the conflict, not to end it. That is, I think, the flaw in this package.

The call by the administration for a massive increase in counterinsurgency assistance for Colombia this year puts the United States at a crossroads. Do we back a major escalation in military aid to Colombia that we’ve proven a civil war that has already raged for decades or do we pursue a more effective policy of stabilizing Colombia by promoting sustainable development, strengthening civilian democratic institutions, and attacking the drug market by investing in prevention and treatment at home—the demand side of the equation, right here in our own country?

The decision to fund the Colombian Army’s push into southern Colombia is an enormous policy shift. It represents a 7-to-1 shift in funding from the Colombian police to the army. General McCaffrey says the purpose of Plan Colombia is to help the Colombian Army recover the southern part of the country now under guerrilla control. But honestly, if the purpose of this military aid is to stop drug trafficking, should some of that aid not target the northern part of Colombia? Something strange is going on here. If we want to deal with the people who are involved in drug trafficking, then one would think we would also have a campaign in the northern part of Colombia. There you have the right-wing death squads involved. Colombia is currently the largest recipient of U.S. security assistance. It is exceeded only by Israel and Egypt. Foreign aid and other assistance to Colombia, since 1995, now totals $738 million. Yet the administration’s own estimate shows a 140-percent increase in Colombia coca cultivation over the past 5 years.

Colombia now produces 80 percent of the world’s cocaine. Drugs today are cheaper and more available than ever before. If the drug war was evaluated like most other Federal programs, I suspect we would have tried different strategies a long time ago. More weapons and more soldiers have not and cannot defeat the source of illegal narcotics. While the Colombian Government and people merit our assistance, more money for guns is not the answer to Colombia’s troubles or our own troubles with the serious use of drugs right here in our own country.

Being tough on drugs is important. But we also need to be smart about the tactics we employ. No one disagrees that Colombia faces a difficult challenge and we should respond to President Pastrana’s call for help to combat illegal drug trafficking. I agree. President Pastrana has argued that U.S. support is necessary to “strengthen democratic institutions, stop the flow of drugs, and bring peace to the country.” I agree.

I would support the army’s push into southern Colombia if I felt this proposal would make that happen. But, in fact, I think a military push would have the exact opposite effect by weakening democratic institutions and bringing more hardship to the Colombian people. There is not anything in the current package that says, “we will do this to fix Colombia.”
the world we can do, by way of moni-
toring this, to make sure that this
military— which has been so clearly
linked to these right-wing death squads,
and terrorist organizations— will change
its practice.

Amnesty International, the State De-
partment report, “Human Rights
World Watch Report.” I could spend
hours just reading from these reports
on the atrocities committed by the
military, or the atrocities committed by
these death squads, these para-
military organizations toward which
the military basically has turned a
blind eye. Now we are going to provide
the money for this military, for a mili-
tary campaign, with American advis-
ers, in the southern part of Colombia?
That is what is problematical about
this.

At the same time, however, forces
from within Colombia threaten democ-
racy. Paramilitary groups operating
with the acquiescence or open support
of the military—the very military we
are going to support—account for most
of the political violence in Colombia
today. I need to make that point.

Yes to interdiction, yes to going
after drug trafficking—but understand
that this is a country in civil war. This
is a country with the largest internally
displaced population, maybe in the
world, certainly in the hemisphere.
And this is a country where too many
innocent civilians are murdered. This
is a country where paramilitary
groups, operating with the acquies-
cence or open support of the military,
account for most of the political vio-
lence.

Yet Colombia’s military leaders have
not taken a firm stand or taken clear
calls to purge human rights abusers
from their ranks. The evidence is clear:
They have acquiesced to these
human rights abusers. Sometimes they
support these human rights abuses.
And we are going to provide this
money for this military with American
advisers?

I support the addition to this bill
that requires conditions on assistance
based on human rights concerns. But
just as the Committee on Appropri-
ations noted in its committee report to
this bill, I too—“have grave reserva-
tions.” I quote from the Committee on
Appropriations:

... grave reservations regarding the Ad-
ministration’s ability to effectively manage
the use of these resources to achieve the ex-
pected results of reducing production and
supply of cocaine while protecting human
rights.

Human rights organizations have
detailed abundant and compelling evi-
dence continuing ties between the
Colombian Army and paramilitary
groups responsible for gross human
rights violations. In its annual report
for 1999, Human Rights Watch reports:

[In 1999 paramilitary groups] were consid-
ered responsible for 78 percent of the total
number of human rights and international
humanitarian law violations [in Colombia.]

Human Rights Watch collected this
evidence with the help of the Colombi-
ian Commission of Jurists, a highly
respected human rights group within
Colombia. It has also collected evi-
dence linking half of Colombia’s 18 bri-
gade-level army units to paramilitary
activity.

In other words, military support for
paramilitaries remains national in
scope and includes areas where units
receiving or scheduled to receive U.S.
military aid operate. This is quite un-
believable. I hope all Senators will con-
sider this seriously when they vote on
this amendment.

I was also given a book detailing
the human rights situation in Colombia
by the Twin Cities Chapter of the Colombi-
ian Support Network. This organiza-
ton is working to establish a sister-
city relationship with the war-torn
town of San Pablo in southern Colombi-
a. San Pablo is directly in the path of
the suggested push into southern Col-
ombia. This is just one of hundreds, if
not thousands, of heartbreaking sto-
ries:

A young woman, with a confused and
almost hopeless air about her, answered my
questions and spoke into my tape recorder.
She described joining a military patrol
and walk for 13 days through the mountains,
guiding the soldiers and carrying their knap-
sacks. Although she witnessed numerous
cases of torture and the destruction and
burning of humble campesino dwellings, it
was the brutal murder of Jesus Pastrana
which affected her the most. I myself had
met this campesino leader on one of his vis-
its to Bogota to attend meetings of ANUC (a
national peasants organization with strong
support during the guerrilla war). I was
shocked to learn the terrible details the young
woman gave me. Chucho, as Jesus was affectionately
called, died a slow and agonizing death on October 31, 1983. He was run from a [So-

pathetic soldiers cut off his ears, his fingers,
hands, then arms and testicles and finally
shot him 21 times.

Other colleagues have come to the
floor to speak, and I want to make sure
they speak.

If this were an isolated example and
if I did not have in hand the evidence
from respected human rights organiza-
tions and the State Department re-
ports of blatant, violation of human
rights now of these paramilitary or-
ganizations committing so many of these
atrocities, most of the violence, with
the military acquiescing and some-
times linked to it and supporting it,
with the military is taking
any steps to purge its ranks of human
rights abusers, I might think better of
this dramatic change in our package.

7 to 1 from military to police, for a cam-
paign in southern Colombia with Amer-
ican advisers, putting us in the middle
of this civil war aligned with this mili-
ary.

I want to have aid for Colombia. I
want President Pastrana to have our
support, but this effort will not be suc-
cessful. Moreover, I think, we are, on
very treacherous ground, moving into this
a very bad area.

I will summarize so that other col-
leagues may speak.

We could put this money into the de-
mand side. I am simply saying we take
$225 million, leaving $700 million, or
thereabouts, and we put it into the sub-
stance abuse prevention and treatment
block grant program which basically is a
block grant to our States. Whether or
not we are talking about the White
House Office of National Drug Control
Policy or whether or not we are talk-
king about the data that is collected in
our States, we are talking about a situ-
aton where 50 percent of adults or
more and 80 percent of adolescents or
more who need treatment are receiving
no treatment. I would not have the
funds for the treatment programs.

Our police chiefs tell us drug abuse is
the most serious problem in their com-

munity. They also identify a shortage
of treatment programs as a real limi-
tation on their ability to deal with it.

We know from study after study—and
I will talk more about this when I have
more time—that money put into treat-
ment programs pays for itself over and
over. I have dramatic statistics and
data I will present, but the long and
the short of it is, if we have this pack-

age and if there are questions to be
raised about the militarization of this
aid, putting the money into the mil-
tary for the southern campaign, a mili-
dary directly linked to human rights
violations, with so many organizations
in Colombia saying do not do this, it
will lead to more violence; do not do this,
America, you could be sucked into
this conflict; at the same time, we
could use this money to provide a significant package
into building democratic institutions
for economic aid, $700 million, and we
could take a tiny portion of it and deal
with the demand side for drugs in our
own country, which is also critically
important, and get the funding to
the community level that would help us
provide some treatment for people,
that is a win-win situation.

I hope this amendment will receive
strong support from my colleagues.

Mr. WELLSTONE. Mr. President, I
send the amendment to the desk.

The PRESIDING OFFICER. The
clerk will report the amendment.

Mr. WELLSTONE. Mr. President, I
ask unanimous consent that the read-
ing of the amendment be dispensed
with.

The PRESIDING OFFICER. Without
objection, it is so ordered.
The amendment is as follows:

On page 183, line 9, insert before the period the following:

Provided further, That amounts made available under the preceding proviso are hereby designated by the Congress to be emergency requirements pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That such amounts shall be made available only after submission to the President that includes designation of the entire amount of the request as an emergency requirement as defined in such Act.

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

The PRESIDING OFFICER. The Senator has used 26 minutes and has 64 minutes remaining.

Mr. WELLSTONE. I thank the Chair. I serve this amendment on behalf of myself and Senator BOXER. I reserve the remainder of my time.

Mr. DeWINE. Mr. President, I rise in reluctant opposition to this amendment that has been offered by my friend and colleague from Minnesota. I commend him for his commitment to drug use reduction. He and I serve on the Senate Health, Education, Labor, and Pension Committee. We have worked on a number of bills having to do with this very topic, including the Safe and Drug Free Schools Program.

Ultimately, however, this amendment is, I am afraid, attempting to reallocate funds from one part of our antidrug strategy to another. The amendment raises important questions about the effectiveness of our entire strategy and opens, I believe, an important and necessary discussion about our drug control policy in this country.

The sad fact is that since almost the beginning of the last decade, our antidrug strategy has not worked. More children are abusing drugs, and with an abundant supply, drug traffickers are seeking to increase their sales by targeting children ages 10, 11, 12, and 13. This is certainly an assault on the future of our children, an assault on our families, and an assault on the future of our country. This is nothing less than a threat to our national values and, yes, a threat to our national security.

All of this, though, begs the question: What are we doing wrong? Clearly, there is not one simple answer. However, in 1998, a bipartisan group of Senators—myself; the Senator from Georgia, Mr. COVERDELL; the Senator from Florida, Mr. GRAHAM; the Senator from Iowa, Mr. GRASSLEY; and the Senator from California, Mrs. FEINSTEIN—worked together to deal with this problem. We came to the conclusion that our overall drug strategy simply wasn't working. We led a 12 senator call to talk about this because I am afraid what my colleagues is doing is not helpful as we attempt to balance our antidrug strategy.

We have been working together since 1998 to restore that balance. The emergency assistance antidrug package for Colombia contained in this bill is part of that effort to restore this balance, but even with this, we still have a long way to go.

The fact is, to be effective, our national drug strategy must have a strong commitment in three different areas:

1. No 1 is demand reduction which consists of prevention, treatment, and education. The Federal Government in this area shares responsibility to reduce that demand, along with State and local governments, local community groups, nonprofit organizations, and families.

2. When you are dealing with education, you are dealing with something that is a shared responsibility between the Federal Government and the local communities.

3. The second component is domestic law enforcement. Again, in this area, it is a shared responsibility among the Federal Government, the local communities, and the States. Again, the Federal Government has a shared responsibility to use law enforcement resources, along with the State and local governments, to detect and dismantle drug trafficking operations within our borders.

We witnessed a successful return on that investment last week on what was called Operation Tar Pit, when the Justice Department announced it had worked with State and local law enforcement agencies, including 2 in the State of Ohio, to dismantle a major Mexican heroin trafficking organization. They did a great job, in a coordinated effort.

The third component in any successful antidrug strategy is international eradication and international interdiction. This is the sole responsibility of the Federal Government. States can't help. Local communities can't help. We are the only ones who can do this. I am afraid my colleague's amendment strikes directly at our attempt to do this.

Like our national defense and immigration policies, only the Federal Government has the authority, only the Federal Government has the responsibility to keep drugs from ever crossing our borders. If we do not do it, no one else will. No one else can. The buck stops in this Chamber.

These three components are all interdependent. We need to have them all. A strong investment in each is necessary for them to work individually and to work collectively.

For example, a strong effort to destroy or seize drugs at the source or to the United States reduces the amount of drugs in the country and drives up the street price. As we all know, higher prices do in fact reduce consumption. This, in turn, helps our domestic law enforcement and demand-reduction efforts.

As any football fan knows, a winning team is one that plays well at all three phases of the sport: Offense, defense, and the special teams. The same is true with our antidrug strategy. All three components have to be supported if our strategy is to be a winning one.

While I think the current administration has shown a clear commitment to demand-reduction and domestic law enforcement programs, the same, clearly, cannot be said for our international eradication and interdiction components. This was not always the case.

I think these charts I have with us show how our commitment has changed.

In 1987, a $4.79 billion Federal drug control budget was divided as follows: 29 percent for demand-reduction programs, 38 percent for domestic law enforcement, and 33 percent—one-third—for international eradication and interdiction efforts. This is the way it should be. This is a balanced program.

This is what we had in 1987.

Now we fast forward to 1995, and you will see that this balance goes out of whack. We no longer had that balance. We no longer had that balance today.

The balanced approach worked. It achieved real success. Limiting drug availability through interdiction drove up the street price of drugs, reduced drug purity levels, and as a result reduced overall drug use.

From 1988 to 1991, total drug use declined by 13 percent, cocaine use dropped by 35 percent, and all drug use by American adolescents dropped by 25 percent—results. We began to see results.

This balanced approach, however, ended in 1993. By 1995, the $13.3 billion national drug control budget was divided as follows: 35 percent for demand reduction, 53 percent for domestic law enforcement, but only 12 percent for international interdiction efforts. International interdiction efforts have gone down to 12 percent from 33 percent.

Though the overall antidrug budget increased almost threefold from 1987 to 1995, the percentage allocated for international eradication and interdiction remained the same. This disruption only recently has started to change.

We have put together, on the floor of the Senate and in the House of Representatives, a bipartisan group—a bipartisan group of Senators—who have said: We cannot have this imbalance. We must begin to restore the balance we had a few years ago in 1987. We have to do it.
Let me go forward, if I may, to this current budget year, the budget year 2000. In the budget year 2000, 34 percent has been devoted to domestic interdiction and law enforcement, 51 percent for domestic law enforcement, and 14.4 percent for international interdiction efforts.

We are slowly moving in the right direction. Even in this year’s budget, we have a long way to go, with only 14.4 percent for international interdiction efforts. We have more work to do, more work, such as the assistance package for the Colombians that we are debating on the floor today. But we are starting to see some modest progress.

But what really matters is what these numbers get you, what they buy us as a country, what they buy in terms of resources. The hard truth is that our drug interdiction presence—the ships, the air, and the manpower dedicated to keeping drugs from reaching our country—has eroded dramatically over the course of the last decade. We are just now starting to restore those valuable resources.

In fact, with the modest improvements we have made in our international drug fighting capability, we have seen progress. In 1999, for example, the U.S. Coast Guard seized 57 tons of cocaine with a street value of $4 billion. By the way, that is more than the total operational costs of the Coast Guard. These operations demonstrate we can make a big difference, a very big difference, if we provide the right levels of material and the right levels of manpower to fight drug trafficking. It worked before. It can work again.

The emergency assistance package we are talking about today, along with investments included in the Senate-passed military construction appropriations bill, is designed to build on that amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of the amendment of 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the demand side and to get some substance abuse prevention and treatment moneys to our States and our communities. Senator Moynihan is right. The other Senator from Ohio is very committed to that. I look forward to working with him on this because, frankly, I think it is a scandal. We have so much evidence—Bill Moyers, the impressive journalist, has done some fine work on this—that we can treat this addiction, that we can make a huge difference. Senator Moynihan has spoken with such eloquence about the whole history of our efforts to constantly try to militarize and go for interdiction and not deal with the demand side. It is a completely one-sided proposition. I look forward to enlisting the support of my colleagues from Ohio on this question. I know he will be there.

I was happy to respond to other Senators. I know Senator Durbin is going to speak and Senator Biden. As I listen to my colleagues, what I am hearing—and I think we should be explicit about this—is that this is not just a question of a kind of war on narcotics. Otherwise, we would be doing more on the demand side. This is a question of basically saying that we can’t just focus on the police. We can’t just provide help to the government for police action and building democratic institutions and economic development and every other kind of assistance possible. We have to directly provide the money for the military to basically conduct their anti-insurgency campaign in the southern part of Colombia with American advisers and support. I believe that means we are taking sides. If we are taking sides and we are now in the middle of this war, so be it. That is what I am hearing on the floor. I wanted to comment on that.

I recall it is the 25th anniversary of my time.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I thank the Senator from Kentucky for yielding.

Sunday afternoon, 3 days ago, I was in southern Colombia in a Blackhawk helicopter. We spent an hour going over the treetops of a jungle and looking down. A general from the Colombian army was pointing out to me the fields of coca plants, the plant that ultimately is cocaine. After a few minutes, I told him he could stop because we could literally see them in every direction. I am talking about 600 square miles of coca plants growing a product which has one use: to create an addictive narcotic. Where will it be sold? Right here, most of it in the United States.

I think we all know the devastation it wreaks on this country. The likelihood that one will be robbed or murdered is connected to narcotics. The safety of American homes, neighborhoods, and communities is usually connected to narcotics. The prisons of America are bursting at the seams primarily because of narcotics. Eighty percent of the cocaine consumed in the United States comes from one country: Colombia. That is a reality; that is a fact.

The Senator from Minnesota is one of my favorite colleagues. I say this in all sincerity. Thank God Paul Wellstone is in the Senate. He stands for principle on so many issues and reminds all of us of the issues of conscience which should be part of every debate. I am honored so many times to stand as his ally. This is one of the rare occasions when I am on the opposite side and will oppose his amendment. As some would like to construct it, this amendment is a Faustian choice, an impossible dilemma. Should we allow drugs into the United States? Certainly not. Should we support a Colombian civil war in an anti-human rights abuse? Well, certainly not. But we have to make a choice here.

The Clinton administration has come forward, working with the President of Colombia, and said we think we can find a way to reform the military and we can also reduce the narcotics coming into the United States.

I might add that I salute Senator McConnell and Senator Leahy for this fine bill they have brought to us. They went further than the administration.

Please read the section on Plan Colombia, and you will see page after page of efforts by Democrats and Republicans here to address the very real human rights concerns raised by Senator Wellstone of Minnesota.

Time and again, they come forward and say we are going to do more and make certain, as best we can, that before money comes from our Treasury down to Colombia to eradicate narcotics, the people involved in the money are more likely to collaborate with the narco traffickers who are guilty of things that have been proven in the past.

I salute the committee. For friends of mine in the human rights community in the United States, I hope they will read what has been done here by Senators Leahy and McConnell. It is very positive.

Imagine, for 40 years Colombia has been involved in what has been called a civil war in an internal conflict. What does that mean? Forty years ago, groups on the left were inspired either by Moscow, or Beijing, or whatever, to the front and said, we are going to push for reform in this country so that the poor people of Colombia have a better chance. That sort of revolution was taking place all over Central and South America.

But things changed over 40 years. What started off as a leftist-inspired, to improve life for the poor people in Colombia quickly became subsumed and taken over by the narcotics trade. The World Bank estimates that there is a billion dollars in money coming into Colombia to sustain the narcotics trade. That money is going to the leftist guerrillas and the paramilitaries. They all use the same tactics. They don’t go into villages and beg for soldiers; they stick a gun to their heads and say, “You are now part of our paramilitary group. They enslave them. If they don’t cooperate, they kill them. And they are involved in kidnapping.

The President of that country has been kidnapped. His father-in-law was kidnapped and murdered. When we met Saturday morning, the Defense Minister said his brother was kidnapped. Everybody there told stories about kidnapped people. If you think this is a typical civil war where the left is moving for poor people and the government is going to fight the paramilitaries, you are wrong. When we sat down with the human rights groups, they said the guerrillas on the left and the paramilitaries on the right are just as guilty of human rights abuses in this country as any other group. No question about it.

There are very few good guys in this story. But from the U.S. point of view, I think the President is right, and I think this bill is right to say we cannot stand idly by and let these drugs flood into the United States with all of the negative consequences.

I totally support Senator Wellstone’s premise that if we just stop the supply of drugs coming into the United States, that is not enough; we have to deal with the demand side of it. America is a great consumer of narcotics. That is why those plants are being grown thousands of miles away. When Senators Wellstone and DeWine come to the floor and say put more money into drug mule tracking in the United States, they are right. But it is not an either-or situation; we need both.

This bill addresses reducing and eliminating the supply of narcotics coming into the United States. Senator Wellstone believes the military in Colombia has a record of human rights abuses, and he is right. The State Department stands behind that. This bill addresses that and says, we will bring you a very strong denunciation. When demand reforms in the Colombian society, and we will demand that you not be engaged in human rights abuses to be part of this partnership to reduce narcotics in Colombia.

I might add also, to suggest we will give money to the police and not to the army really doesn’t tell the whole story. They are together in Colombia. The national police and the army are together. When I sat down with the Minister of Defense, I sat across from the table from General Gilibert, who is head of the police, and General Tapia, head of the army. They work together. We want to use helicopters to secure
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Mr. WELLSTONE. That is right, yes. I will just be a few minutes.

Mr. MCCONNELL. With you.

Mr. WELLSTONE. I thank my colleague for his courtesy. I know Senator BOXER wants to speak.

I ask unanimous consent that Senator BOXER be allowed to speak after Senator BIDEN.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. Mr. President, reserving the right to object, since we are setting a lineup here, I ask unanimous consent that Senator COVENDOLL from Georgia come after Senator BOXER.

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

Mr. WELLSTONE. I thank my colleague from Illinois for his very gracious remarks. I am happy that Senator PaSTRANA has made his own judgment for us. He is implying that it is a common sense judgment, which is a common-sense approach. I think by militarizing this aid package we are creating a big mistake. I think we could support this amendment which permits extensive assistance to Columbia while safeguarding U.S. interests and avoiding entanglement in a decades-old civil conflict and partnership with an army that is implicated in human rights abuses. Moreover, I think we could take some of the resources and put them where they could do the most good, which would be providing drug treatment programs at home.

I yield the floor and reserve the remainder of my time.

Mr. WELLSTONE. That is right, yes. I just want to thank the Presiding Officer for his courtesy. I know Senator BIDEN wants to speak.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, is the Senator from Kentucky able to yield time to me?

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

I yield the floor.

Mr. WELLSTONE. I thank you for your kind remarks. I know that Senator BIDEN has the courtesy of a long line to speak about this issue. I have a quick question about it. The question is whether or not we have now decided we are going to be there with aid and our people supporting the military in this conflict. If that is the case, are we going to take sides in this military conflict?

I hear my colleague from Delaware say yes. I always respect his directness. But I think that is really what the debate is about. I think probably all of us need to understand, since some who have come to the floor have said they are against this amendment, if they are for the war against drugs, this is not a debate about only a war on drugs, obviously from what colleagues have said. We have been down this road before. Now we are going to say we have decided that we have to support the southern Colombia military, and we are going to put the money into this military effort. If we are going to have them supporting it, we are taking sides. OK. As long as that is clear.

Third, my colleague from Illinois said that the police and the military are in this together, and that they work together. I do not know. Again, I did not have a chance to visit Colombia. But I do know, at least from sort of the one time I was in Latin America and in my own study, that I always saw in these countries a great difference between the police and the military. You see the police. They are low-level guys who do their job. The military are the ‘Rambos.’ There is a difference in the groups. They are an entirely different group of people and entirely different people.

In all due respect, the evidence we have right now by one human rights organization after another after another after another, much less the State Department report, is that about 70 percent of the violence has been committed by these groups to which the military quite often is linked. We have not been able to vet that. All of a sudden, we are going to be able to vet it, monitor it. We are going to be able to control it. I think that is a dubious proposition.

I think by militarizing this aid package we make a big mistake. I think we could support this amendment which permits extensive assistance to Columbia while safeguarding U.S. interests and avoiding entanglement in a decades-old civil conflict and partnership with an army that is implicated in human rights abuses. Moreover, I think we could take some of the resources and put them where they could do the most good, which would be providing drug treatment programs at home.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, is the Senator from Kentucky able to yield time to me?

Mr. McCONNELL. Mr. President, how much time do I have?
The PRESIDING OFFICER. The Senator has used 28 minutes, and he has 17 minutes remaining.

Mr. MCCONNELL. How much time does the Senator from Delaware need?

Mr. BIDEN. I understand the Senator's dilemma.

Mr. MCCONNELL. Mr. President, I ask unanimous consent for an additional 10 minutes on this side.

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

Mr. MCCONNELL. I yield to the Senator for 10 minutes.

Mr. BIDEN. I thank the Senator. I thank the Senator from Minnesota, knowing he was about to give me time, which is his nature. I appreciate that.

Mr. President, my mom had an expression. Occasionally, when I was a kid, I think she had a good idea and was well intentioned. She would say, "Joey, the road to Hell is paved with good intentions." I have had doubt about the intentions of my friend from Minnesota. I know he knows that as the author of the drug czar legislation for the past, I guess it is about 14 years. I have issued every year a drug report or an alternate drug report laying out a drug strategy for the United States, usually as a counterbalance on the Republican administration and criticism or one of agreement with the administration.

This debate reminds me a little bit of the position in which Democrats have always been put. The Democrats get put in a position where we are told there is a dollar left and it can be distributed among the hearing impaired, the sight impaired, and those children needing emergency medical care. So we have to choose. We have the blind fighting the diseased fighting the hearing impaired. Instead of saying we can choose between building a highway and taking care of all the needs of those in despair, we cannot build a submarine, or an air base, whatever, we are debating about whether or not we can walk and chew gum at the same time.

There is no disagreement. I have, as well as my colleagues, pushed—pushed in the early days when I was chairman of the Judiciary Committee—for major increases in treatment. I have issued a total of seven major reports on treatment, its value, its efficacy, and why we should be doing more.

I take a backseat to no one in arguing that we do not give enough treatment here in this drug war.

I point out that the President's budget, unlike the Colombian aid package, has $6 billion in it for drug treatment and drug prevention. That total includes $300 million in funding increases in this area. We don't have to take away from the money that, in fact, would have a significant impact on the reduction of product here. That is the bad news.

The good news is that, as we have debated the Andean drug policy for the past 12 years, we used to have to deal with the idea that Colombia was a transiting country area in the 1990s where the product went into the laboratories, and the laboratory work and product used to be produced in Bolivia and Peru.

The good news is, because of eradication programs, because of U.N. leadership, I might add in this area, essentially there has been an elimination of the crop in those two countries.

The bad news is that it has all moved into Colombia. They now are a full-service operation. The product is there, the narco traffickers are there, the laboratory laboratories are there, and the transitting is there. That is the bad news.

The good news is it is all in one spot for us to be able to hit it. It is all in one spot for us to have a very efficacious use of this money.

I spent days in Colombia. I spent 2 days, 24 hours a day, with the President of Colombia. He actually went with him on his Easter vacation by accident to his summer residence. This is a guy, as my friend from Illinois points out, that is the real deal.

For the first time, we have a President who understands that his democracy is at stake. He is willing to risk his life—not figuratively, literally. I went to dinner with he and his children. He has seven bodyguards around him because of the death threats. This is a guy who is risking his life. He is willing to do it because he understands what is at stake for his country, unlike previous Presidents.

The next point is, we are making this distinction between police and military. With all due respect to my friend from Minnesota, historically the thugs in South America have been the police. Police are not like police here. There is a national police; we have no national police in South America have been the police, not army. Often the police in South America are the biggest abusers of human rights.

What did we do? We gave the Colombian National Police aid, $756 million in aid. What did we say? Purge this police department, purge the national police, and they did. And guess what. If I stood on this floor 5 years ago and said the Colombian police are going to crack the Medellin and Cali Cartel, no one would have said that is possible. No one.

Guess what. They cracked the Medellin Cartel. They cracked the Cali Cartel. They put them in jail. They are extraditing the police. Why? Because the President trained their police; they purged 4,000 of them.

Where are we on military? I met here with every major human rights group from Colombia, including the bishops who came up. When we push them to the wall and say to them: By the way, you want us out?

No, no, no, no, no, no, don't do that. Don't do that. You have to stay in. You have to be involved. We don't like the balance the way you have it here.

I say: Fine. No problem. You want us in or you want us out?

Stay. Stay.

Now, civil war. There is no civil war. We were caught up in the old logic of how we deal with things. There is no civil war. Less than 5 percent of the people of Colombia support the guerrillas. Every other guerrilla movement, every other civil war, you go into the village to recruit people. They go in, as my friend Illinois said, to shoot people. There is no popular sentiment at all. This is not a civil war.

With regard to the paramilitaries, I called President Pastrana a few weeks ago. I said, a lot of the criticism of the plan is you have to be sure that you are only focusing on the FARC and the ELN and only focusing on the guerrillas. What about the paramilitaries? I want a letter saying that you will, in fact, move on the paramilitary simultaneously. You must change.

He changed it. Here is the letter. I ask unanimous consent the letter be printed in the Record, as follows:


Senator Joseph R. Biden, Jr.

Ranking Minority Member, Committee on Foreign Relations, U.S. Senate.

Dear Joe: Thank you again for your visit to Colombia and your support of my country. I greatly enjoyed our discussions and valued your insights.

I would like to take this opportunity to reiterate, as I did personally during your visit here, the commitment of my government to attack drug trafficking and cultivation in all parts of the country and not only in the so-called "pre骆tential zones" or areas of traditional or by planting coca and poppy were sprayed, 31 tons of coca and 691 kilos of heroin were seized, and 165 labs and 44 airfields were destroyed. Just this past weekend, in an extraordinarily successful operation in Norte de Santander on the border with Venezuela, we were able to destroy 44 laboratories and capture 20 persons, in an area linked to illegal auto-defense organizations, but where guerrilla groups and organized drug traffickers also operate.

Plan Colombia is an integral plan for peace designed, among other goals, to eradicate drug cultivation and to address the social problems created by the violence associated with drug trafficking in all the producing regions in the world. It has been and will continue to be an important part—areas close to the Ecuadorian border in the south and to the Venezuelan border in the north. Our priorities and the sequence of eradication will depend on the resources available to us, but you are correct in stating the principle that we want to demonstrate that no trafficking organization is immune.

Indeed, as you may know the initial effort of the plan marks combined police, military, ...
Mr. BIDEN. When I said, do we take sides? The answer is, yes, we take sides. We are not putting anybody in the field. What are we doing? We are training three battalions. Why are we training them? For the same reason we train the other guys. We want to open the eyes of the Colombian military, who in recent years have been accused of fewer human rights abuses. They have been accused of turning their heads. They hear the paramilitary coming, they lift the gate. There, the paramilitary prime, and they go back on.

Then they ask, what happened? What is going on?

Plan Colombia does not only involve U.S. participation. This is a $7.5 billion plan. The Colombians are coming up with $4 billion; the Europeans, about $1 billion and the international financial institutions about $1 billion. If we take out our piece, it all falls apart. We are not the only game in town. But we are the catalyst. What will happen? The world is going to be looking to the Colombian military, from Japan to Bonn, because they are all in the deal. They are all involved. If you want to clean up anybody, anything, any institution, listen to the dictates of a former Supreme Court Justice: The best disinfectant is the clear light of day.

There will be a worldwide spotlight shined upon this military. I have never personally testified on the floor that I have faith in an individual leader, but I have faith in President Pastrana. He is the real deal. What is at stake is whether or not Colombia becomes a narcostate or not. This is not in between. Keep in mind, folks, when the Supreme Courts of Colombia several years ago extradited some, they blew the Court up; they blew the building up and killed seven Justices. When a President candidate took them on, they shot him dead.

This is the real stuff. It is not like a Member of this body. The worst thing that happens to us is we get a drive-by shooting, and we lose one. There, you jump in the sucker and you lose your life. This is for real. These are courageous people who finally have said: We will take them on.

I am convinced—knowing the chairman, and my friend from Kentucky is a hard-nosed guy—he made a judgment that this is not about to give $1 billion to anybody.

My colleagues, it is very basic. There is a lot at stake. We have a significant increase in funding for treatment and prevention. It should be more. But we have an obligation, in the interests of our children and the interests of the hemisphere, to keep the oldest democracy in place, to give them a fighting chance to keep from becoming a narcostate. Folks, if they lose, mark my words, we are going to reap the whirlwind in this hemisphere on matters that go far beyond drugs. It will include terrorism, it will include whole cadres of issues we have not thought about.

I thank the chairman for his time. I truly appreciate the motivation of my friend from Minnesota. At the appropriate time, unless the chairman of the committee does not want me to, I move to table. I am not trying to cut off discussion.

Mr. McCONNELL. I thank the Senator from Delaware for an important contribution and assure him at the appropriate time it would be appropriate for him to make a motion to table.

How much time remains?

The PRESIDING OFFICER. The Senator has 17 minutes remaining.

The Senator from California.

Mrs. BOXER. Mr. President, my colleague from Minnesota for this amendment and for this time.

Mr. WELLSTONE. I yield 15 minutes to the Senator from California.

Mrs. BOXER. Mr. President, listening to the Senator from Delaware, one would think the Wellstone amendment was taking away all the funding from Colombia. Nothing could be further from the truth.

The Senator from Minnesota is leaving in place the funding for Colombia; that makes good sense. Here is what is left in this bill after the Senator’s amendment: Funding for interdiction; funding for the Colombian police; funds for alternative development and internally displaced people; funds for human rights; funds for regional assistance; funds for rehabilitation soldiers under the age of 18 who have been involved in armed conflict.

The only thing the Senator from Minnesota is doing in his amendment is making sure this country doesn’t get involved in a conflict that could hurt our people eventually. The Senator from Minnesota is saying we are going to help the people here. We will help this country, we will help this region, but we are not going to get involved with the military.

I thank the Senator from the bottom of my heart for this amendment. I don’t care if he gets 2 votes or 22 votes; he is doing the right thing.

I clearly understand the threat that illegal drugs pose to our country, to my State of California, and I clearly understand that Colombia is a major supplier of the cocaine and heroin that reach our shores. I am willing to say to my friends in the Senate, we need a balanced approach to this horrible problem of drug abuse. You could have a big supply, but if no one wanted to buy it, it would not hurt anyone. The fact is, the people in this country want to buy it. And there is not 1 cent in this bill, out of $1 billion—not 1 cent to help us with education, treatment on demand, prevention. This is a lost opportunity. What my friend from Minnesota is saying is, if we in this Chamber are sincere about fighting drugs, and a war on drugs, then we do not put $1 billion out of a foreign country and ignore what is happening here at home.

Let me tell you what happens in California and all over this country when someone is arrested for a violent crime. Mr. President, 50 percent to 75 percent of those perpetrators of this violence are high on drugs. I cannot tell you how many times I have seen in my State—maybe it is because my State is a large State—that I have someone come up to me, a parent, saying: I have a son or a daughter who wants to get off drugs; there is no room in a treatment center; we don’t have money; we have to spend a lot of money; what are we going to do?

I look at that person and all I can say is: Send me a letter and let me see if we can help you find some treatment program that might have a slot.

Does it make sense to spend $1 billion, as this bill does, and ignore the emergency here at home? We are so quick to find the money to send somewhere else, but what about our people who are ready, perhaps, to take that step to get off drugs? Telling them they have to wait 6 months to get into a program is consigning them to more months of addiction. What happens if we stop this whole thing when it starts, with education, with prevention? I do not quite understand the enthusiasm for a bill that does not spend a penny here at home.

My friend from Delaware is as eloquent as anyone on this floor. He says, “Yes, we are spending more.” Yes, we are spending more in our regular appropriation, but if we are facing such a horrible emergency that we have to go in, with $1 billion, I have to say to my friend, why can’t we see this emergency here at home, when people cannot get treatment on demand? You don’t have a sale if you don’t have a willing buyer. Unfortunately, the admission here is this country.

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

Mrs. BOXER. Yes, I am happy to.

Mr. BIDEN. Why doesn’t the Senator cut it some other way? Why take $1 billion out of the highway trust fund or $1 billion out of the education budget or $1 billion out of NIH or $1 billion out of the Department of Energy?
Mrs. BOXER. I will be glad to answer it. Because this is $1 billion to deal with the drug problem specifically. That is the point of it. The Senator made that point. The Senator from Illinois made that point. This is money that we are spending because we are stunned at the drug trafficking that is going on—and we should be. All theSenatordoes is saying in his amendment, which I am proud to support, is we will leave 75 percent of that money intact to do the things we want to do to help the good President of Colombia. But all we are saying is before we get our advisers caught in a situation over there—you know, you may be right. Maybe nothing will ever go wrong with it. But all we are saying is, how about fighting a war here at home for a change instead of always spending the money outside of this country?

Mr. BIDEN. Will my distinguished colleague yield for another question, just 10 seconds?

Mrs. BOXER. Yes, I am happy to yield.

Mr. BIDEN. The Senator is aware the President's budget calls for spending $6 billion in drug treatment and prevention, including $31 million for substance abuse block grants; that is $54 million on targeted capacity expansion programs, $77 million for research and treatment, $5 million—the list goes on. The Senator is aware of that?

Mrs. BOXER. Of the addicts in my State are not getting treatment. Only 50 percent of the treatment. The other 50 percent, unless they are rich, cannot get the treatment on demand.

Mr. WELLSSTONE. Will the Senator yield for a moment?

Mrs. BOXER. Yes, I will.

Mr. WELLSSTONE. For my colleague from California, just so she knows, the particular program we are talking about, which is the block grant, the SAMHSA block grant program to our States and communities for treatment programs, is $1.4 billion.

My colleague's figure lumps everything and anything together.

Mr. BIDEN. On treatment.

Mr. WELLSSTONE. I am talking about direct treatment out in the community. When 50 percent of the adolescents in this country get no treatment whatsoever, and 60 percent of the adults get no treatment whatsoever, it is hard to come out on the floor and say we have already made this tremendous commitment, there is no reason to talk about some additional resources.

Mrs. BOXER. Again, I represent the largest State in the Union. My friend represents a smaller State. I would just say, maybe it is my State, but when I see these figures coming back—and my friend is a leader in the whole issue of crime prevention and being tough on crime and all the rest, and he knows it is true that if you look at the arrests for violent crime in our country—I could say particularly in California, 50 to 75 percent of the perpetrators are on high drugs. So all my friend from Minnesota is saying in his amendment is everything the Senator said about President Pastrana, everything he said about the need to help his country—I don't argue with that. That is why I am proud of this amendment. Everything is left in except getting us involved in this countrynarcotics insurgency, which may well put us in a situation where we find ourselves between two bad actors: the PARC on the one hand, with a history of violent conflict, and human rights violations, and the paramilitary on the right-hand side here, with the same horrible record. Unfortunately, it ties to the military in Colombia.

So here we are, giving us a chance to do all the good things in this appropriates bill that we are happy are in there, but to take out the one for $225 million, that could lead us into trouble.

Here is the Boston Globe. They talk about targeting addiction. They say:

The Clinton proposal for U.S. intervention in Colombia's Civil War.

And that is what is being supported on this floor. They say it really isn't going to work. They finish saying:

History suggests that increased funding for treatment of addicts and programs for prevention—treatment on demand for drugs—can accomplish more to ameliorate the individual and social pathology associated with the endemic drug addiction in Colombia.

This is the Boston Globe. We have a number of editors that are very strong on this point.

This is the St. Petersburg Times. We have these from all over the country:

We have forgotten the lessons of our involvement in Central America in the 1980s . . .

They talk about the fact:

In an attempt to contain communism, our government provided support to right-wing governments and paramilitary groups that used the aid to slaughter thousands of innocent civilians. This time, America's stated public interest is stopping drug trafficking.

But, it says:

It could, however, draw us into a brutal civil war with the guerrillas and create a backlash that could harm our effort to support the Colombian Government, which is getting $289 million this year—third, behind Israel and Egypt, as a U.S. aid recipient. The money would pay for technical and intelligence assistance, and training by U.S. advisers of a newly created anti-narcotics army battalion whose mission is to attack guerrilla units, clearing the way for police (who get most U.S. aid) to move in and eradicate coca crops. But there are serious obstacles. For one thing, U.S. aid has been meager in the past not only due to corruption but because of rampant human rights violations by soldiers and paramilitary groups. Thus the new battalion has been carefully recruited and will receive human rights training.

The larger problem is that U.S. aid is meant to target only Colombia's narcotics traffickers, not a 35-year-old leftist insurgency.
Yet the two have become virtually indistinguishable, guying to their efforts from coca growers and drug traffic in drugs as well. The largest guerrilla group now controls much of the southern half of the country thanks to Escobar's policies. Eagerly naive, many Colombians and by some U.S. officials, keeping troops out of the region as an inducement to the rebels to negotiate a peace settlement. But the rebels, while enjoying their immunity, have stalled negotiations.

Despite such troubling signs, McCaffrey appears to have strong support in Congress, and many in the White House for increasing U.S. aid even as drug prevention and treatment programs at home are given only minimal funding. Those priorities are misplaced.

The Pentagon insists that U.S. combat troops will not be used in Colombia. Good. But Americans have heard that before, about Vietnam, and rebels say they regard U.S. advisers as targets. While it may be premature to sound an alarm, it’s not too early to begin a debate about U.S. interests in a conflict that has at least the potential to suck Americans into another quagmire. Congress and the administration owe it to the country to clarify what’s at stake, what is contemplated and what is not, and the sooner the better.

By a wide margin, the House of Representatives has approved $1.7 billion to aid Colombia in its fight against drug traffickers who supply the bulk of the cocaine and heroin to the United States. The aim is laudable, but the chances of success seem slight. Before the Senate takes up the measure, which the Clinton administration strongly supports, there must be an intensive national debate.

The legislation bans the use of U.S. combat troops, but allows that U.S. advisers be sent to train Colombian forces in the use of U.S. helicopters and other equipment and to ensure that American aid is used properly—in particular the rights and benefits given to specially trained Colombian anti-narcotics battalions. Such constraint is important.

But staying within those limits will be difficult, given the immense terrain involved, the history of human rights abuses in Colombia and the legislative mandate that aid can be used only against drug traffickers and not against leftist guerrillas who often collaborate with them. And if right-wing death squads that have been closely linked to elements of the Colombian military continue to operate, some of the blame will inevitably accrue to the U.S. program, fairly or not. Add to that Colombia’s endemic corruption, deadly political intimidation and the ease with which drug crops can be shifted from areas eradicated and the task seems overwhelming.

Undaunted, U.S. officials want funding to be expedited. Senate Majority Leader Trent Lott objects, not to aid for Colombia but to folding it into a $2.7 billion supplemental appropriation that includes other major military aid, domestic flood relief and various pork-barrel projects. He’s right; the Colombian program is too critical to be obscured by triple-digit election-year log-rolling.

Opponents fear, reasonably, that the United States could become ensnared in a foreign civil war that is not a vital U.S. interest and that U.S. forces will be unwieldy, out far more intervention than most Americans would support. Backers say that Colombia’s plight is a vital U.S. interest because of the space it provides for drug-suspected Americans. But even student-program coordinators, tell us that the solution lies mostly at home—in prevention, treatment and rehabilitation programs in this country.

In short, the onus is on the administration to persuade Americans that this program is not the beginning of an open-ended commitment.

U.S. aid to Colombia may be justified, but only if it is carefully defined and performance-based in terms of military success and drug eradication. Otherwise, it could turn out to be another nightmare that might have been avoided had we paid closer attention going in.

(From the Los Angeles Times, May 15, 2000)

COLOMBIA AID BILL WOULD ESCALATE A FAILED POLICY: DRUGS—TREATMENT AND REDUCING COCAINE CONSUMPTION IS A BETTER WAY TO GO

(Bob Dowd)

U.S. demand created the drug crisis situation in Colombia, and our military intervention there means that U.S. troops and civilian contractors in harm’s way in an effort to salvage our failed drug policy.

The Clinton administration has proposed, and congressionally approved, to spend an estimated $1.8 billion to permit U.S. combat troops to be used only against drug traffickers and not the rebels. In fact, it seems that we are supporting one group of drug traffickers while opposing another.

The Colombian aid package is nothing more than an introduction to a quagmire and an escalation of failed drug policy. The administration and Congress should step back and formulate goals they want to achieve in Colombia and then determine how best to achieve them without promoting bloodshed and lawlessness.

Mr. WELLSTONE. Does my colleague need more time?

Mrs. BOXER. I ask the Senator from Minnesota for an additional 5 minutes.

Mr. WELLSTONE. Mr. President, I yield my colleague an additional 10 minutes.

Mrs. BOXER. Mr. President, I thank the Senator.

I will continue reading from some of these editorials. These are newspapers that have very different editorial policies, usually, from one another.

The Sacramento Bee:

A larger problem is that U.S. aid is meant to target only Colombia’s narcotics traffickers, not a 35-year-old leftist insurgency. But every study, and common sense, tell us that the solution lies mostly at home—in drug treatment in the U.S. and drug eradication in Colombia. According to the Rand Corp., eradication is negligible as guerrillas extort tribute from coca growers and traffic in drugs as well.

The Pentagon insists that U.S. combat troops will not be used in Colombia. Good. But Americans have heard that before, about Vietnam, and rebels say they regard U.S. advisers as targets.

We have the rebel groups already saying U.S. advisers will be targeted. This is what the Sacramento Bee says. I associate myself with their conclusion:

While it may be premature to sound an alarm, it’s not too early to begin a debate about U.S. interests in a conflict that has at least the potential to suck Americans into another quagmire. Congress and the administration owe it to the country to clarify what’s at stake, what is contemplated and what is not, and the sooner the better.

The L.A. Times says:

The administration’s most frequent rationale for pumping millions of dollars in aid and tons of military equipment into Colombia is the need to fight “narco-guerrillas.” In fact, there are reports that all sides—including the side the U.S. supports, the Colombian military—have been tied to the drug trade. It seems that we are supporting one group of drug traffickers while opposing another group.

Let’s look at this one. What are we doing? We have the left wing on one
side killing people, human rights viola-
tions, and violent. We have the right wing on the other side, with which the Colom-
bian military oftentimes sides, and they are doing the same thing from the right.
In comes the United States of America advisers—and I know we have some advisers there already; I am aware of that, but this is clearly an es-
calation of our involvement through the donation of these helicopters and
advisers—and they are going to become targets in the middle between the left
and the right wings.
Even though we say they are there to fight drug trafficking, which is laud-
able, they may well go into the jungles and encounter some of the left-wing
guerrillas and find themselves in a pretty horrible situation, which is
something about which we need to be clear and why I am so proud to be a co-
sponsor of this amendment and why, quite frankly, I am a little surprised
there is not more concern in the Sen-
ate.
There is a Fresno Bee editorial that
is excellent. It says in part:
'This amendment' allows that U.S. advis-
ers be sent to train Colombian forces in the use of U.S. helicopters and other equipment.
And if right-wing death squads that have
been closely linked to elements of the Co-
lombian military continue to operate, some
of the blame will inevitably accrue to the
U.S. program.
That is another fear. What could be
more important to us as Members of the Senate than making sure people do
not get hurt in our country, in the
world, that we work for peace and all
the right things? If somehow our dol-
ars wind up helping paramilitary groups and they commit human rights
abuses and killings—and we know the
list of these abuses; they are horrible—
somehow it is definitely going to come
back to us. It is going to come back to
us, and I do not want that on my
hands, that on the hands of the people from my State.
The Senator from Minnesota is giv-
ing us today an opportunity to do all
the good things we should do in Colom-
bia. It will go through them again.
There are important things he has left
in this bill.
He is only taking out 25 percent of
this money and transferring it to this
country to help us in a war on drugs in
our Nation.
He is leaving in interdiction, $132
million to pay for new aircraft, up-
grades for existing aircraft, secure
communications, sea- and river-based
interdiction.
He is leaving in $93 million for Co-
lombian police to pay for spray air-
craft, helicopter upgrade, communica-
tions, ammunition, equipment.
He is leaving in funds for alternative
development for internally displaced people, $189 million—funds to help dis-
placed people.
He is leaving in human-rights-boost-
ing government capabilities. This fund-
ing would provide for the protection of
human rights workers, judicial reform,
training of judges, prison security—all
the things President Pastrana needs to
strengthen the institutions in Colom-
bia.
He is leaving in regional assistance for Bolivia, Ecuador, and Peru. This
funding would help alternative development programs in these nearby
countries.
He is leaving in $5 million to help re-
habilitate child soldiers, children who
got involved in this conflict.
For people to talk against this amend-
ment as if it is evicerating aid to Co-
lombia, evicerating aid to Presi-
dent Pastrana, they have not read the
Wellstone amendment. The only thing
he is taking out is this involvement on
the ground with this
counterinsurgency against the narc-
ocics.
As I look around my State and I read
the studies from my State—for exam-
ple, in Ventura County, CA, a beautiful
part of our State where there is a lot of
agriculture and open space and it looks
like paradise, 40 percent of the coun-
ty’s homeless population is related to
drug abuse or alcohol abuse. A San
Francisco study found in 1998 that drug
abuse was the leading killer of the
homeless. There are over 500,000 drug-
related emergency room episodes every
year.
In 1995, nationwide, drug abuse cost
$12 billion in health care—$12 billion in
health care costs—and the good Sen-
ator is suggesting $225 million so we
can cut down on those expenses. It is
an investment to cut down on these
costs.
The loss of productivity in 1992 has
been calculated at $69.4 billion. That is
a 1-year loss of productivity.
In summing up, I consider myself
someone who solving problems,
and the way one solves problems is
not putting blinders on and going in
one direction, but looking at the whole
problem. With the Wellstone amend-
ment, taking $225 million and putting
it in this country so we can stop people
from becoming addicts and, if they are
addicts, help them get off drugs, this
is going to be a really good and balanced
bill, one that I will be proud to sup-
port.
Again, I thank him for leaving in this
package the kinds of things we need to
do to build democracy in Colombia, to
make sure that regime succeeds, to
train the people who need to be trained
in judicial reform, to help human
rights, to help the child soldiers, and to
take that $225 million that will involve
us, unwittingly, in what I consider to be
a civil war, to take that out, bring
it home—bring it home to California,
bring it home to Georgia, bring it home
to Minnesota, bring it home to New
Hampshire, bring it home to our
cities and our counties—and let people
get the help they need, the help they de-
serve.
So I say to my friend, thank you for your courage in offering this. I am
proud to stand with you.
I reserve the remainder of my time and
yield it back to the Senator from Minnesota.
Several Senators addressed the
Chair.
Mr. WELLSTONE. I know the Sen-
ator from Georgia is here. I just want
to thank the Senator from California.
The PRESIDING OFFICER (Mr.
SMITH of New Hampshire). The Senator
from Georgia is recognized.
Mr. COVERDELL. Mr. President, I
yield myself up to 10 minutes of our
time and, of course, reserve the re-
mainder of the time when I conclude
my remarks for our side.
We have heard a lot of interesting re-
marks. I rise against the amendment of
the Senator from Delaware.
I would like to try to not repeat ev-
erything that has been said but try to
underscore several fundamental basic
points with regard to these issues.
The first is that over the last 8 years,
funding for drug treatment and drug
prevention has increased by $1.6 bil-
ion. I repeat, it has increased over the
last 8 years. The amendment of the
Senator from Minnesota would in-
crease it even further.
On the interdiction side of the ledger,
during the same 8 years, there has been
a decrease in the funding for interdic-
tion. So interdiction is dropping and
treatment and prevention is growing.
What happens when the Federal Gov-
ernment moves away from its respon-
sibilities to protect our borders and to
engage international narcotics enti-
ties? I can tell you what happens. The
United States is flooded with more
drugs—because there is nothing there
to stop that—the price of those drugs
plummets, and more of our children be-
come addicted to narcotics. Almost the
reverse of what this amendment seeks
to achieve happens.
As of Friday, June 9, the Centers for
Disease Control and Prevention gave us
these alarming figures. In 1991—so this
is the same timeframe I have been
talking about—41.7 percent, about 15
percent, said they used marijuana. Who
are these? They are aged 12 to 18;
year-olds, to 12-year-olds—children 9
years old. By 1999, the figure was 27 percent.
This is the period we are all talking
about here, where our interdiction
dropped and where we increased treat-
ment and prevention. What has hap-
pened? We have had more and more
youngsters—kids, children—using
drugs.
In 1991, 31 percent of students re-
ported they tried marijuana at least
once. By 1996, when we cut off the
interdiction, it had grown to 47 per-
cent.
In 1991, 1.7 percent of students said
they used cocaine. By 1999, 8 years
later—no interdiction—4 percent said they used cocaine. It doubled.

What we have essentially seen is that, while we have increased the prevention, while we have increased the treatment, and lowered interdiction, more and more kids have taken up using drugs.

I have to tell you, the greatest prevention program in the world and the greatest treatment program in the world is to keep the student—the child—from using them in the first place.

Point No. 2, our borders and our work with international partners, whether it is Colombia or Bolivia, or Peru, or Panama—you name it—is the sole responsibility of the Federal Government. No other entity can practice the interdiction. Georgia cannot do it. California cannot do it. The State cannot do it. Only the U.S. Federal Government can exercise the muscle to protect our borders and to work with our alliances.

Prevention and treatment require Federal support, which has been growing rapidly, with State support and community support. It is a multifaceted effort and should be there. But only the Federal Government can do what this underlying bill suggests has to be done.

Point No. 3, the battle in Colombia is not an ideological battle. It started out that way, but it isn’t anymore. This is a battle against a narcotics insurgency. They have 3 percent support in the entire country. In that country, 33,000 people have been killed fighting this. And 800,000 Colombians are displaced, as in Kosovo, and we are going to turn our back?

Colombia sits in the center of the Andean region and has already pushed its troubles, with State support and community support. It is a multi-faceted effort and should be there. But only the Federal Government can do what this underlying bill suggests has to be done.

Legislation to do that was introduced last October. The President and the White House endorsed their version of it—it was very similar. In February, here we are in nearly July and we are tied up in knots. You can only say, “The cavalry is coming” for so long.

The funds for drug treatment and prevention that the Senator from Minnesota seeks have been growing and growing rapidly. The interdiction has been collapsing. When it collapses, more drugs are available. The number of kids using drugs has almost doubled—9-year-olds, 10- and 11- and 12-year-olds.

The Federal responsibility is to not allow that into our country, and no State can do that. This amendment undermines the sole purpose the Federal Government has on this issue. This amount of money can be sought in 50 different States in 1,000 different communities, which they ought to contribute.

Interdiction has collapsed; utilization by our children has doubled. It is a Federal responsibility to address this problem. We better get on with it. Colombia is the heart of it. If we lose there, we lose everywhere. You can’t win a war by just treating the wounded.

I retain the balance of my time for the chairman of the committee.

The PRESIDING OFFICER. Who yields time? If neither side yields time, the time will be run off equally from both sides.

Mr. COVERDELL. Mr. President, I have a parliamentary inquiry. Would the time be equally divided in a quorum call?

The PRESIDING OFFICER. Time will be equally charged if neither side yields time. However, if the Senator suggests the absence of a quorum, it will come off of his time, unless there is a unanimous consent request otherwise.

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

The PRESIDING OFFICER. The time will now run equally.

Mr. LEAHY. Mr. President, this year’s foreign operations bill provides $934 million in emergency supplemental funding toward the administration’s request for Plan Colombia.

I again want to express my appreciation to Senator McConnell, and other members of the Appropriations Committee, for supporting provisions in the bill that will help protect human rights and strengthen the rule of law in Colombia.

I have repeatedly expressed concerns about the administration’s proposal, particularly the dramatic increase in military assistance. I am troubled about what we may be getting into. The administration has yet to give me sufficient details about what it expects to achieve, in what period of time, what the long-term costs are, or what the risks are.

What the administration has said is that in addition to reducing the amount of drugs supplied from abroad, Plan Colombia is intended to prevent increases in drug addiction, violence, and crime here at home.

Those are goals that I strongly support, and I commend Senator Wellstone for his leadership on this issue and I urge other Senators to support his amendment.

Mr. McCAIN. Mr. President, I rise today to address the situation in Colombia and the question of the U.S. role there.

The situation in Colombia has been correctly described as grave. To the extent that “grave” can be considered an understatement, however, that is the context in which we are discussing an ongoing conflict in that strife-torn country. The issue ostensibly before us involves the war on drugs. What is being contemplated, however, should under no
conditions be considered a simple extension of that struggle. What is being considered is nothing less than an enlarged U.S. involvement in that conflict. That has increasingly become an all-out civil war. The relationship between the narcotics trafficking that we seek to curtail and the insurgency that we oppose but dare not engage has become dangerously blurred. To contemplate engaging one but not the other is to labor under an illusion of alarming dimensions.

Mr. President, the conditions on the ground in Colombia are not in doubt. A large, highly motivated, well-armed and funded guerrilla army, the Revolutionary Armed Forces of Colombia, and the smaller but equally lethal National Liberation Front, have emerged over the last two years as a serious threat not just to Colombia, but to the entire Andean region. In particular, has evolved into a large-scale threat to regional stability. Look carefully at the operations the FARC has carried out over the past two years. What you will see is impressive and alarming: Battalion-size operations against Colombian military and police units, including coordinated multi-objective operations spread out across Colombia have become the norm. The March 1998 battle at El Billar, for example, demonstrated the FARC’s ability to conduct battalion-size operations employing refined tactics like maneuver warfare against Colombia’s best trained units. In a separate operation, a 1,200-strong guerrilla force successfully carried out simultaneous attacks on an anti-narcotics police installation and the army base at Mirafl ores, overwhelming both.

This should give us pause. The Colombian government’s position is precarious. The fighting has touched Colombia’s neighbors, Panama, which lacks a military as a result of the post-invasion structure the United States imposed on that country, is now threatened by cross-border incursions by guerrillas, whose main arms pipeline crosses its border with Colombia. Colombia’s other neighbors in Ecuador, Peru and Venezuela are all feeling the heat from the war in Colombia, the latter in the form of refugees escaping the fighting.

I posed all of this out, Mr. President, because no one here should be under any doubt that the path down which we are heading is potentially fraught with peril. I don’t know anyone who actually believes that Plan Colombia is the answer to that country’s problems: we support it because we are at a loss for viable alternatives. But a guerrilla army as capable as the FARC will not be defeated by three specially-trained and equipped battalions. Much more is needed, that is fundamental reform and restructuring of the Colombian armed forces to reverse the ratio of combat units to rear-area units—a key reason an army of 140,000 is stretched so thin against guerrilla armies numbering around 20,000.

And the army and police must be thoroughly inculcated with the need to respect human rights. This not just a moral imperative, but a practical one as well. Human rights abuses by government forces increase sympathy for guerrilla armies that otherwise lack serious popular support. It is never easy, as we learned in Vietnam, to fight a guerrilla army that can melt into civilian surroundings and build an infrastructure of support, through force and intimidation if necessary, that government forces are hard pressed to defeat without inflicting civilian casualties. But Colombia’s army and police must not underestimate the importance of maintaining constant vigilance in respecting the rights of the people they are heading is potentially fraught with.

The United States role in Plan Colombia is, to date, limited to training the aforementioned special battalions and equipping them with modern helicopters. Toward this end, we are sending special forces into the field in the midst of that civil war. The primary role of U.S. Army Special Forces is the provision of such training. But we must be assured that their role will not extend to that of active combatants. The bond that will surely develop between our soldiers and those they are training must not extend to a gradual expansion of their role in Colombia.

And with respect to the issue of helicopters, Mr. President, I find it deplorable that the question of which helicopter should be provided to Colombia should be decided on the basis of any consideration other than operational requirements. Blackhawks were selected for the capabilities they provide, capabilities that are not inconsequential in terms of the Counter-Narcotics Battalions’ ability to deploy to the field with the speed and in the number required to confront opposing forces. Their substitution by the Appropriations Committee with Super Hueys goes beyond the usual fiscally irresponsible approach to legislating that permeates Congress. It is, in fact, morally wrong. We are talking life and death decisions here: the ability of soldiers to fight a war. That decision on their behalf is unacceptable on the basis of parochial considerations is reprehensible.

Let me return, though, to the fundamental issue of a counter narcotics strategy that is imbued with an inherent flaw: the misguided notion that the war on drugs in Colombia can be separated from the guerrilla and paramilitary activity that is the threat to Colombia’s existence. If, as has been suggested, the FARC is reconsidering its involvement in the drug trade, it is possible that surgical counterdrug operations can be conducted without expanding into counterinsurgency. That the guerrillas control the very territory where the coca fields are located, however, should continue to cause us concern. To quote one unnamed U.S. official involved in the Clinton administration, “If the guerrillas [so] choose, they don’t have to continue to protect the narco, [but] if they do...this [aid] will be used against them.”

This, Mr. President, is precisely the problem. Plan Colombia is perhaps a last desperate hope to save a nation. But it carries with it the seeds of greater U.S. involvement in a civil war of enormous proportions. Those of us who have been witness to our country being gradually mired in a conflict in another region, in another time, should not fail to bear witness to the choices we make today. Funding for this plan will go forward, but the Administration and the government in Bogota must not be allowed to push us into a scenario, another Vietnam.

Mr. CLEVIN. Mr. President, I reluctantly oppose the Wellstone amendment to transfer $225 million from the military purposes of Plan Colombia to domestic substance abuse programs. The passage of this amendment would endanger the success of the Administration’s plan to attempt to prevent the democratic government of Colombia from being destroyed by narco-traffickers. While I strongly support the goal of allocating additional funding to substance abuse prevention and treatment programs, this cannot be achieved at the expense of the effectiveness of Plan Colombia.

In solving the difficult problem of drug abuse and its many negative effects, the United States must seek a balanced approach. This approach must include funding for not only drug abuse prevention and treatment programs, but also for international eradication/interdiction and local law enforcement. Plan Colombia, which stresses eradication and interdiction of narcotics at their source, is a useful part of our nation’s overall strategy to end drug abuse.

Colombia now supplies approximately 80 percent of the cocaine and heroin consumed in the United States. The Plan Colombia aid package, which has been designed by the Administration and the Colombian government, is a comprehensive attempt to stem this flow of narcotics. The package includes important funding for counter-narcotics support, economic development, and human rights programs.

A particularly important goal of this initiative is the promotion and protection of human rights in the Andean Region. The Senate Foreign Operations Appropriations bill makes important contributions. The bill provides approximately $1.38 billion in funding for efforts to protect...
human rights, strengthen the judicial system in Colombia, and support peace initiatives. In addition, all assistance to Colombia, for this reason, is contingent on a screening of security forces to ensure that they have not been implicated in human rights violations.

Drug abuse has taken a terrible toll on our country. It has led to increased levels of crime, a clogged judicial system, and most dramatically, the ruined lives of our nation’s citizens and their families. It is for this reason that I am committed to effective drug abuse and treatment. I have worked hard to win Senate passage of legislation which would enable qualified physicians, under strict conditions, to prescribe new auto-addiction medications aimed at suppressing heroin addiction. I have also strongly supported government funding for state community-based programs for drug treatment. In Fiscal Year 1999, the federal government spent approximately $5.6 billion on domestic programs directed at the reduction of drug demand.

Mr. President, I rise in reluctant opposition to the amendment offered by the Senator from Minnesota.

While I share his conviction that we as a country must do more to reduce the demand for illegal drugs in our society, I do not believe we should undermine our assistance for Plan Colombia to pay for increased domestic drug treatment and prevention programs.

Mr. President, I recently visited Colombia to assess what our aid could accomplish. I went to see the scope of drug crop cultivation and processing, to look into the political context, the human rights situation, the goals of the Pastrana Government, and to assess the capabilities of the military and the police.

I went with an open mind, though I was concerned about the reported abuses of human rights and with the effects of Colombian cocaine and heroin on the streets of New Jersey and other states.

I left Colombia convinced that we can help Colombia and help America by cooperating in the fight against drug production, trafficking, and use.

Mr. President, aid for Plan Colombia is strongly tied to the U.S. Military. While there can be legitimate differences of opinion about the exact content of the aid package, such as what kind of helicopters should be provided, we must use the opportunity to cooperate with a fellow democracy to fight the scourge of drugs which harms both our people.

Colombia’s political will is strong. While the political situation in Colombia is uncertain, President Pastrana and the Colombian Congress have backed away from early elections and appear to be working out their differences. But the Colombian people and their elected representatives want an end to the violence. They support peace negotiations with the FARC and ELN guerrillas.

And they know the violence will not end as long as it is fueled by drug trafficking and its dirty proceeds.

The U.S. and Colombia have a symbiosis of interest in combating drug production and trafficking. While the Colombians mainly want to end financial support for armed groups, they are highly motivated to cooperate with our main goal—eliminating a major source of narcotics destined for the United States.

Mr. President, we absolutely need to improve protection for human rights in Colombia. The Colombian people face very real risks of murder, kidnapping, extortion, and other heinous crimes, so they always live in fear. Hundreds of thousands of people have fled the violence. The Colombian Government—including the military and the police—take human rights issues very seriously.

We need to hold them to their commitments to make further progress, as the Senate bill language Senators Kennedy and Leahy and I authored would do.

Mr. President, was particularly impressed that the independent Prosecutor General’s Office—known as the Fiscalía—is firmly committed to prosecuting criminals, particularly human rights violators. But in meeting with commanders of the paramilitary groups, I learned that the overwhelming majority of human rights abuses are committed by the paramilitary groups, followed by the guerrillas.

Colombia must sever any remaining ties to these paramilitary groups and treat them like the drug-running outlays they are. On the whole, winning the war on drugs in Colombia should do more to improve security and safeguard human rights than anything else we or the Colombian government can do.

To return to the amendment now before us, Mr. President, I believe we need to keep working to reduce demand for drugs here in America, but not at the expense of cutting efforts to eliminate a major source of drugs to our country.

We have a tremendous opportunity—if we are willing to devote a reasonable level of funding to dramatically curtail the production of cocaine and heroin in Colombia, while supporting democracy and the rule of law in that country. And, since Colombia is the source of most of the heroin and 80 percent of the cocaine in the United States, this is a real opportunity to help address the drug problem in our own country.

I agree with the Senator from Minnesota that America must do more to reduce the demand for drugs, particularly by helping those already addicted. But we should not take away from our support of Colombia’s efforts in the process.

I yield the floor.

Mr. WELLS STONE, Mr. President, I offer an amendment that the amendment I have introduced with Senator Boxer takes nothing away from interdiction. It does not take away from this package. We are focused on the support for the military in the southern part of Colombia. That is what this is about. This is an amendment that would transfer $225 million from aid to the Colombian military for the push into southern Colombia into domestic drug treatment programs. It is that simple. It is not about not providing assistance to Colombia. It is not about not focusing on interdiction.

A number of different questions have been raised. To respond to some of what has been said, I will respond to the comments of my friend from Delaware.

It is important to note that right now in our country, according to ONDCP—General McCaffrey and others have testified about it—there are about 5 million people in need of treatment and only about 2 million receive it, public or private. That means about 3 million people, more than half of the people who need treatment, don’t get any at all. Why aren’t we dealing with the demand side?

We have a bill out here, almost a billion dollars, and the majority leader comes to the floor and says this is all about the war on drugs. I am saying how about a little bit that focuses on the demand side in our country. Let us have some funding for drug treatment programs for people in the United States. Yes, we have some money in the budget, but it is vastly underfunded.

The 2000 budget for SAMHSA altogether is $1.6 billion. This is the block grant money that goes to drug treatment. The States, which are down in the trenches using a different methodology, report that close to 19 million people in our country are going without any treatment. The ONDCP estimates, moreover, that 80 percent of the adolescents in our country who are struggling with this problem are getting no treatment at all. For women who are struggling with substance abuse problems, 60 percent of them get no treatment at all. In some regions of the country, the waiting list for treatment is 6 months or longer. The overall cost to our country for elicit drug use is about $110 billion a year, according to the ONDCP. Right now we are spending $1.6 billion on a block grant program that gets money down to the communities for medical care.

If anybody thinks this is just an inner-city problem, consider a COSA report entitled “No Place to Hide,” which showed that drug use, drinking and smoking among young teens, is higher in rural America than our Nation’s urban centers. According to this report, eighth graders, 13-year-old children in rural America, are 50 percent
more likely to use cocaine than those in urban areas—remember when I heard Joe Califano say this; I was stunned and 104 percent more likely to use amphetamines, including methamphetamine. Drug treatment is needed to treat addiction and to end the demand for drugs. This is not just an urban problem.

We are talking about taking $225 million out of this almost-billion-dollar package for Colombia. We are saying, cannot any of this be put into treatment, if this is going to be called the war on drugs legislation, as the majority leader identified it. I think we have had a different debate on the floor. What I am saying as a Senator from Minnesota is, can’t we take some portion of that and deal with the demand side? Can’t we put some money into the war on drugs in our own country? If 80 percent of the adolescents aren’t receiving any treatment and need some help, can’t we get some help to them?

This amendment is supported by Legal Action Center, National Association of Alcoholism and Drug Abuse Counselors, National Council on Alcoholism and Drug Dependence, Partnership for Recovery, and State Association of Addiction Services.

Again, I say to my colleagues, this amendment, when all is said and done, is basically saying to Senators that we can provide assistance to Colombia, and we should.

We should provide extensive assistance, including interdiction, but at the same time we ought to avoid entanglement in a decades-old civil conflict and we ought to avoid partnership with an army implicated in severe human rights abuses. Moreover, I am saying we can take at least a small portion of the resources and put it where it will do the most good, and that is providing funding for drug treatment programs at home.

I just want to echo the words of my colleague from California. It is quite incredible to me that we can find the money for the war on drugs—close to a billion dollars—for Colombia, but we can’t take $225 million and put it into community-based treatment programs in the war on drugs in our own country.

Moreover, we have in this legislation—and I think in particular this may interest the Chair—a shift via a 7-to-1 ratio from money for police to military. This is particularly worrisome because, right now, one human rights organization after another—and we have our own State Department report on violations of human rights abuses by paramilitary groups. It points out that we have a country where civilians make up 70 percent of the casualties in that horrible war, and paramilitary groups linked to the army commit over 75 percent of the abuses.

I say to my colleagues, again, President Pastrana has made the political decision that he wants to conduct a military campaign in the southern part of the state. All of a sudden, this debate has basically gone off the rails, and I am here today as a different voice in the Senate. I have come out here and have said: Yes, Senator WELLSTONE, we are taking sides and we should take sides. If President Pastrana says he needs money from us to support his military in this war, has been willing to support the southern part of Colombia with U.S. supporters on the ground with them, and if we don’t stop this in Colombia, then, God forbid, for the whole future of South or Central America—I have heard this before—at least let’s have this debate out in the open.

I know this is a debate about a war on drugs, in which case I would say, yes, yes, yes. I would say, we have in this package support for the Colombian Government, but if we are going to have a war on drugs, do it in our country and deal with the demand side and put more into community treatment programs. I think we win that argument. I am sure the vast majority of people in Minnesota agree. If you are going to spend money on the war on drugs, put some money into our own country. We have a package out here that basically says, for the first time, we are going to be directly aligned with the military campaign in Colombia, in the southern part of Colombia.

I have some very real doubts that militarizing this conflict is going to somehow be a successful war against drugs. Moreover, as I have said earlier, I have some very real doubts, which are expressed by human rights organizations and religious organizations and a whole lot of people in our country and in Colombia, that we should be taking sides and we should be supporting a military which, as recently as this year, has been willing to change its practice and stands accused by all of the reputable human rights organizations of human rights violations.

Do we want to align ourselves with this military, with these paramilitary groups that have committed such terror against civilians and are responsible for most of the violence in that country? I have not a shred of sympathy or support for the guerrillas, the left-wing, the right-wing, any of them.

The question is, If it is a war against drugs, don’t we want to put some money into the war against drugs here? Other than that, do we want to take sides in this military conflict? That is what my colleagues have been talking about today, and they say we have to. They say that if we do, we will be able to—we have language in this legislation that will safeguard against human rights violations by the military, that we can watch the money that we are putting into the military operation in southern Colombia and make sure everything will be above board. Frankly, I think that is problematic at best.

I am not sure people in Colombia or in the United States have the faintest idea what we are saying. We have not been able to stop any of these human rights abuses over the years. But now, all of a sudden, we are going to be right in the middle of this and take sides, and we are going to be aligned with this military campaign in southern Colombia, and we say we are going to vet it and make sure there aren’t any human rights violations.

Never mind that all the human rights organizations on the ground say that will not work and the religious community says it is a profound mistake; that all sorts of government organizations in Colombia with a tremendous amount of credibility say, don’t do this; don’t align yourselves with this military campaign in southern Colombia. We are being told, no problem; we can vet this now.

I also want to say to my colleagues I don’t think we have taken these human rights abuses away by the military or the military assigned with these paramilitary groups, very seriously. Again, that is a declaration from social and human rights non-government organizations in Colombia; there must be 45, 50 organizations, or more. We just disregard them. They are saying, yes, interdiction, give us the package. But they are saying don’t align yourselves with this military, with such a horrendous, horrific record of violence, more of human rights—alignment with the worst of the atrocities that have been committed Colombia—just as we don’t want to side with the left-wing guerrillas.

Why are we now taking sides?

Again, some of my colleagues come out here and say this amendment is basically taking away assistance to Colombia. It is not. Senator BOXSEN did a great job on that. But we want to say that basically $200 million dollars and put it into the war on drugs in our own country. We deal with the demand side. It is so naive to believe that all of what we see in our inner cities and our rural areas and suburbs, all of the addiction, all of the substance abuse which destroys people’s lives—it is so naive to believe that if we now put money into a military campaign in southern Colombia, this is the way to fight a successful war on drugs. We have been down this road forever and ever and ever and ever. When are we going to get serious about dealing with the demand for drugs in our own country and the treatment programs? I don’t know.

My colleagues just sort of give the human rights question the back of the hand in this debate. I have here the annual Human Rights Watch Report World 2000—I will read it again—talking about the paramilitary killers and how stark they are in their savagery, and all the ways in which the military campaign has turned a blind eye to it, and sometimes it is connected to these groups.
And now we want to put several hundred million dollars into supporting this military directly in a campaign in southern Colombia with too many of our people on the ground with them?

I have to be concerned about the path we are taking. I am not going to bore my colleagues with the statistics.

Let me ask the Chair how much time I have.

The PRESIDING OFFICER. The Senator has approximately 15 minutes remaining.

Mr. WELLSTONE. Mr. President, this amendment is a sensible approach which permits extensive assistance to Colombia while safeguarding U.S. interests and avoiding entanglement in a decades-old civil conflict and partnership with an army implicated in serious human rights abuses. Moreover, it moves resources to where they will do the most good; that is, providing funding for drug treatment programs at home.

In my State of Minnesota, according to the Department of Human Services, there are people who have requested treatment for substance abuse and have not been able to receive it. An additional 4,000 received some treatment but then were denied further treatment because resources weren’t available. Most cited lack of funds to pay for the treatment, or they were put on a long waiting list when they needed the treatment the most. Others said treatment services were not appropriate for their needs—women with children, people with transportation problems, people who were trying to find jobs and needed treatment. This amendment calls for some balance.

When we started this debate several hours ago, the majority leader came out to the floor and in a very heartfelt way said this is about the war on drugs; this is about what is going on in Colombia and the ways in which that country is exporting their drugs to this country; they are killing our children.

If it is about the war on drugs, then let’s make it balanced. Let’s support efforts to have a war on drugs in Colombia. But let’s also support the war on drugs in our own country. Some of this money ought to be put in treatment programs.

It is absolutely naive to believe we are going to be able to deal with the substance abuse problem in our country without dealing with the demand side. It is shameful that we have so little for the prevention and the treatment programs. This amendment takes just a little over $200 million and puts it into community-based treatment programs.

I doubt whether there is a Senator, Democrat or Republican, who either does not know a friend or even a family member who struggles with alcoholism or drug abuse. We ought to be doing a much better job of getting the treatment to people. This war on drugs is focused on interdiction. It is focused on a military solution in Colombia. I argue that it is one-sided. I would argue it is half-right.

Second, I have today read from about five different human rights organizations’ studies, human rights organizations that I believe command tremendous respect, I hope, from all of us. I read with great respect from the State Department report of this past year. I read a letter signed by 70 nongovernment organization, human rights organizations, and people who were down in the trenches in Colombia. They all said it would be a tragic mistake for our Government to now move away from supporting police, supporting interdiction, supporting a lot of efforts in Colombia, and shift a considerable amount of money to a direct military campaign in southern Colombia—a military aligned with paramilitary groups and organizations that have committed most of the violence in the country, a military with a deplorable human rights record. It would be a tragic mistake for us not to become directly involved in this civil war. It would be a tragic mistake for our Government to support this military with Americans on the ground with them in southern Colombia. What are we getting into?

I conclude this way: I do not agree with some of my colleagues who have said that if we don’t do this, it is the end for Colombia, and watch out for all of South America and Central America. I have heard that kind of argument before. It is eerie to me. It has an eerie sound to me.

I do not agree that we should take sides in this military conflict. Instead, I think we should be providing all of the support we can to President Pastrana in his good-faith effort to deal with drugs in his country, to build democratic institutions, and to have economic development. I do not believe we should turn a blind eye away from the blatant human rights violations of the military. I think it is extremely one-sided to “fight a war on drugs” which won’t work, which will militarize our foreign assistance to Colombia, which will have our country directly involved in this military conflict, away from at least providing a small amount of money for community-based treatment programs.

I urge my colleagues to support this amendment.

I reserve the remainder of my time. The PRESIDING OFFICER. Who yields time?

The Senator from Florida.

Mr. GRAHAM. Mr. President, Senator MCCONNELL is controlling time, but he is not here. Could I ask how much time is under Senator MCCONNELL’s control?

The PRESIDING OFFICER. Senator MCCONNELL has 5 minutes remaining, and Senator WELLSTONE has 8 minutes remaining.

Mr. GRAHAM. May I request 3 minutes of the remaining time of the opponents of this amendment?

The PRESIDING OFFICER. The Senator is recognized for 3 minutes.

Mr. GRAHAM. I thank the Chair. I strongly support the approval of this assistance for Colombia.

The last 8 months I have chaired, together with General Brent Scowcroft, a Council on Foreign Relations Task Force on Colombia. This bipartisan Task Force released an Interim Report in March of this year which recommended that Congress approve the administration’s aid request for Colombia, with two modifications. The first, that additional support should be provided to Bolivia, Peru, and other countries in the region, which has been incorporated into the bill by the Appropriations Committee. Second, our recommendation was that additional trade benefits should be part of the package. I will address with the introduction of separate legislation later this week.

Let me explain why I, and the Task Force, believe this assistance package for Colombia needs to be approved.

There is a crisis in Colombia that demands our immediate attention. While Colombia has experienced violence and guerrilla insurgencies for many years, the current crisis is unique in several important ways. First, Colombia is experiencing record violence which is killing over 25,000 Colombians each year. More than half of all kidnappings in the world occur in Colombia. The FARC and ELN guerrilla forces and the paramilitary groups are escalating their violence in ways that have not been seen before.

Second, our success in reducing coca production in Peru has shifted the production and cultivation of coca to Colombia, with an explosion of coca cultivation in southern Colombia in the past five years. Over 90 percent of the cocaine on our streets comes from Colombia. More importantly, the guerrilla forces operating in Colombia have become directly involved in narco-trafficking. Where they once provided protection for drug traffickers, they now are directly involved in the production and transport of illegal drugs. This poses serious global and national security risks. The second modification, that additional trade benefits should be part of the package, I will address with the introduction of separate legislation later this week.

Third, the Colombian economy is experiencing its worst recession since the 1990s. An unemployment rate of over 20 percent is exacerbating social and political tensions. The violence is deteriorating investment making economic recovery more difficult.

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the United States to escape the violence and instability.

It is this combination of factors that led President Pastrana, working closely with our administration, to propose Plan Colombia. To many, Plan Colombia is only about drugs, but in reality it is a broad plan that addresses five key areas: the peace process; the Colombian economy; the counter-drug strategy; justice reform and human rights; and democratization and social development. It is this broad based plan to rebuild the Colombian state that needs our support.

Some have said that Plan Colombia is only about providing military equipment to Colombia. Indeed, Plan Colombia is much more comprehensive and far-reaching. But, the United States contribution to Plan Colombia is heavily weighted toward military equipment. There is a good reason for this. Plan Colombia is a $7.5 billion plan, of which the Colombians themselves will provide over $4 billion. They are looking to the United States to provide about $3 billion and to international community for the remainder.

It is appropriate that the portion of the funding being provided by the United States focus on the counter-drug part of Plan Colombia since this is of particular interest to us and since we are the only country that can supply that type of support. It is also the part of Plan Colombia that is most compelling for U.S. involvement, since it involves keeping drugs off our streets.

Some have argued that there are risks associated with providing this type of support to Colombia. That is true, but there are also risks associated with doing nothing, and I believe that the risks associated with doing nothing far outweigh the risks involved with helping the Colombian Government and the Colombian people.

We have important national interests at stake in Colombia that would be critically harmed were the current situation in Colombia to continue. First, Colombia is the oldest democracy in South America and has been an important partner in bringing democracy and democratic values to all of our hemispheric neighbors, with the exception of Cuba. We must act to preserve democracy.

Second, the entire Andean region is threatened by instability and Colombia is the center of that instability. Failure to stem the crisis in Colombia could lead to increased instability in Ecuador, Bolivia, Peru, Panama, and Venezuela. A stronger Colombia means a stronger region and a stronger Western Hemisphere.

Third, a complete breakdown in Colombia would make it even more difficult to control the drug trafficking. And the illegal networks that are set up by drug traffickers also involve other illegal activities that threaten our security, such as money laundering and financial crimes, arms trafficking, human smuggling, cargo theft, and terrorism.

Fourth, Colombia is an important trading partner for the United States. It is South America’s fourth largest economy and the fifth largest export market in Latin America for the United States. Colombia has the potential to be an economic engine for the Andean region and an even bigger market for U.S. goods. The violence and instability in Colombia are preventing economic growth, including the exploitation of large, newly discovered oil fields that would help to reduce gasoline prices in the United States.

Fifth, the exodus of Colombians, nearly 1 million in the past 5 years, further exacerbates our own immigration crisis that category, the deteriorating human rights situation in Colombia can only be reversed through the implementation of Plan Colombia, with the government gaining effective control over its national territory. President Pastrana has demonstrated his will to improve the human rights situation in Colombia, and has taken concrete steps, including dismissing senior military officers, to demonstrate his determination.

With all of this at stake, we cannot afford to understand why we have not been able to move faster to approve this assistance package. And there are direct costs associated with this delay. Last December I visited the first of the Colombian counternarcotics battalions that have been trained and equipped by the U.S. as part of Plan Colombia. The U.S. Special Forces soldiers who were training them reported that their moral was excellent and they were as capable at their tasks as any soldiers they have ever trained.

Unfortunately, this battalion has been doing very little other than call-taken orders since the visit, largely because of our failure to move this assistance package. They are limited to where they can reach by foot, since they have no mobility capability. They have no fuel for the helicopters they were given on an interim basis by the State Department. The valuable training they received is wasting away, and their skills are fading from lack of practice.

In addition, the second Colombian counternarcotics battalion has been vetted but are unable to begin training. Eradication of coca and opium poppy has been halted. Crop substitution and alternative development programs are also on hold, as are the human rights and judicial reform programs that are included in the legislation. Meanwhile, the guerrillas and the drug traffickers continue to strengthen and expand their operations. The peace process has floundered and the violence has escalated. Each day we wait the situation worsens, the regional instability increases, the drugs flow out of Colombia, and the money and effort required to turn the situation around increases.

Mr. President, I urge my colleagues to act now and support this vital package of assistance for Colombia.

The PRESIDING OFFICER. The Senator from Kentucky has 2 minutes remaining.

Mr. McCONNELL. I reserve the remainder of my time.

VISIT TO THE SENATE BY A DELEGATION FROM THE EUROPEAN PARLIAMENT

Mr. LOTT. Mr. President, I am pleased to welcome a delegation from the European Parliament to the U.S. Senate. The parliamentarians are in the United States for an important interparliamentary meeting.

Europe continues to move forward with economic integration and the European Parliament’s role is increasingly important. As the European Union, like the North Atlantic Treaty Organization expands, the role of the European Parliament will become even more important.

The United States and the European Union have the world’s largest commercial relationship, with trade and investment approaching $1 trillion. I believe increased interaction between our legislative and the European Parliament will serve the interests of both sides.

I urge my colleagues to greet this delegation, led by Ms. Imelda Mary Read of the United Kingdom.

I take note that the delegation has made up of more women than men and one of the youngest Members attending the interparliamentary meeting is from the European Parliament. Obviously, great progress is being made in this parliamentary body.

I ask unanimous consent the list of all the delegation be printed in the RECORD.

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

EUROPEAN PARLIAMENT—DELEGATION FOR RELATIONS WITH THE UNITED STATES
Ms Imelda Mary Read, Chair, United Kingdom.
Mr Bastian Belder, 1st Vice-Chairman, Netherlands.
Mr James E.M. Elles, United Kingdom.
Mr Bertel Haarder, Denmark.
Ms Magdalene Hoff, Germany.
Ms Piia-Noora Kauppi, Finland.
Ms Erika Mann, Germany.
Ms Arlene McCarthy, United Kingdom.
Ms Godelieve Quisthoudt-Rowohl, Germany.
Mr Peter William Skinner, United Kingdom.
Mr Dirk Sterckx, Belgium.
Mr. LOTT. Mr. President, I ask unanimous consent that the Senate stand in recess for 2 minutes to have the delegation from the European Parliament be greeted by Senators.

There being no objection, the Senate, at 1:54 p.m., recessed until 2:01 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. GREGG).

The PRESIDING OFFICER. The Senator from Kentucky.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2001—Continued

Mr. MCCONNELL. Mr. President, this is a two front war—we need to advance on both fronts. Clearly, we can’t continue the administration’s pattern of ignoring this crisis.

I agree that we should increase education, prevention, and treatment efforts, as well as law enforcement efforts. But, will that effort pay off, if we do so at the expense of attacking the source country problem?

It is pretty clear that after seven years of doing nothing, the administration is trying to play catch up in this crisis.

If we look at trends and commitments, during the Reagan Just-Say-No years, drug production and use plummeted.

This trend sharply reversed in 1992 which was exactly when Clinton was asked, “If you had to do it over again, would you have inhaled?” He answered, “Sure, if I could have.”

Since 1992, and this unfortunate remark, drug use has soared and production has tripled.

We need to attack both fronts in this war—here, at home, and abroad.

I think we have recommended a good balance for the battle abroad.

Let me remind everyone it is a very different package than the request made by the administration—I have much more confidence in the bill before the Senate than I did in the request.

The most important difference is our emphasis on a regional strategy. Just as we saw production spike in Colombia when pressure was applied to traffickers in Peru and Bolivia, I believe we would see the problem shift back to Peru, Bolivia, and to Ecuador if we don’t increase our regional support.

Without compromising vital support for Colombia, we provided $205 million in support to Ecuador, Peru, Bolivia, and other nations in the region. This more than doubles the administration’s request of $76 million.

A second key difference between the bill and the request is the support we offer for human rights programs. As the tempo of operations against the traffickers pick up, I am concerned that abuses increase.

Colombia’s judicial system is weak and court officials are regularly threatened making investigations and prosecutions extremely difficult. Moreover, the military has undermined attempts by civilian courts to prosecute officers accused of human rights abuses even though Colombian law requires the transfer of these cases to civilian courts.

To address these concerns we have required certification that the military is complying with their own laws and are cooperating in the pursuit of these cases in civilian court. We also substantially increase aid to government and non-government organizations involved in the protection of human rights.

We paid for these increases by changing the helicopter package.

Again, let me say, striking the right balance is the key to our success.

This bill strikes the right balance between domestic and international law enforcement—the right balance between Colombia and the other countries in the region—and the right balance between our support for Colombian law enforcement and Colombian human rights advocates.

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

Mr. WELLSTONE. Mr. President, I have a copy of Senator LEAHY’s statement. I am going to read a little from Senator LEAHY’s statement. This is just a portion of his statement:

I have repeatedly expressed concerns about the administration’s proposal, particularly the dramatic increase in military assistance. I am troubled about what we may be getting into. The administration has yet to give me sufficient details about what it expects to achieve, in what period of time, what the long-term costs are, or what the risks are.

That is, of course, part of the position that a number of us have taken today. I thank Senator LEAHY, who has a tremendous amount of expertise in this area, for his statement. He goes on to say:

I commend Senator WELSTONE for his amendment. It would provide $225 million for substance abuse prevention and treatment programs in the United States.

According to the Office of National Drug Control Policy, drug abuse kills 52,000 Americans each year. It costs our society nearly $130 billion annually. It has strained the capacity of our criminal justice system and our medical facilities, and brought violence and tragedy to families, schools, and communities throughout this country.

I could not have said it better. Mr. President, 80 percent of adolescents who will, if not provided treatment, sustain the demands for drugs in the future—today in our country cannot get it. Some 50 percent of adults in our country who are in need of a drug treatment program are not receiving it. Many treatment programs have lines out the door.

With the conclusion of Senator LEAHY’s statement:

We should help Colombia. I support President Pastrana’s efforts to combat the violence, corruption, and poverty which plague his country. But I am not convinced the administration’s request for “Plan Colombia” will effectively address those problems, nor is it likely to reduce the flow of drugs into our country or ameliorate the drug problem here at home.

We do know, however, that substance abuse treatment and prevention programs work. A frequently cited Rand study showed that, dollar for dollar, providing treatment for cocaine users is 10 times more effective than drug interdiction efforts, and 23 times more effective than eradicating coca at its source. Scientific advances promise to make treatment and prevention programs even better. Ultimately, reducing the demand for drugs is which is what these programs do—is the only long-term solution to reducing the flow of illegal drugs from Colombia and elsewhere.

Mr. President, I commend Senator Wellstone—

Nice of him to say—

for his leadership on this issue and I urge other Senators to support his amendment.

I urge other Senators to support this amendment.

I yield the floor.

Mr. MCCONNELL. Mr. President, is all time yielded back?

The PRESIDING OFFICER. All time has been yielded back.

Mr. GRAHAM. 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. MCCONNELL. 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. MCCONNELL. Mr. President, we are going to have two votes shortly. The Senator from Alabama would like to modify his amendment and take just a few moments to describe it. Then the previous plan was to have two votes, back to back. I believe the Senator from Delaware will make a motion to table the Wellstone amendment.

The PRESIDING OFFICER. Is there objection? Is that a unanimous consent request?

Mr. MCCONNELL. I ask unanimous consent the Senator from Alabama be recognized for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Alabama.

AMENDMENT NO. 382, AS MODIFIED

Mr. SESSIONS. Mr. President, I send a modification to the desk. I would like to share a few thoughts about this situation.

The PRESIDING OFFICER. Without objection, the amendment will be modified.
The amendment (No. 3492), as modified, is as follows:

On page 156, between lines 18 and 19, insert the following:

SEC. 6107. DECLARATION OF SUPPORT. (a) CERTIFICATION REQUIRED.—Assistance may be made available for Colombia in fiscal years 2000 and 2001 only if the Secretary of State certifies to the appropriate congressional committees, before the initial obligation of such assistance in each such fiscal year, that the United States Government publicly supports the military and political efforts of the Government of Colombia, consistent with human rights, necessary to effectively resolve the conflicts with the guerrillas and paramilitaries that threaten the territorial integrity, economic prosperity, and rule of law in Colombia.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means the following:

(A) The Committees on Appropriations and Foreign Relations of the Senate.

(B) The Committees on Appropriations and International Relations of the House of Representatives.

(2) ASSISTANCE.—The term “assistance” means assistance appropriated under this heading for fiscal years 2000 and 2001, and provided under the following provisions of law:


(B) Section 1033 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; relating to counter-drug assistance to Colombia and Peru).

(C) Section 25 of the Arms Export Control Act (Public Law 99–625; relating to credit sales).

(D) Section 431 of the Foreign Assistance Act of 1961 (Public Law 87–195; relating to international narcotics control).

(E) Section 506 of the Foreign Assistance Act of 1961 (Public Law 87–195; relating to emergency drawdown authority).

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, the people of Colombia are good people. They maintained a democracy for a long time. There are 40 million people in Colombia. They are our fifth largest trading partner in Latin America. They are struggling with violence that has been going on for 40 years. There are at least two major Marxist-oriented guerrilla groups who control nearly 50 percent of the territory of Colombia. They have attempted repeatedly, through President Pastrana, to negotiate with these guerrillas and have had very little success. In fact, the guerrillas have taken advantage of the good auspices of the people of Colombia and President Pastrana, and even strengthened their hold on the territory and strengthened their anti-democratic activities.

There are paramilitary groups in the country also who are operating outside the law and are involved in drug trafficking.

The guerrilla organizations sustain themselves through the most active kidnapping in the world. Colombia has the highest number of kidnappings in the world. Its murder rate is probably the highest in the world. The guerrilla groups have drug traffickers, and that is how they make their money to maintain their existence.

I believe, as a former Federal prosecutor who has been involved in studying the drug issue and has prosecuted many cases in the district of Mobile, AL, involving quite a number of Colombian drug dealers and cartel members, we are going to have limited ability containing the drug problem in America through this money. But what we can do with this money and what is critical that we do with this money is strengthen the country of Colombia.

We need to say to them: We support you; we believe in your democracy. The 97-plus percent, as Senator Burns said, of the people in that country support their government, not these guerrilla organizations. They want peace, they want unification, they want economic growth, they want human rights, and they want a rule of law. That cannot be done and we cannot expect Colombia to stop drug trafficking in their nation if 40 percent of the territory is outside their control—50 percent perhaps.

I am distressed that this administration in public statements, in testimony before committee hearings, has refused to say: We support Colombia in their efforts against these guerrillas. They suggest their only motive is to provide money to help knock down drug production in Colombia. That is distressing to me. Ambassador Pickering testified and I cross-examined him. He said: Our emphasis is drugs.

That is not the basis of what we are doing. We want to help Colombia. We want Colombia to create a peaceful government to take control of its country. We want to encourage strong leadership, the kind of leadership that Abraham Lincoln provided when he unified this country. That is what needs to be done in Colombia to bring this matter to a conclusion once and for all.

If we do not do so, we are pouring new wine in old wine bottles. We are pouring money down a dangerous rat hole.

This amendment says: We support you, Colombia. We believe in you, Colombia. We explicitly endorse and support your efforts through peace negotiations or warfare, if necessary, to unify your country, to bring peace so you can then eliminate the drug trafficking that is occurring there.

Drug trafficking is a major problem in Colombia. It is our No. 1 supplier of cocaine. The cocaine production in Colombia has more than doubled in 5 years. We are losing, up Seventy percent of the heroin in the United States comes from Colombia. The main reason is the Government of Colombia does not control its territory. There are

whole areas of territory outside the control of the government. We should support this country, and this amendment says so explicitly.

Mr. President, do I still have a minute under the agreement?

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

Mr. SESSIONS. I yield the floor.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senator from Delaware be recognized to offer a tabling motion on the Wellstone amendment and that the vote on or in relation to the Sessions amendment occur immediately after the vote on the Wellstone amendment, and that the time on the Sessions amendment be—

Mr. WELLSTONE. Mr. President, reserving the right to object.

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

Mr. WELLSTONE. Reserving the right to object. What did the Senator ask for?

Mr. MCCONNELL. Mr. President, I will not ask unanimous consent that the time on the Sessions amendment be limited to 10 minutes.

Mr. WELLSTONE. Reserving the right to object. What is the Senator asking for?

Mr. MCCONNELL. I asked unanimous consent that the Senator from Delaware be recognized to offer a tabling motion on the Wellstone amendment and that a vote on or in relation to the Sessions amendment occur immediately after the Wellstone vote.

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

Mr. BIDEN. Mr. President, I move to table the Wellstone amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion to table amendment No. 5318.

The clerk will call the roll.

The legislative clerk called the roll.

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

The result was announced—yeas 89, nays 11, as follows:

[Rollcall Vote No. 138 Leg.]

YEAS—89

Abraham Abraham
Alaska Feinberg
Alaskk Fitzgerald
Allard Cieland
Allen Chroman
Ashcroft Collins
Bauman Conrad
Bak Corderle
Bennett Craig
Biden Crapo
Bingaman Davis
Bond DeWein
Breused Dodd
Brownback Domenici
Bryan Durham
Burns Edwards
Burns Emi
Campbell Feinstein
Chafee, L. Frist
Cochran Hager
Collins Graham
Conrad Gramm
Corderle Grassley
Craig Gregg
Crapo Hagel
Davis Heflin
DeWein Hollings
Dodd Holings
Domenici Hutchinson
Durbin Hutchinson
Edwards Inouye
Emi Inouye
Feinstein Jeffords
Frist Jeffords
Hagel Jeffords
Heflin Jeffords
Hollings Jeffords
Holings Jeffords
Inouye Jeffords

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The motion was agreed to.

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

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. 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. MCCONNELL. Mr. President, the Senator from Alabama, it is my understanding that the language that says our support for the Colombian Government would be conditioned upon their following defined standards of human rights, as Senator LEAHY placed on the table.

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

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

The motion to lay on the table was agreed to.

Mr. MCCONNELL. 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. MCCONNELL. 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. MCCONNELL. Mr. President, is there a pending amendment?

The PRESIDING OFFICER. The Helms amendment, No. 3498, is pending.

Mr. MCCONNELL. I ask unanimous consent the Helms amendment be temporarily laid aside.

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

Mr. MCCONNELL. Mr. President, is there a pending amendment?

The PRESIDING OFFICER. The amendment No. 3498 is pending. Mr. MCCONNELL, I ask unanimous consent the Helms amendment be temporarily laid aside.

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

Mr. MCCONNELL. Mr. President, is there a pending amendment?

The PRESIDING OFFICER. The amendment No. 3498 is pending. Mr. MCCONNELL, I ask unanimous consent the Helms amendment be temporarily laid aside.

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

Sec. 6107. Declaration of Support.

(a) The Committees on Appropriations and Foreign Relations of the Senate find that—

(1) illegal paramilitary groups in Colombia pose a serious obstacle to U.S. and Colombian counter-narcotics efforts;

(2) abduction of innocent civilians is often used by such groups to gain influence and recognition;

(3) three US citizens, David Mankins, Mark Rich, and Rick Tenenoff, who were engaged in humanitarian work were abducted by one such group and have been held hostage in Colombia since January 31, 1983;

(4) these 3 men have the distinction of being the longest-held American hostages;

(5) their kidnappers are believed to be members of the FARC narco-guerrilla organization in Colombia;

(6) the families of these American citizens have not had any word about their safety or welfare for 7 years; and

(7) such acts against humanitarian workers are acts of cowardice and are against basic human dignity and are perpetrated by criminals and thus not deserving any form of recognition.

(b) The Senate—

(1) in the strongest possible terms condemns the kidnapping of these men;

(2) appeals to all freedom loving nations to condemn these actions;

(3) urges members of the European Community to assist in the safe return of these men by including in any dialogue with FARC the objective of the release of all American hostages;

(4) appeals to the United Nations Commission on Human Rights to condemn the kidnapping and to pressure the FARC into resolving this situation; and

(5) calls upon the President to raise the kidnapping of these Americans to all relevant foreign governments and to express his desire to see this tragic situation resolved.

Sec. 1004 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–156; relating to counter-drug assistance to Colombia and Peru).

(b) Section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–65; relating to counter-drug assistance to Colombia and Peru).

(c) Section 253 of the Arms Export Control Act (Public Law 90–629; relating to credit sales).

Sec. 481 of the Foreign Assistance Act of 1961 (Public Law 87–195; relating to international narcotics control).

(c) Section 416 of the Foreign Assistance Act of 1961 (Public Law 87–195; relating to emergency drawdown authority).

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

The amendment (No. 3492), as further modified, was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. MCCONNELL. 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. MCCONNELL. 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. MCCONNELL. Mr. President, is there a pending amendment?

The PRESIDING OFFICER. The amendment No. 3498 is pending. Mr. MCCONNELL, I ask unanimous consent the Helms amendment be temporarily laid aside.

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

Mr. MCCONNELL. Mr. President, is there a pending amendment?

The PRESIDING OFFICER. The amendment No. 3498 is pending. Mr. MCCONNELL, I ask unanimous consent the Helms amendment be temporarily laid aside.

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

Mr. MCCONNELL. Mr. President, is there a pending amendment?

The PRESIDING OFFICER. The amendment No. 3498 is pending. Mr. MCCONNELL, I ask unanimous consent the Helms amendment be temporarily laid aside.

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

AMENDMENT NO. 3519

[Purpose: To express the sense of the Senate regarding United States citizens held hostage in Colombia]

(a) The Senate finds that—

(1) illegal paramilitary groups in Colombia pose a serious obstacle to U.S. and Colombian counter-narcotics efforts;

(2) abduction of innocent civilians is often used by such groups to gain influence and recognition;

(3) three US citizens, David Mankins, Mark Rich, and Rick Tenenoff, who were engaged in humanitarian work were abducted by one such group and have been held hostage in Colombia since January 31, 1983;

(4) these 3 men have the distinction of being the longest-held American hostages;

(5) their kidnappers are believed to be members of the FARC narco-guerrilla organization in Colombia;

(6) the families of these American citizens have not had any word about their safety or welfare for 7 years; and

(7) such acts against humanitarian workers are acts of cowardice and are against basic human dignity and are perpetrated by criminals and thus not deserving any form of recognition.

(b) The Senate—

(1) in the strongest possible terms condemns the kidnapping of these men;

(2) appeals to all freedom loving nations to condemn these actions;

(3) urges members of the European Community to assist in the safe return of these men by including in any dialogue with FARC the objective of the release of all American hostages;

(4) appeals to the United Nations Commission on Human Rights to condemn the kidnapping and to pressure the FARC into resolving this situation; and

(5) calls upon the President to raise the kidnapping of these Americans to all relevant foreign governments and to express his desire to see this tragic situation resolved.

AMENDMENT NO. 3322

At the appropriate place in the bill, insert the following new section:

Sec. 1006. INDOPROJECT PAROLEES.

Notwithstanding any other provision of law, any national of Vietnam, Cambodia, or Laos who was paroled into the United States before October 1, 1977 shall be eligible to make an application for adjustment of status.
pursuant to section 599E of Public Law 101–167.

AMENDMENT NO. 3329

Mr. McCONNELL. Mr. President, we received a request April 21 to allow fiscal year 2001 outlays—not budget authority—to be disbursed early into a Federal Reserve account. We have never had amounts around outlays before, so we are looking at the scoring implications as well as what this will provide to Egypt in security assistance.

I am not prepared to write a blank check to any government. It is possible that this request could generate an additional $35 to $40 million for the Egyptians to spend on military equipment.

I would like to know what they plan to spend these resources on and no one can tell me. I think we need to be better informed before signing off on this approach.

Another problem with the proposal concerns actual control of the resources. The reason there are no scoring considerations is the entire amount is deemed obligated to Egypt once the funds are transferred into this account. That means the Egyptians could default or cancel a contract with an American company and we would have very little recourse because the money is already in their account. We must be sure that we will continue to have transparency and ongoing U.S. management of these resources, both the funds put into the account and the interest generated by the account.

Let me add, separate and apart from concerns about the actual account structure, I am not sure we should be increasing U.S. security assistance to Egypt. A short while ago, President Mubarak paid a visit to Lebanon and issued a call for support of Hezbollah’s terrorist war against Israel. At this delicate juncture with rising concern about cross border violence against Israel, Mr. Mubarak’s comments were and are extremely damaging to peace and stability, to say nothing of safety of Israeli civilians. I am not sure what signal it sends to increase military aid after such unfortunate remarks. After all, the aid is provided in recognition of Egypt’s service to the peace process established at Camp David—the President’s comments undermined those very principles and prospects.

In the State Department briefing justifying the request, U.S. officials urged our support because of Mubarak’s need to address the requirements of “this key constituent, the military.” Frankly, I think Mr. Mubarak needs to worry less about satisfying the military and spend more time and effort shoring up democratic institutions and civic society.

Once again this year he demonstrated a heavy handed political style be extending for three more years the State of Emergency which grants him far reaching powers. He has granted and maintained this sweeping authority for nineteen years. Press censorship and restrictions on political criticism by many of authoritarian measures which are routinely enforced in Egypt—not characteristics of the most open democracy.

In spite of my concerns about the trends in Egypt, I am prepared to consider this request fully and carefully in consultation with the chairman and others who I know are interested and expect we will have a recommendation by the time we get to conference.

AMENDMENT NO. 3328

Mr. INHOPE. Mr. President, S. 2592 contains $934.1 million for Plan Colombia, a counternarcotics initiative. A portion of that is earmarked for the investigations of human rights abuses. Certainly a part of the drug culture in this bill is attempting to address is the abductions of individuals by para-military groups who either hold their hostages for ransom or use the abduction as a means of intimidation against law enforcement. Frequently we hear of witnesses, prosecutors and judges being taken from their homes, offices or off the street in broad daylight in an attempt to stop the prosecution of drug kingpins. However, innocent civilians, not involved in the war on drugs, are targets as well. The amendment I am introducing addresses the latter.

My colleagues may not be aware but currently there are three American citizens who are being held hostage by FARC, a narco-guerrilla group in Colombia. Many have been involved in obtaining their release but the 7 plus years of their captivity has complicated those efforts.

On the evening of January 31, 1993, a group of armed guerrillas entered the village of Pucuro Panama. Once conscience of the villagers had been secured, the guerrillas went to the homes of the Mankins, Riches, Tenofofs, three missionary families with New Tribes Mission who were invited to live in Pucuro by village leaders to teach reading and writing and provide medical care to villagers. David Mankins, Mark Rich and Rick Tenenoff were tied up and villagers. David Mankins, Mark Rich and Rick Tenenoff were tied up and their wives instructed to prepare small packages of clothing for them. The guerrillas then forced the men toward a trail that leads to the Colombian border.

Shortly after the kidnapping, FARC made contact with New Tribes Mission, claiming credit for the abduction and demanded a $5 million ransom. The mission refused to pay the ransom and shortly thereafter contact ceased. Since then there has been many rumors and reports, but not proof on their whereabouts.

David Mankins, Mark Rich and Rick Tenooff are the only beneficiaries of being the longest held American hostages. Their families have lived the last 7 years without knowing whether they are dead or alive.

My amendment condemns the kidnapping; urges members of the European Community to assist in the safe return of these men by including in any dialogue with them the objectives of the safe return of these missionaries; and appeals to the United Nations Commission to pressure FARC to resolve this situation.

I am proposing this amendment for a couple reasons: first, FARC has aggressively courted a dialogue with several in the European community. In fact, I understand that in the upcoming weeks there will be representatives of FARC in Europe looking for support of their “revolution.” I fear any recognition would be viewed as legitimizing the illegal and cowardly activities of FARC and thereby compound efforts to either gain release of these Americans to learn of their fate.

Secondly, Dr. Larry Maxwell of Patterson Baptist Church in Patterson, New York has begun a 240 mile walk to Washington, D.C. to bring attention to the tragic situation of these families. Dr. Maxwell will culminate his walk at the Capitol this coming Monday, June 26th, where he will be joined by the families of the kidnapped men.

I urge my colleagues to support this amendment because these American citizens can easily be forgotten and we must not do that. Dave, Mark and Rick need our prayers and their families need to know that their loved ones have not been abandoned. Finally, we need to encourage all those who have worked during the last 7 years to bring an end to this horrific ordeal to continue their effort.

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

The amendments (Nos. 3519, 3528, and 3530) are in order.

Mr. McCONNELL. 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. McCONNELL. Mr. President, I believe the distinguished Senator from Washington is here and ready to offer an amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 3517

(Purpose: To reduce the amount of funds made available for South American and Caribbean counternarcotics activities, and for other purposes)

Mr. GORTON. I have an amendment at the desk and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington (Mr. Gorton), proposes an amendment numbered 3517.

Mr. GORTON. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.
The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

Beginning page 141, line 9, strike "$934,100,000" and all that follows through line 18 on page 155 and insert the following: "$934,100,000 to remain available until expended: Provided, That the funds appropriated under this heading shall be utilized in Colombia, Bolivia, Peru, Ecuador, and other countries in South and Central America and the Caribbean at the discretion of the Secretary of State."

Mr. GORTON. Mr. President, the effect of this amendment would be to strike the Colombian drug money appropriation of $934 million and substitute for that number $200 million. In other words, the passage of the amendment would result in savings—that is to say, not spending—almost three-quarters of a billion dollars, and by implication using that money to pay down our national debt.

Curiously enough, I think the justification for the amendment is as eloquently stated in the bill being managed by my friend from Kentucky and by the committee report—which I commend to my colleagues—that accompanies that amendment.

I will read one paragraph now from the committee report:

Historically, INL has provided support to the Colombian National Police. The Supplemental anticipates a 7:1 shift in funding from the Police to the Army. Given the past limited role and resources provided for counter-narcotics activities in Colombia and the region, the Committee is concerned about the rapid, new, and unprecedented levels of spending requested. The fiscal year 2000 program level of $50,000,000 for Colombia will now rise to nearly $1,000,000,000. The Committee has grave reservations regarding the Administration's ability to effectively manage these resources to achieve the expected results of reducing production and supply of cocaine while protecting human rights.

I could hardly state my case better.

We have a profound and dramatic shift in focus. We have a huge 19–1 increase in the amount of money in this bill focused on this particular problem, and we lack even a clue as to whether or not it will have any positive impact on drug trafficking between Colombia and the United States.

I will read the language found on page 151 of the bill, section 6106:

LIMITATIONS ON SUPPORT FOR PLAN COLOMBIA AND ON THE ASSIGNMENT OF UNITED STATES PERSONNEL IN COLOMBIA

(a) LIMITATION ON SUPPORT FOR PLAN COLOMBIA—Except for appropriations made by this Act and appropriations made by the Military Construction Appropriations Act, 2001, for one of the funds appropriated or otherwise made available by any Act (including unobligated balances of prior appropriations) shall be available for support of narcotics law enforcement efforts in Colombia unless and until—

(1) the President submits a report to Congress requesting the availability of such funds; and

(2) Congress enact a joint resolution approving the request of the President under paragraph (1).

In other words, let's spend $1 billion, and after it is spent, let's ask the President for a justification of why we were spending it. This is a plan for what we are going to do in the future.

That is absolutely, totally, completely backwards. This is a major undertaking, a huge change in our relationship with Colombia, in what we sometimes furtively denominate a war against drugs, with some kind of hope that it will have a positive impact. My guess is I will very shortly be asked to enter into a time agreement so we can vote on this amendment no later than 6 or 6:30 p.m. today. Time constraints will lead me to accept that time agreement. But is it not equally bizarre and irresponsible that we should put the United States into another military adventure on the basis of so short and superficial a debate about both means and ends in connection with this appropriation?

The Senator from Minnesota, Mr. WELLSTONE, just proposed an amendment that got very few votes, that superficially at least was aimed at the same goal. I say "superficially" because Senator WELLSTONE did not propose to save any of the money. He simply proposed to spend about 25 percent of it with priorities that differed from those of the committee and those of the President of the United States. The war and all the equipment were still there under his amendment. We just had a quarter of a billion dollars spent on various social program purposes.

His amendment, in other words, did not go to the heart of the question that is before us. That question is, Are we prepared casually, at this point, to take the first step in what has often in the past been an inevitable series of steps toward engaging in another shooting war?

I grant you there is a limitation of no more than 250 American military personnel to accompany the equipment we will be selling to Colombia under the provisions of this bill. But isn't that almost always the way we begin an adventure of this nature, with pious declarations that our participation is limited; we are just helping some other country solve its own problems and challenges in some military fashion? I think so.

But this is a shift from supporting a police force in a friendly country to supporting an army engaged in a civil war, a civil war that it has not been winning, a civil war in which the other side is very well financed—indirectly, at least, in large part by Americans who purchase cocaine—but without the slightest real control over the use of the equipment that the Colombian Army will be receiving pursuant to this bill.

How long will it be until we read the first news story about some of this equipment showing up in the hands of the rebels, by capture or, for that matter, by purchase? I don't know, but that is what has constantly happened in the past in all of our other adventures of this nature in which the United States has found itself.

But my fundamental point with respect to this amendment is that we are voting money first and asking for the justification later. We should get the justification first and make the determination as to whether to spend this amount of money or how much we ought to spend after we know exactly what the plan is and how the plan promises to lead to any kind of successful conclusion.

But the bill says, right here on pages 151 and 152, we will spend the $934 million and then the President will tell us how he is going to spend future money, and we will get a joint resolution. And a later stage future payments; we will enter into a time agreement so we can vote on this amendment no later than 6 or 6:30 p.m. today. Time constraints will lead me to accept that time agreement. But is this the single best way in which to spend the almost three-quarters of a billion dollars that is the subject of this amendment, even on drug interdiction, much less on any other potential program in the United States? Will it help Colombia? Does it really address drug problems in the United States? Is there an exit strategy?

We know there was not any in Bosnia. We know there was not any in Kosovo. We are not told what it is here. One consequence of passing this appropriations bill in its present form, however, is certain. It will not be a one-time appropriation. It will not be the only request we are asked to respond to, to deal with the Colombian military, almost $1 billion in this appropriation—a downpayment. But it isn't a downpayment we make on a home or an automobile. It is a downpayment on which we don't know the schedule of future payments; we don't know the total amount of future payments; we don't know how we will measure success if, indeed, any success exists. It is simply the beginning of an open-ended commitment, with the pious statement that the President must come back a year from now and justify future appropriations and get a joint resolution of Congress.

I don't think those lines are worth the paper they are printed on because neither the President's foreign operations appropriations bill can just appropriate another $1 billion, and its passage will be that joint resolution, without any more justification than we have today.
In one respect, at least, I must interject with this comment: I have been overly critical. In comparison with the way we have generally treated the House of Representatives, this appropriation is a model of responsibility. It includes considerably fewer dollars and considerably more in the way of conditions—future conditions though they may be. That means, unfortunately, the conference committee will end up spending more money than we are spending here and probably with fewer and less responsible requirements imposed on the administration in the way in which the money is spent.

But my points in this amendment are simple. We are asked to engage in another civil war. I repeat that. We are asked to engage in another civil war with a major commitment to equipment and training for the Colombian Army. Very rarely does this kind of commitment get made without escalating into something more, in money or in personnel or the like. Very rarely are insurgencies such as the one in Colombia successfully met when those insurgencies have as large a source of money as the one here. Mr. Gorton amendment which I would like to move this bill along. I will make the motion to table the Gorton amendment.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I have a hard time remembering the last time I disagreed with my friend from Washington on an issue, but on this one, regretfully, I do. We had a vote a few moments ago to reduce the Colombian drug war money by $225 million. That was defeated 89-11. Now my colleague from Washington would take it all the way down to a mere $100 million for this effort. He would be the first one to agree that, in effect, eliminates this effort. I think that is a mistake. I will make the motion to table the Gorton amendment which I would like to schedule for 4 p.m., if that is agreeable with Senator Gorton.

Mr. GORTON. Mr. President, I am sorry. I did not hear.

Mr. MCCONNELL. I was saying to my friend from Washington, is there further debate on the amendment? Does the Senator from Connecticut wish to speak to the Gorton amendment?

Mr. DODD. Briefly. I will not take a lot of time. I know the chairman wants to move this bill along. The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I will be proposing another amendment briefly. I did not speak during the consideration of the Wellstone amendment but, in effect, the amendment offered by our colleague from Oregon, Washington is tantamount to the same conclusion as the Wellstone amendment. This amount will be reduced, as I understand the amendment, to some $200 million, in effect gutting the program. An amendment that says we not spend the money would have the same effect, in my view.

This is a complicated and difficult issue. I say to my friend from Washington, for whom I have the highest regard and respect, and I listened to him carefully when he speaks on any issue, I am deeply concerned. This is not a perfect package by any stretch of the imagination. If I were crafting this

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alone, it would be somewhat different than the package before us. I understand with 55 Members of Congress and a Democratic Senate and a State Department and dealing with regional governments as well in the hemisphere who are as concerned about this issue as we are, we cannot craft a package that reflects necessarily the views of every single person. We have to put together a package that seems to make the most sense from a variety of perspectives.

I did not speak on the Wellstone amendment, but my feelings are very strong when it comes to this issue of Colombia.

Colombia is the oldest continuous democracy in Latin America.

I do not engage in hyperbole when I suggest to my colleagues that this nation of Colombia is in a very tough situation. I mean, on the brink of being disintegrated by narcotraffickers and guerrilla forces operating in that country.

The narcotraffickers are accumulating a fortune, a vast fortune, significant parts of which are being used to finance the guerrilla operations. The major source of funding for the narcotraffickers, regrettably, comes from right here in the United States. We lose about 50,000 people a year in the United States to drug-related deaths. We are the largest market for illegal Colombian drugs.

Just in the last 2 years, Colombia’s coca production has grown by 40 percent. In 1999, the United States estimated the street value of cocaine processed from Colombia’s coca fields and sold on the streets of this country was in excess of $5 billion.

Whether we like it or not, we are engaged in the conflict in Colombia. Because in 1968 there is a very rich and a very substantial percentage of the population reside in this country that exceed anywhere else in the world. But part of the answer is going after the source. So when we step up to offer the Colombian democracy a chance to fight back, we are not only doing it for them; we are doing it for ourselves.

So with all due respect to my friend from Washington, and others, this may not be a perfect plan, but every day we delay in stepping up to help our neighbor, we cause more hardship, more death and destruction in our own country, and greater is the proximity of Colombia losing its democratic government, losing its sovereignty.

As I said, a small percentage of the Colombian population actually lives there. But that was part of his concession to try to resolve this dispute. Just recently, he also made a concession of some additional property.

I show you a better map of Colombia. It is a little clearer. On the map you can see the darker area. Here is the Andean ridge that runs from Venezuela down through Ecuador and through Colombia. There are major population centers in the northern sections of Colombia around Bogota.

This area over here is the least populated area of Colombia. It is in this shaded area shown here where this concession was made. There have also been concessions made in the north.

President Pastrana has desperately tried to bring this conflict with this age-old guerrilla operation to a conclusion. But the problem is, the major cocaine and major coca productions occur in the darkened area, the DMZ area, in an area called Caqueta and Putumayo. The Putumayo region is along the border of Ecuador. And the Caqueta region is very similar to it. This is the largest region from which these killer drugs come that end up on our streets.

I do not believe this issue is necessarily going to be resolved because we have a military aid package going to Colombia. It is going to be resolved through a variety of measures and means. I, frankly, have been terribly disappointed; we are now almost in July—this is a very big deal for our neighbor, from President Pastrana from a democratic government, where 1 million people are now displaced because of the conflict in Colombia. And 100,000 people leave that country every 6 months because of the war there, many of them coming to our shores and many of them going to other nations.

Colombia is greatly distressed. Politicians, journalists, judges, and innocent civilians are being gunned down. We think we put ourselves at great risk when we run for political office if someone slams a screen door in our face. In Colombia, if you run for high office, you run the risk of being killed. That is not an exaggeration.

Literally dozens of thousands of people who have lost the temerity to stand up to the narcotraffickers and to some of these paramilitary forces, and others, have lost their lives. President Pastrana, the President of the country, was actually taken hostage and kept in the trunk of a car not that many years ago as a victim of this conflict.

My point is this. This package may not be perfect, but our delay in responding to a neighbor’s call for help is getting too long. Every day we wait, every day we delay, means more lives lost, means greater strength for these narcotraffickers, who respect no one, not sovereignty, not governments, certainly not democratically elected governments, and will use whatever means means this Chamber and in the other House secure their position and gain resources through their illegal trade in death, a trade in death which costs the lives of people in this country.

Obviously, we have to do a lot here at home. I can’t blame the Colombians because we have illegal drug habits in this country that exceed anywhere else in the world. But part of the answer is going after the source. So when we step up to offer the Colombian democracy a chance to fight back, we are not only doing it for them; we are doing it for ourselves.

I do not claim to be any deep expert on the issue of antinarcotics efforts, but I respect those who are. From General McCaffrey to our colleagues in this Chamber, and in the other House, who work on this issue every single day, almost without exception, they say this is a must-pass program; that if we back away from our responsibility, if we back away from an ally and a friend and a neighbor in trouble, then our credibility, when it comes to fighting back on this issue, will be severely damaged, if not lost entirely, in this part of the world.

President Pastrana deserves the administration and respect of the American people and this Congress. From the first days he was elected to office, he has sought to resolve the conflict in his country with a major guerrilla group in his nation that has operated for 40-some years, by sitting down with them to try to resolve their differences. But a substantial portion of Colombia—this is an area called the llanos, a Spanish word for lowlands, wetlands. When you come out of the Andes in Colombia, and come down into the llanos areas, the flat areas, there is a large section of this piece of territory which President Pastrana and his government centered—in effect, an autonomous region—as part of the effort to try to resolve this 40-year-old conflict with the major guerrilla group called the FARC.

In addition, to fund their operations out of the Colombian population actually lives there. But that was part of his concession to try to resolve this dispute. Just recently, he also made a concession of some additional property.

I show you a better map of Colombia. It is a little clearer. On the map you can see the darker area. Here is the Andean ridge that runs from Venezuela down through Ecuador and through Colombia. There are major population centers in the northern sections of Colombia around Bogota.

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It is estimated, by the way, these narcotraffickers have profits in excess of $1 million a day—and some would suggest three times that number—daily profits made in the streets of the United States. To fund their operations and to support guerrilla activities, they cannot handle this alone. If it is left entirely up to Colombia to solve this problem, it gets worse every hour.

I know it is a lot of money, $1 billion. It is not cheap. But every day we delay, every day we refuse to step up, this problem becomes worse and the narcotraffickers get stronger. They are already now in Ecuador. They moved into this region, where they moved the product up through Ecuador to the chemistry laboratories and then back down through Ecuador and either back into Colombia or out to the United States. It is a serious issue.
Their government has pleaded with us for some help for over a year. We are now almost finished with this session of Congress, and we still have not addressed this issue.

Again, I respect my colleague from Washington. But there was another time, a half a century ago, when neighbors in another part of the world asked us for our help—not our direct involvement—in something called the Lend-Lease Program. Franklin Delano Roosevelt, in a national address to the country, described it to the American public in terms of a house being on fire and neighbors asking for some help.

In a sense, today, that is what we are being asked to do. We have here a democratic neighbor, the oldest democracy in Latin America, one of our best allies in the world, a group of people who have supported us and have been through hell over the last 20 years as judges and presidential candidates, prosecutors, state legislators. Anyone who had the guts to stand up to the cartels has gotten either killed down or their families kidnapped and put through a reign of terror by these people, and now they ask us for a little help. All of those drugs come here. They end up on our streets. They kill our kids. They want to know if we will help to put an end to it. I think it is very little to ask, considering the magnitude of the problem, how precarious it is for us here at home and for this good neighbor and friend to our south.

Regardless of party, political persuasion, or ideology, this is a time when we need to say to democratic countries in this hemisphere, we stand with you, particularly when the fight involves us very directly. I hope this amendment will be resoundingly defeated and a strong message sent that this Congress, despite its demands for attention and time and resources, is not going to turn its back on the people of Colombia. But I am saying that if we will, in an expeditious fashion, provide the resources necessary so these people have a chance to fight back against a crowd who wants to take their sovereignty and simultaneously add to the carnage on our own streets.

For those reasons, I urge rejection of this amendment. When the tabling motion is offered, I hope my colleagues will support it.

I yield the floor.

Mr. GRASSLEY. Mr. President, I want to bring my colleagues attention to the importance of what we are trying to do with emergency aid to Colombia. Why is this aid important? And why is it so necessary?

Illegal drugs pose a direct, immediate threat to the health and safety of the citizens of the United States. Today, a majority of the cocaine and heroin consumed in the United States is grown, processed, and smuggled from Colombia.

The Senate, today, has the opportunity to act. We have the opportunity to provide a needed boost to the Government of Colombia and their efforts to halt illegal drug production in their country. Tommy Thompson has a plan, and they have asked the U.S. for support. We should provide it.

That said, I don’t want to mislead anyone into thinking this is either the perfect or final assistance package that will come before the Senate for Colombia. However, it is a good start. It will strengthen the Colombian military while emphasizing the importance of human rights. It will provide additional resources for the Colombian National Police, and strengthen U.S. Colombia, and other nations in regional interdiction capabilities in and around Colombia. Personally, I would like to see more money for intelligence collection, and more emphasis on coordination with the Colombian military, and the National Police, and more assistance to Colombia to strengthen the rule of law. However, these are all things that can be addressed in future appropriations. We also need to address economic and trade issues to help the legal economies in the region. This package provides important assistance needed now to a government with the will and ability to act.

The drug problem is not going to be solved overnight. To confront this threat, we must work locally, as well as internationally. We must provide assistance so those who have been seduced by drug use can get help, but we also—and I would say this has to be our first focus—we also must keep people from becoming addicts in the first place. This means education and prevention. It means using the law to punish those who break it, providing the resources to help those who become addicted, and it also means focused programs at the source. That means that it is in both the moral and strategic interest of the United States to support the Government of Colombia in its efforts to rid the country of drug production. We should not squander this opportunity.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I think it might be appropriate to lay the Gorton amendment aside temporarily and go forward. Is the Senator from Connecticut ready to offer his amendment?

Mr. DODD. I am.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Gorton amendment be temporarily laid aside.

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

AMENDMENT NO. 3524

Mr. DODD. Mr. President, I call up amendment number 3524.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD], for himself and Mr. LIEBERMAN, proposes an amendment numbered 3524.

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

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

The amendment is as follows:

On page 142, on lines 3–5, strike the words "procurement, refurbishing, and support for UH–1H Huey II helicopters:" and insert in lieu thereof the following: "procurement and support for UH–1H Huey II helicopters" and insert in lieu thereof the following: "procurement and support for helicopters determined by the U.S. Department of Defense, in consultation with the Colombian military, to be the most effective aircraft to support missions by elite Colombian counter narcotics battalions in eradicating the expanding cultivation and processing of illicit drugs in remote areas of Colombia."

I begin these remarks by stating what was perhaps obvious to my colleagues but may not be obvious to all who are following this debate. My colleague and I from Connecticut represent a division of the technologies known Sikorsky Aircraft which produces Blackhawk helicopters. I am not proposing an amendment that mandates that the Blackhawk helicopter be the helicopter of choice. I am sure that may disappoint some of my constituents that I am not fighting on behalf of a specific helicopter. Rather, my amendment provides for the helicopter to be selected on its relative merits.

As I said a moment ago, when it comes to narcotics issues, I don’t claim great expertise. I don’t claim to be a military expert when it comes to making decisions about which helicopters may be the best to use in a given situation. Rather than offer an amendment, which my colleague from Connecticut and I might have done, to say we replace the language here, which does call for a specific helicopter, with the one that is produced in our home State, our amendment says, let the people who have to make the assessment about what would work best in Colombia decide, not what the Senators from Connecticut want or the Senators from Texas or some other
place. My amendment would allow our military experts to say what makes the most sense, in consultation with the people who will be receiving this military equipment.

Even if Senators disagree with this package in its entirety, I hope they will support this amendment so that at least Colombia will be receiving the kinds of equipment that will be necessary to get the job done.

The questions raised by our colleagues from the State of Washington about whether or not this policy can work are not illegitimate. None of us have a crystal ball to determine whether or not this particular program is going to produce the desired results of those of us who support it. One way we can almost guarantee it won’t is to insist that the Colombian Government accept only the equipment which we want to give them, not which may be the best in order to deal with the problem but that which we think they ought to have because of some parochial interest.

I don’t want to be in a position of demanding that the Colombian Government take a helicopter made in my State. Nor should anyone else be demanding they take one from theirs. Let us let the experts decide on what works best. That is the reason I am offering this amendment with a number of my other colleagues.

The administration’s primary rationale in proposing the $1.2 billion supplemental aid package in support of what is called Plan Colombia was to assist the Colombian Government instemming the massive growth in coca cultivation in southern Colombia. Again, it is the area I described in the shaded green around the Caqueta and Putumayo region. It is not limited to those areas but to many other areas as well where the products are grown. Those are the principal ones.

In the last 2 years, Colombia’s coca production has grown by 40 percent. In 1999, the estimated street value in the United States was in excess of $6 billion coming out of this region, just in a year alone. We are talking about a billion-dollar program to deal with a supply in coca alone, in 1 year, 2 years, in excess of $6 billion.

The Clinton administration has proposed to address the explosion in coca production by going to the source, the coca-producing regions of Putumayo and Caqueta in southern Colombia. However, these coca growing areas are also strongholds of the FARC guerrilla organizations—frankly, there is a relationship between the drug cultivators and the guerrillas in these two areas. There are also right-wing paramilitary organizations which operate in these areas, but the paramilitary groups are more extensive in the northern part of the country.

To address these threats levels and logistical difficulties in mounting substantial counter narcotics programs, President Pastrana has made a central feature of his plan the so-called push deployment of the first battalion having already occurred in December of last year, and to provide tactical mobility, which is airlift capacity, to these newly trained battalions so that the Colombian national police will have sufficient area security to carry out eradication and other drug law enforcement operations in southern Colombia.

The Clinton administration specifically requested almost $600 million to support that component of Plan Colombia, a new helicopter in the House-passed emergency supplemental bill. The success or failure of push into southern Colombia depends in no small measure not only on the effectiveness of these battalions but also on the effectiveness and capability of the equipment which we provide them. It is going to be critically important that we not jam down the throats of this government equipment that is not going to meet the test, not going to help get the job done. That is why I offer this amendment today.

President Pastrana and U.S. defense experts spent a number of months discussing how best to ensure the maximum effectiveness of these operations. Contrary to the assertion of my colleague from Washington, a lot of time has been spent discussing this issue. There has not been a lack of discussion about what is going on in Colombia. There has been a lot of discussion, a lot of hearings.

Our Pentagon and other experts have determined that the ability to transport substantial numbers of elite Army troops together with members of the national police quickly and safely to remote areas of Colombia would be absolutely critical to the overall success of the larger strategy. After reviewing a number of different options, including the possibility of non-U.S. aircraft, the Colombian Army selected the Blackhawk helicopter as their equipment of choice in dealing with this issue. According to Gen. Charles Wilhelm, Commander in Chief of the Southern Command, our top military person in the region, the ultimate decision to select the Blackhawk over other options was based on its superiority in the following areas: range, payload, survivability, versatility, service ceiling, and other technical considerations.

I have attached a chart with you that makes the point more clearly than anything I could have just said, in very specific terms. I have here a chart that shows a comparison between the Huey II, presently demanded in this bill, and the Blackhawk. Let me go down each one of the critical areas identified by the U.S. military in the Southern Command.

What is the maximum cruise speed of the Huey II? It is 100 knots. The Blackhawk is 155 knots. The maximum number of passengers at sea level is 11 persons for the Huey and 24 for the Blackhawk. The maximum passengers at 9,000 feet is 8 persons the Huey and 18 persons for the Blackhawk.

On this other chart, when you are based here in northern Colombia and you have to get to southern Colombia, you have to fly over the Andes. This is not at ground level or sea level. For those people who may be familiar with the geography of this area, to suggest somehow you are going to have an effective quick-response team, flying 8 people in a Huey helicopter over the Andes, as opposed to a Blackhawk, which can carry 18 at 9,000 feet, is to put this program in serious jeopardy.

The maximum flight time is 1.5 hours for the Huey; its 2.5 for the Blackhawk. The range of a Huey is 196 nautical miles; it is 300 nautical miles for the Blackhawk. The ceiling—how high they can go—is 16,000 feet for a Huey and 20,000 feet for a Blackhawk. The weight the Huey can carry is 10,500 pounds; the Blackhawk can carry 22,000 pounds. Fuel consumption for a Huey is 600 pounds an hour and for the Blackhawk, it is 700 pounds an hour. The sling load is 5,000 pounds for the Huey and 9,000 pounds—almost double—for the Blackhawk. The payload at 4,000 feet again is more than double for the Blackhawk as opposed to a Huey.

Mr. President, in virtually every category that our top military people have said is important, the Blackhawk outperforms the Huey. I am not offering an amendment that demands that we write in Blackhawk instead of Huey. My amendment says let our military people decide which is best. If you are going to vote for this program, then you ought to let the military people decide what is going to give it the greatest chance of success, and not have a bunch of Congressmen and Senators tell you what is going to have the greatest chance of success. We should give significant weight to what our military people think will work in this area.

If you want to condemn the Plan Colombia program to failure at the outset, then provide them with inferior equipment so that they can’t get the job done. I suggest that is what is happening with the present language in this bill. In virtually every operational category—speed, maximum passengers, flight time, ceiling, weight-carrying capacity—the Blackhawk outperforms the Huey. That is not at all surprising,
since the Huey is a Vietnam war vintage aircraft, which first went into production in 1959. The production of Hueys stopped in 1976, after 27 years of operation. The Blackhawk is newer; in fact, it is still being manufactured. Moreover, the Blackhawk was engineered specifically to address the deficiencies experienced with the Huey during the Vietnam conflict.

The so-called Huey II is a retrofit of the Huey. The upgrade package that the Appropriations Committee proposes to provide Colombia is one of the newer models, including Blackhawks. The committee has asserted in its report that one of the reasons for substituting Hueys for Blackhawks is that the former had twice the troop-carrying capability as the latter. The Appropriations Committee has indirectly acknowledged the differences in capability of the two aircraft by recommending a 2-for-1 substitute of Hueys for Blackhawks—60 Huey IIs, instead of 30 Blackhawsks. That also means that the significant cost advantages that the proponents of the Huey II have pointed to as a justification for the substitution is significantly reduced. It is even further reduced because U.S. military experts who are familiar with the conditions in Colombia in which the aircraft will be operating have stated that it will actually take two-plus Hueys to accomplish what one Blackhawk could do. If that is the case, then the cost advantage argument goes out the window. The mission cost for a typical mission of transporting 88 troops from a base, at a distance of 98 miles or less, would cost essentially the same.

The committee has asserted in its committee report that one of the rationales for substituting Hueys for Blackhawks was the more immediate availability of Huey IIs. I think that is dispositive, in light of the fact that the 60 Hueys would require major refurbishment. There is currently a limited production of Hueys, with current inventories of the 800 Huey aircraft and replacement them entirely with the newer model aircraft, including Blackhawsks. The Hueys are no longer used in combat missions by any of the U.S. Armed Forces.

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Given the pilot shortages and the time frame that is much faster than the moment, there is another more indirect argument for substituting Hueys for Blackhawsks for any other means to improve the Colombian armed forces in which the aircraft will be stationed. None of the U.S. services have chosen to upgrade Huey inventories using the kits the Appropriations Committee proposes to provide Colombia. In fact, the U.S. Air Force is in the process of phasing out current inventories of the 800 Huey aircraft and replacing them entirely with the newer model aircraft, including Blackhawsks. The Hueys are no longer used in combat missions by any of the U.S. Armed Forces.

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The committee has asserted in its committee report that one of the rationales for substituting Hueys for Blackhawks was the more immediate availability of Huey IIs. I think that is dispositive, in light of the fact that the 60 Hueys would require major refurbishment. There is currently a limited production of Hueys, with current inventories of the 800 Huey aircraft and replacement them entirely with the newer model aircraft, including Blackhawsks. The Hueys are no longer used in combat missions by any of the U.S. Armed Forces.

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Refugees, UNICEF, funds for Armenia, and Russia, demining, or health? What accounts will pay the price to fly Blackhawk in the future years when Hueys would do?

These are U.S. units, which do not have Blackhawks, which will have to wait while the production line produces Colombia’s inventory. Given the short- and long-term costs, and given the impact on the availability for U.S. troops, the committee decided to provide twice the number of refurbished Hueys which will meet all the troop transport requirements in Colombia.

Those are the arguments for the approach the committee has chosen. I yield the floor.

The PRESIDENT. The Senator from Rhode Island.

Mr. REED. I thank the Chair.

Mr. President, I am impressed with Senator Dodd’s logic and wisdom in drafting legislation which does not direct that, rather, makes the purchase subject to the decisions of the DOD, which will ultimately be responsible for the training and military support for the Colombian Army.

I am here today principally because I was fortunate enough last week to be in Colombia and in the field with a narcotics battalion, to get the opinions of those Colombian soldiers who actually have to fight these missions, and to get the observations of the American special forces who are training the Colombians. I think their observations will be very useful and informative to my colleagues. I believe I have an obligation to speak to those observations.

These are both excellent systems. But the question of what system do you purchase and deploy is a function of the mission that the platform, the helicopter, the system must execute.

Senator Dodd did a very good job of providing the context for the proposed operation. Let me add a bit of detail, if I may.

The use of Plan Colombia from a military standpoint is to create a counter-narcotics battalion which will push into the South from the provinces of Putumayo and Caquetá. This is part of the Amazon jungle. It is all jungle. The last road ends at Tres Esquinas. All military supplies for the core operation of that base must be done by air. The context of the operation that is proposed is that they operate from Tres Esquinas, which is about 150 nautical miles from the operating base. That is their zone of operation.

The mission these counter-narcotics troops is to airlift out of Tres Esquinas, to move into landing zones that are close to either final laboratories or other significant assets of the narcoterrorists, and to deliver, at a minimum, two platoons. Those 2 platoons have about 70 personnel. The ultimate lift will be a full company of about 360 personnel.

It has been pointed out before that the range of the Huey II, Super Huey, is about 196 nautical miles carrying 11 troops, and the Huey II can range only half the target area, half of the 150 nautical miles, without expensive refueling operations.

So the first tactical decision a commander would have to make if in fact he were deploying Super Hueys would be to operate in the full range of the area of operations. You would have to go ahead and establish, at least temporarily, four refueling points so the Hueys could come in and refuel. This is in some respects a tactical hindrance to the operation.

First of all, you have to defend these positions in the field—in a jungle area that is literally infested with guerrillas.

Second, the element of surprise would be at least somewhat vitiated if in fact they come in, refuel, and then lift off, and go again to a target area.

In contrast to the range of the Huey II and the necessary-for-refueling bases to cover the whole area, the Blackhawk has a range of about 300 nautical miles and can carry 18 troops. This disparity between range and capacity of troop lift also goes to the issue of cost because obviously, in order to conduct these tactical operations, you will need more of the Super Hueys than you would Blackhawk helicopters. That doesn’t completely equate the force, but it in a significant way narrows operational forces.

The military personnel on the ground, the Colombian National Army, and the special forces advisers suggest that to put two platoons into an LZ someplace in this area of operations would require seven Hueys as compared to four Blackhaws. Again, tactically, four Blackhawk aircraft flying at high-speed to see作战, the necessity to refuel gives them more operational capabilities, and it gives them more capability to amass their forces, strike quickly, and pull back quickly.

There is something else that has to be mentioned. They are flying against military forces that potentially have fairly sophisticated defense systems, which again puts a premium on speed and surprise—being able to get in and out of the area and maybe even different areas of the helicopters. That is again an issue that requires capital military judgments about what system is most capable to operate and survive in this type of environment.

There is another aspect to this. The lift capacity of the Blackhawk, according to the people to whom I spoke, gives it an advantage when they operate closely in the highlands of the Andes where you need lift simply because of the altitude. It also gives the Blackhawks some respect.

Also, this was suggested to me while I was in the field. If you are going to do fast-rope rappelling operations, you have to come in, hover over the objective, and get your troops out. Many places in this area of operation will not be operational. In the Blackhawk, you will have to require rappelling operations to get your troops on the ground and get them out again.

Another aspect that was alluded to by Senator Dodd is the aspect of the capability of the Colombian forces to absorb a number of helicopters. Right now, the State Department has managed to procure for the use of the Colombians, at least temporarily, 18 Huey helicopters from Canada. These are “1–November” models. Already, that has increased the aviation capacity potentially of the Colombians by substantial amounts. They are out finding pilots; they are finding logistical support.

If we give them 30 Blackhawks, that is 20 additional helicopters, which will give them the capability to train pilots, to provide mechanics, to provide crews, to provide the kind of logistic base they need. If we double that by providing twice as many Hueys, we will put additional pressure on the logistical base of the Colombian military forces to do the job. That is something, practically, that we have to consider with respect to this issue.

What Senator Dodd has suggested is very thoughtful and appropriate, to make this military decision subject to military judgment and not our particular judgment.

I was compelled to speak today because I had the chance, gratuitously, to be at Tres Esquinas and Larandía on Sunday to talk to the Colombian soldiers who will fly the missions and jump into this difficult area. I talked to our special forces troops and our military forces who are advising. They provided information, and it is important my colleagues understand this information. It is upon this basis that I am considering this amendment, not to direct that the aircraft be one variety or the other but to ensure that the Department of Defense make a very careful review based upon some of the issues we have all talked about, including range, lift capability, the nature of the operations, the nature of the Colombian military forces, and their capacity to integrate these platforms quickly into their operations.

I hope the legislation accomplishes those missions. I yield the floor.

Mr. STEVENS. Mr. President, I urge the Senate to support the committee’s position on this issue.

Mr. DODD. Will the Senator yield?

Mr. STEVENS. Yes, but I have to leave quickly.

Mr. DODD. I would like to attend the ceremony, as well. Perhaps the leadership could provide a window for those who want to attend that ceremony.

Mr. STEVENS. It is above my pay grade. I will speak for 2 minutes and express my position. If the vote occurs while I am gone, people will see an old bull scratch the ground very hard.
As a practical matter, this position that we have taken is the best one for Colombia. We looked at this very seriously. This is a very urgent matter now. Does anyone think year after year after year after year we will be able to declare an emergency on this account? We provided the Hueys. They can have two or more times the number of Hueys for the cost of what the administration wants to do with Blackhaws. The Blackhaws are fighting machines. They will be the tip of a sword going into another Vietnam, if we are not careful. What they need are the Hueys. They need to transport these people. They need to be able to fight against the drug people. They do not need to get these so they can fight against the insurgents.

I urge the Senate to realize what we are doing. We are doing our utmost to increase the tremendous pressure upon the drug operations in Colombia. We want to do that in a way that Colombia can sustain the cost without coming back to this Congress year after year after year to ask for money to main-

tain what we provided.

Others have spoken about the costs. The Huey is a good machine. We are upgrading the Huey and providing our own troops for them. There is no reason for anyone to be ashamed of flying a Huey in combat. But it is not the type of situation that calls for Blackhaws to be a part of our operation against the drug lords. What we need to do is provide the assistance they need and to give them the ability, if they want to continue this, to oper-

ate these machines. I cannot see why we should start this precedent. I assume Senator McCon-

NELL made the same comments. We have made decisions all over the world. We are going to be faced in the next decade with trying to suppress the supply of drugs coming literally from all over the globe. This is no time to take the frontline item that we have for war-fighting machines and provide it as assistance to people trying to sup-

press drug producers.

I wish I had more time to deal with this because I believe very strongly that if we go to the Blackhaws—with the cost of operation per hour, the high maintenance cost, the high cost of con-

tinued operation—we will start a trendline that this budget cannot sus-

tain into the future. We have to think about this not only in terms of what we will do now but what it will do in terms of outyear costs to continue this assistance. It is not a 1-year operation. We will not be able to stop this drug operation in Colombia in 1 year.

We have done our best. In fact, we have not done it yet. If this account gets seriously questioned, even surviving the Senate. We have been warned about that in terms of the level of support. I believe Senator McCONNELL and his committee have brought to us a bill that meets the needs, gives them the assistance, and gives them the support to carry out their operations against the drug lords without getting the U.S. in the posi-

tion of building a military force in Colombia to deal with the other prob-

lems they face internally.

I hope the Senate agrees with our po-

sition.

The PRESIDING OFFICER (Mr. INHOFE), The Senator from Con-

necticut.

Mr. DODD. Mr. President, I will join my good friend from Alaska shortly, but this amendment I have offered says to let the people we are going to get into the situation decide. Some people think we ought not be involved with this. I respect their position, but I dis-

agree. If we are going to get involved with narcotraffickers who are as well heeled and financed as any military group in the world, if we are going to do the job right and properly, we ought to let the military people decide what they need. My amendment says to let the military people decide what works best.

Let me read what 24 of our aviation experts sent to Colombia specifically for the purpose of trying to determine what equipment would work best had to say on the impact of substituting 60 Hueys for 30 Blackhaws, as originally proposed:

The superior troop-carrying capacity and range of the Blackhawk versus the Huey, coupled with the combat nature of the operations, the requirement to operate at high altitude areas and the increased survivability of both aircrew and troops, clearly indicate that the Blackhawk is the helicopter that should be fielded to Colombia in sup-

porting the counterdrug effort.

Additionally, the number of acquired pilots, crew chiefs, gunners, and me-

chanics to operate and maintain the Blackhawk is the helicopter that should be fielded to Colombia in sup-

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porting the counterdrug effort.
political decision, I don’t want to be told I have to accept 60 or 90 Hueys, when I send to Colombia you don’t have the personnel to support it. It will take too long, you will never get it done, and you don’t have the capacity to get the job accomplished.

I urge my colleagues to support the resolution when it comes to a vote. I think my colleague from Connecticut wants to be heard on this issue.

I don’t know how the chairman of the committee wants to handle this. I would like to be excused for about an hour to attend a very important medal ceremony for one of our colleagues.

Mr. McCONNELL. We are not ready to schedule a vote yet, I am told.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. Mr. President, there are United States units that don’t have Blackhawks yet, that will have to wait while Blackhawk are produced in Kentucky, Alabama, and Oregon. We need the Huey to go on by on on Hueys. My good friend from Connecticut has made a good case for a home State product, the Blackhawk helicopter. The Blackhawk is not made in Kentucky. The Huey is not made in Kentucky. What I am concerned about, as chairman of this subcommittee, is two things: No. 1, the fact that even U.S. units don’t have Blackhaws yet and will have to wait, as I just said, while these are sent to Colombia. And, No. 2, we can’t operate.

We are not going to have $1 billion to spend on Colombia every year. This is a unique year in which we are debating whether to spend $1 billion on the drug war in Colombia—an unusual year. But the cost of operating these Blackhawks, if we go in that direction, is going to come back every year and that is $1,000 an hour more than operating the Huey. $1,000 an hour more than operating the Huey.

As the distinguished chairman of the Appropriations Committee just pointed out, and also the chairman of the Defense Subcommittee of the Appropriations Committee, the Huey will get the job done for a lower cost to the United States. The foreign operation account is going to have to pay for these operational costs, as I just pointed out, not just this year but the year after that and the year after that and the year after that. That means we will have to cut into other accounts to keep these helicopters flying.

That is the reason the subcommittee decided to go with the Huey because we think the Huey will get the job done at less cost next year and in the years down the road, which is not to say I am sure the Colombians would not like to have Blackhawks; I am sure they would. All of our U.S. units that need them would like to have them, too, and they don’t have them yet. So that is the recommendation of the subcommittee.

I hope when we subsequently vote on the Dodd amendment it will be defeated. Mr. President, with that, I suggest the absence of the quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the votes occur in relation to the pending Dodd amendment and the Gorton amendment beginning at 6:10 p.m., with the first vote in relation to the Gorton amendment, to be followed by a vote in relation to the Dodd amendment, with the votes between now and 6:10 p.m. to be equally divided for debate on both amendments, and no second-degree amendments be in order prior to the votes just described, with 2 minutes between the votes for explanation.

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

Mr. LEAHY. Mr. President, I ask the distinguished Senator from Kentucky, does he have a feeling whether there will be any votes after those votes?

Mr. McCONNELL. I am told the majority leader wants to cut the quorum.

Mr. LEAHY. I am for that. There may be some difficulty with some of the amendments coming down. I urge Senators who have amendments, even if we have to put a couple aside, that they come down and start debating their amendments.

I think I can speak for both the distinguished chairman and myself on the pending amendment. There will be no difficulty in having it set aside for the moment if somebody wants to start debate on another amendment, especially if it is going to require a rollcall vote.

I can see a situation where it can easily be sequenced following these other two amendments.

Mr. McCONNELL. I say to my friend from Vermont, as we speak, staff on both sides are going over the amendments that were filed prior to the deadline of 3 p.m. Hopefully, we will be able to process some of those by agreement during this period between now and 6:10 p.m. I agree with the Senator from Vermont, we want to make progress. If anybody wants to come down and offer an amendment that might be contentious and debate it, we will certainly be glad to see them.

Mr. LEAHY. The point is, we will jointly move to something aside so they can debate an amendment, if they wish. I urge that. It will save us from having debate quite late this evening. In the meantime, we will try to clear some amendments. Even in that regard, if there are Senators who have amendments they wish cleared, we can try to do that.

I see the distinguished Senator from Virginia on the floor, one of my Senators when I am away from home.

Mr. WARNER. Mr. President, I thank my distinguished colleague.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I very much want to make a statement in amendment that the subcommittee reports on the funding for the Colombia operation. Our committee had a hearing on the subject. We looked into it very carefully. At the appropriate time, I want to be recognized by the Chair.

I need a few more minutes to collect my documents, but I judge from the managers, I would not be disruptive to what they are engaged in were I to seek the floor in the near future.

Mr. McCONNELL. I say to my friend from Virginia, there is no time like the present or the near present. So let’s have one else on the floor at the moment, I suggest the absence of the quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENTS NOS. 3529, 3536, 3540, 3544, AND 3568, EN BLOC

Mr. McCONNELL. Mr. President, we have some more amendments that have been cleared on both sides. Therefore, en bloc, I call up amendments Nos. 3529, 3536, 3540, 3544, and 3568.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

The amendments are as follows:

AMENDMENT NO. 3529

(Purpose: To allocate development assistance funds for Habitat for Humanity International)

On page 12, line 14, before the period insert the following: “Provided further. That of the amount appropriated or otherwise made available under this heading, $1,500,000 shall be available only for Habitat for Humanity International, to be used to purchase 14 acres of land on behalf of Tibetan refugees living in northern India and for the construction of a multiunit development for Tibetan families.”

AMENDMENT NO. 3536

(Purpose: Expressing the sense of Congress with respect to the Nonproliferation, Antiterrorism, Demining, and Related Programs (NADR) budget)

On page 140, between lines 19 and 20, insert the following section:

SEC. 2. NONPROLIFERATION AND ANTI-TERRORISM PROGRAMS.

It is the sense of Congress that—

(1) the programs contained in the Department of State’s Nonproliferation, Antiterrorism, Demining, and Related Programs (NADR) budget line are vital to the national security of the United States; and

(2) funding for those programs should be restored in any conference report with respect to this Act to the levels requested in the President’s budget.
(Purpose: To express the sense of the Senate on the importance of combating mother- to-child transmission of HIV/AIDS in sub-Saharan Africa) At the appropriate place, add the following:

SEC. 4. FINDINGS.—The Senate finds that—
(1) According to the World Health Organization, there were 3.8 million new cases of HIV/AIDS throughout the world, and two-thirds of those (2.6 million) were in sub-Saharan Africa.
(2) Sub-Saharan Africa is the only region in the world where a majority of those with HIV/AIDS—53 percent—are women.
(3) When women get the disease, they often pass it along to their children, and over 2 million children in sub-Saharan Africa are living with HIV/AIDS.
(4) New investments and treatments hold out promise of making progress against mother-to-child transmission of HIV/AIDS. For example—
(A) a study in Uganda demonstrated that a new drug could prevent almost one-half of the HIV transmissions from mothers to infants; and
(B) a study of South Africa’s population estimated that if all pregnant women in that country took an antiviral medication during labor, as many as 110,000 newborns could be prevented over the next five years in South Africa alone.
(5) the United States has provided assistance outside of OLS since January 1997, and the amount, extent and nature of that assistance; and
(E) areas affected by the withdrawal of United States assistance will have to respond for their own support, or both, due to the disagreement over terms of the “Agreement for Coordination of Humanitarian, Relief and Rehabilitation Activities in the SPM Administration Areas” memorandum of 1999, including specific locations and programs affected; and
(2) containing a comprehensive assessment of the humanitarian needs in areas of Sudan not covered or served by OLS, including but not limited to the Nuba Mountains, Red Sea Hills, and Blue Nile regions.

AMENDMENT NO. 3588
(Purpose: To allocate funds to combat trafficking in persons)

On page 20, line 18, before the period insert the following: "Provided further, That of the funds appropriated under this heading and made available to support training of local Kosovo police and the temporary International Police Force (IPF), not less than $250,000 shall be available only to assist law enforcement officials better identify and respond to cases of trafficking in persons".

AMENDMENT NO. 3591
(Purpose: To require a report on the delivery of humanitarian assistance to Sudan, and for other purposes)
At the appropriate place in the bill, insert the following:

SEC. 4. REPORTING REQUIREMENT ON SUDAN.
One hundred and twenty days after the date of enactment of this Act, the President shall submit a report to the appropriate congressional committees—
(1) describing—
(A) the areas of Sudan open to the delivery of humanitarian or other assistance through OLS, including the Northern and Southern sectors;
(B) the extent of actual deliveries of assistance through OLS to those areas from which assistance is denied through the present policy;
(C) areas of Sudan which cannot or do not receive assistance through OLS, and the specific reasons for lack of assistance.
(2) the effectiveness of United States policy of supporting loans or other assistance for Peru through international financial institutions (such as the Inter-American Development Bank), and an evaluation of terminating support to entities (such as the World Bank and Inter-American Development Bank), and an evaluation of terminating support to entities of the Government of Peru that have willfully violated human rights, suppressed freedom of expression or undermined free and fair elections.
(3) the need to increase support to Peru through independent non-governmental organizations and international organizations to promote the rule of law, separation of powers, political pluralism, and respect to human rights, and to evaluate termination of support for entities that have cooperated with the undemocratic maneuvers of the executive branch; and
(4) the effectiveness of United States policy of supporting loans or other assistance for Peru through international financial institutions (such as the World Bank and Inter-American Development Bank), and an evaluation of terminating support to entities of the Government of Peru that have willfully violated human rights, suppressed freedom of expression, or undermined free and fair elections.

Mr. McCONNELL. Mr. President, you have been on the floor on both sides of the aisle. I ask unanimous consent the amendments be agreed to.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 3529, 3536, 3540, 3544, and 3568) were agreed to.

Mr. McCONNELL. I move to reconsider the vote of the Senate to move that the motion on the table.

The motion to lay on the table was agreed to.

AMENDMENTS Nos. 3521, AS MODIFIED, AND 3584, AS MODIFIED

Mr. McCONNELL. Mr. President, I send to the desk modifications to amendments Nos. 3521 and 3584.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The amendment, as modified, is as follows:

At the appropriate place in the bill, insert the following:

SEC. 4. PERU.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—
(1) the operations of American Nations (OAS) Electoral Observer Mission, led by Eduardo Stein, deserves the recognition and
Mr. President, I have been associated with this very important piece of legislation providing aid to Colombia since it was first recommended to the Congress of the United States.

I commend the administration and, in particular, General McCaffrey, I have had an opportunity, as chairman of the Committee on Armed Services and, indeed, for some 22 years to work with General McCaffrey, particularly during the period of the Gulf War in 1991 when he showed extraordinary leadership as a troop commander in that decisive battle to turn back Saddam Hussein's threats.

Now he has volunteered, once again, as an American patriot, to take on this somewhat thankless task of dealing with the almost insoluble problems of the importing into this country of drugs. This is one effort by the general—indeed, the administration, and others—to try to curtail this illegal importation of drugs.

I heard a colleague earlier today concerned about: Well, we are not spending enough money here at home, you know, the quick research and consultation with our colleagues indicates that I think some $500 million in taxpayers' money has been added by this Congress to the Administration's budget requests for domestic programs over the past 3 years. This money has been expended in an effort to educate and to, in every other way, help Americans, first, avoid the use of drugs and then, if misfortune does strike an individual and their families, to try to deal with the tragic consequences.

So I rise to speak in support of the U.S. counternarcotics activities in the Andean ridge and neighboring countries, as provided for in this bill, and to address the impact of drug trafficking on the stability of the region.

The importance of this region to the United States cannot be overestimated. I will give you one example. The region provides the United States with almost 20 percent of the supply of foreign oil. The region is also likely to increase with the recent discovery, in Colombia's eastern plains, of reserves estimated at 2 million barrels. The ongoing controversy over the price of gas by the American motorists at this very moment is reason to help Colombia fight this problem.

When I say help this nation, I have been privileged to meet with their President in the course of his visits here, and also meet with the Foreign Minister, the Ambassador—the very courageous Ambassador from Colombia to the United States—and many others from that nation. And, indeed, I have met with private citizens here in America who have had their origin and background in Colombia. So I have talked to a wide range of individuals.

This legislation is the right thing. I commend all those, certainly here in the Senate, and particularly those in the current Government of Colombia, as well as the citizens who have worked on this legislation.

Mr. President, to reiterate I rise to speak in support of United States counternarcotics activities in the Andean Ridge and neighboring countries as provided for in this bill, and the importance of the United States' stability of the region. The importance of this region to the United States cannot be overstated.

This region provides the United States with almost 20 percent of its supply of foreign oil—a number that is likely to increase with the recent discovery in Colombia's eastern plains of reserves that are estimated at two billion barrels. The ongoing controversy over the price of gasoline that the American motorist is paying only serves to reinforce the importance of this commodity in our everyday life and economy.

In sharp and tragic contrast is the threat from this same region posed by illegal drugs to American citizens on the streets of our cities and in the playgrounds of our schools. An estimated 80 percent of the cocaine and 90 percent of the heroin smuggled out of Colombia is destined for the United States. Sadly these drugs have caused, directly and indirectly the death of 50,000 Americans each year and the loss of billions of dollars from America's economy.

I am also very concerned about the impact that narcotraficking in Colombia is having on the democratically elected governments in the region. Many of these countries have only recently transitioned from military dictatorship to democracy. And recent events have demonstrated—these democracies are fragile. The "spill over" effect from the narcotraficking in Colombia could prove enormously destabilizing to the surrounding nations.

Additionally, this region is home to the Panama Canal, a waterway of significant importance to America. With the United States no longer maintaining a permanent military presence in Panama, it is crucial that we be vigilant against any threat as a consequence of drug trafficking our friends in the Panamanian Government and the Canal itself.

The President's recent request for a $1.6 billion supplemental aid package to assist Colombia and its neighbors in their counter-narcotics efforts, and the funding which will be appropriated to pay for this and other activities, I believe, represents an increased U.S. role in the region's difficulties. The rampant violent criminal activities of the various terrorist organizations and paramilitary groups involved in narcotraficking, including kidnapping and murder, continue to undermine the stability of the democratically elected governments of the region. This is particularly true in Colombia.
The proposed aid package, much of which will be provided to Colombia in order to fund portions of the $7.5 billion that Colombia represents one of the most aggressive foreign policy actions of the United States in Latin America in recent history. However, the funding contained in this package is only a small part of our overall commitment to this region. We already spend hundreds of millions of dollars and deploy hundreds of military personnel to the region every year. In addition to the proposed increase in funding, our support for Plan Colombia will require us to deploy many more military personnel in order to train Colombian law enforcement and military personnel. This is a matter of grave concern for the Senate Armed Services Committee, which has as its primary focus the safety and well-being of the men and women who proudly serve in the Armed Forces.

The decision by the Congress to support Plan Colombia and an increased American involvement in the region was not to be an easy one to make. Some have compared the situation in Colombia to Vietnam, and warn against such a U.S. military involvement in an internal matter. Others believe that such involvement is in our vital interest and warn of the consequences if we refuse to engage.

On April 4th of this year, the Senate Armed Services Committee held a hearing on this issue in order to explore the problem and determine what, if any, assistance was appropriate. Our witnesses at that hearing included Brian Sheridan, Assistant Secretary of Defense for Special Operations and Low Intensity Conflict; Rand Beers, Assistant Secretary of State for International Narcotics and Law Enforcement Affairs; General Charles Wilhelm, Commander-in-Chief, United States Southern Command; and Mr. Peter Romeo, Acting Assistant Secretary of State for Western Hemisphere Affairs.

Mr. President, at that hearing I asked my colleagues to consider the following:

(1) Is it in our vital national security interest to become involved?
(2) Will the American people support this involvement?
(3) Can we make a difference if we become involved?
(4) Will American involvement create a reaction amongst the people of the region that is counter to our interest?
(5) Are those we propose to help committed to achieving the same goals we support?

These are not easy questions but the testimony of the witnesses left me to conclude that it is in our interest, that we can make a difference, and that we will have the support of the people of the United States and the people of the region if we take appropriate and effective action to help the democratically elected governments of this region regain control of their sovereign territory.

Mr. President, this bill represents that appropriate action and I believe that our Armed Forces will ensure that it is effective. I urge my colleagues to support this bill.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. 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. WARNER. Mr. President, I ask unanimous consent the time in the quorum call be divided equally to both sides.

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

Mr. WARNER. 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. DEWINE. 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. DEWINE. Mr. President, I ask unanimous consent that my time come off of the time of the Senator from Kentucky.

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

Mr. DEWINE. Mr. President, I ask unanimous consent that my time come off of the time of the Senator from Kentucky.

What is at the heart of this debate on the emergency aid package to Colombia, the very essence of why we need to help restore stability in Colombia and help combat the violent insurgents, is the urgent need to keep drugs off our streets in the United States and out of the hands of our children. That is what this debate is all about; that is what this vote on the amendment is all about.

As my colleagues know, this emergency package would provide $934 million to support Colombian efforts to eliminate drugs at the source, improve human rights programs, and increase economic development. The fact is, there is an emergency in our neighbor to the south, in the country of Colombia. This democracy, is embroiled in a destabilizing and brutal civil war, a civil war that has gone on for decades with a death toll reaching at least 35,000.

Today, we have heard a lot of speeches about human rights abuses in Colombia and what has taken place in the past, which was developed with the cooperation of the fact the current aid package that the Senator from Kentucky has put together is based on legislation Senators COVERDELL, GRASSLEY, GRAHAM, and I introduced last fall, which was developed with the protection of human rights in mind. It is an integral part of this bill. Our colleagues have a right to be concerned with past human rights abuses. The way to deal with this is through the conditions that are written all through this bill.

My office met with numerous human rights organizations. We worked closely with Senator LEAHY’s office, and many others, to ensure that safeguards were put in place to prevent U.S. assistance from being used by those in Colombia who do not respect human rights.

Many of those original provisions have been incorporated into the package before us, such as funds to monitor the use of U.S. assistance by the Colombian armed forces and Colombian national police; funds to support efforts to investigate and prosecute members of both the armed forces and the paramilitary organizations involved in human rights abuses. It also contains funds to address the social and economic needs of the displaced population in Colombia.

Our provisions were not only developed to punish human rights abuses in Colombia but, more importantly, they were developed to prevent those abuses.

The fact is that this Congress places such a strong emphasis on the protection of human rights that the legislation before us today would provide more funding for human rights—$25 million to be exact—than was in the President’s requested budget. It is more than the President requested.

This Congress is committed to the protection of human rights and will continue to monitor the assistance we provide to ensure that every penny is used for its intended purpose, which is the respect for and protection of human rights.

As we pass this bill on the floor today, and those watching in their offices, have spent a lot of time and energy to expel communism and bring democracy to this hemisphere and to bring a rule of law and human rights protection to this hemisphere. The 1980s were a true success story for the ideals we believe in and for our attempt to spread those ideals and beliefs in democracy throughout this great hemisphere. The people of this hemisphere paid a very high price for that peace, but it was worth paying to achieve the spread of democracy throughout the hemisphere. We brought democracy and we brought opportunity to our neighbors.
Today, the drug trade—non-communism—is now the dominant threat to peace and freedom in the Americas. It threatens the integrity of the Colombian democracy and the continued prosperity and security of our entire hemisphere. Tragically, our own drug habit—America’s drug habit—is what is fueling this threat in our hemisphere. It is our own country’s drug use that is causing the instability and violence in Colombia and in the Andean region.

The sad fact is that the cultivation of coca in Colombia has doubled, from over 126,000 acres in 1995 to 300,000 in 1999. Poppy cultivation also has grown to such an extent that it is now the source of the majority of heroin consumed in the United States. Not surprisingly, as drug availability has increased, so has the United States drug use among adolescents has also increased. To make matters worse, the Colombian insurgents see the drug traffickers as a financial partner who will sustain their illicit cause, which only makes the FARC and other guerrilla groups grow stronger and stronger day by day. So the sale of drugs in the United States today not only promotes the drug business, but it also fuels the antidemocratic insurgents in Colombia.

Some may ask, why does Colombia matter? Why are we taking good tax dollars to help our neighbors to the south? I think the answer is simple. It matters because Colombia is shipping their drugs into the United States. It matters because the drug trade is a source of rampant lawlessness and violence within Colombia itself—violence and lawlessness, which has destabilized that country and now threatens the entire Andean region.

Fortunately, in the last few years, Congress has had the foresight to recognize the escalating threats, and we have been working to restore our drug-fighting capability beyond our shores. Many of us who have worked very tirelessly on the Colombian assistance package this year also worked together just a few short years ago to pass the Western Hemisphere Drug Elimination Act, which is now the law of the land.

This 3-year plan is designed to restore international eradication, interdiction, and counternarcotics activities. With this law, which we passed on a bipartisan basis, we have already made a $800 million downpayment—$200 million of which represents the first substantial investment in Colombia for counternarcotics activities.

The emergency assistance package that we have before us this afternoon is based on a blueprint that Senator COVERDELL and I developed and introduced last October—3 months before the administration unveiled its proposal. As our plan, the emergency assistance package the Senator from Kentucky has crafted goes beyond counternarcotics assistance and crop alternative development programs in Colombia. It goes beyond Colombia and targets other Latin-American countries, including Bolivia, Peru, Panama, and Ecuador.

This regional approach is the only approach, it is the right approach, and it is critical. Both Peru and Bolivia have made a $800 million downpayment—$200 million of which represents the first effort on the Colombian drug problems. This 3-year plan is designed to restore our drug-fighting capability.

Some of my colleagues have taken the floor today to express hesitancy and reluctance and opposition to this assistance, on our own wisdom to take a moment to direct my comments specifically to some of my colleagues on this side of the aisle.

Our Western Hemisphere Drug Elimination Act was an attempt to change the direction of our national drug policy—a drug policy that clearly was not working. We took that first step. Today, we must take the second step. We passed that very important legislation because we had to; we had to because the current administration, unfortunately, had presided over the literal dismantling of our international drug-fighting capability.

Let me explain. When President George Bush left the White House, we were spending approximately one-quarter of our total Federal antidrug budget on international drug interdiction, either on law enforcement in other countries, or on the DEA, and on crop eradication. Basically, it was taking that huge chunk of the Federal antidrug budget and spending it to try to stop drugs from ever reaching our shores. It was a balanced approach and it was working. After 6 years of the Clinton Presidency, that percentage of our budget—that one-quarter of our total budget—was reduced to 13 to 14 percent, which is a dramatic reduction in the percentage of money we are spending on international drug interdiction.

That is why many of us in this body—on a bipartisan basis, in both the House and here in the Senate—worked to pass the Western Hemisphere Drug Elimination Act. Speaker HASTERT, before he was Speaker, played a major role in working on the House version of this bill, as did many, many others.

We passed that bill. It became law. It has made a difference. We have begun to at least reverse the direction of our foreign policy. We need to get back to that balanced approach where we spend money on international interdiction, domestic law enforcement, treatment, and education. It has to be a balanced approach.

We passed the bill, it became law, and we started to reverse that policy. The initiative for that came, quite candidly, from this side of the aisle, with support from the other side of the aisle. We saw what the administration was doing and we said that the policy had to change. We said we needed to put more money into interdiction, and that is exactly what we did. We said, candidly, we needed a policy that worked, and we began to move in that direction. Now, today, we need to build on that effort.

We need to build on that effort, which today is focused primarily on the current crisis that we see in Colombia. Senators COVERDELL, GRASSLEY, FEINSTEIN, and others worked with me to put together a package specifically dealing with the situation in Colombia.

I ask my colleagues to look at the big picture. Step back from the debate about this amendment and look at where we are going as a country. Think about what is in the best interest not of Colombia, but of the United States. That assistance is not just for us, it is for them, which my colleague from Kentucky has put together, was put together because Colombia is our neighbor, and what affects our neighbor to the south affects us. We have a very real interest in helping to stabilize Colombia and keeping it democratic, keeping it as our friend, keeping it as our trading partner, and keeping its drugs off our streets.

Colombia faces a crisis that is different than any crisis that any country has ever faced before in the history of the world. Many countries have faced guerrilla movements in the past few decades, but no country has ever faced guerrillas with as much money as the Colombian guerrillas have. I don't know of any country that has ever faced a guerrilla movement supported by so much illegal drug money. A synergistic relationship is involved between the drug dealers and the guerrillas; each one benefits from the other; each one takes care of the other. While this is a crisis that Colombia faces, it is a crisis driven by those who consume drugs in our country, and we must admit that it is a crisis that directly impacts all of us in the United States. It directly impacts you; it directly impacts me, our children, and our grandchildren.

I ask my colleagues to really consider the great human tragedy that Colombia is today. I ask my colleagues to remember how we got here, and to remember what role this side of the aisle, with help from the other side, played in trying to deal with the Colombian problem, and what we are doing in trying to increase the money we were spending and the resources we were providing to stop drugs from ever coming into our country.

The emergency aid package before us today is in the best interests of the Colombian-Andean region. There is no doubt about that. But, more importantly, and more significantly for this
body and for the vote we are about to cast, it is in the best interest of the United States.

It is clearly something we have to do. It may be tempting on the Gorton amendment to say: Look. Why don’t we just take that money? We don’t need to send it to Colombia. We don’t need to send it to the south. But do we care about what goes on in Colombia? Let’s keep it here, spend it here, and apply it to the national debt.

I understand how people may come to the floor and say that. I understand how people may come to the floor and think that and maybe even vote that way. But I think in the long run it would be a tragic mistake.

If we are trying to make an analogy, let me be quite candid. The analogy isn’t any long-term involvement in the United States. The analogy shouldn’t be to Bosnia; it shouldn’t be to Vietnam; it shouldn’t even be Kosovo. The analogy is what happened in the Central America in the 1980s.

Quite candidly, many people on this side of the aisle and on the other side were directly involved in trying to make sure democracy triumphed in Central America. We were successful because people took chances. People cast tough votes. People said we care. Today, when you travel through Central America, you find democracies. I have had the opportunity within the last several years to do that, and to travel to most every Central American country. No, things are not perfect. But each of those countries is moving towards more democracy. Each of those countries is moving towards more market-driven economies. Each of those countries has a chance to develop a middle class.

That is the analogy. The United States cared. We were involved. The people there got the job done. Colombia faces a very difficult challenge. Will this be the only time Members of the Senate are asked to vote on this and to send money to deal with this? Of course not. We all know that. This is a commitment, and it is probably going to be somewhat of a long undertaking.

But I think it is clearly in our national interest. We vote today not to assist Colombia. We vote today, I guess to assist ourselves because what happens in Colombia directly impacts the United States—whether it is trade, whether it is illegal immigration, or whether it is drugs coming into this country. What happens in that region of the world has a direct impact on people in Cleveland, on people in Kentucky, or any other State, or any city in the United States. We vote in our self-interest today for this package. We vote in our national self-interest. I believe, to vote down the Gorton amendment.

Mr. President, I thank the Chair. I yield the floor.

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

The PRESIDENT OFFICER [Mr. VON NOVICH]. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. FEINGOLD. Mr. President, I rise today to express my serious concerns about the foreign operations bill that is before us. I am concerned, and I believe that many of my colleagues will be concerned, about what is in this bill. And I am even more concerned about what is not in it.

What is here in this bill, is an extremely expensive package of support to the Colombian military, designated, of course, by the Colombian government itself. I recognize that Colombia is a country in crisis. I believe that it is in the national interest of the United States to help Colombia emerge from that crisis and into an era in which basic human rights and the rule of law are firmly entrenched in the fabric of Colombian society.

I recognize that we all share an interest in fighting the terrible impact that illegal drugs have on our own society and in our own communities. So I have made a very serious effort to evaluate this initiative over a number of months. I have heard the perspectives of my constituents, of the business community, of human rights activists, and of the administration. I have also heard from Colombian civic groups and labor unions and from the Colombian government itself. In the end, I remain deeply skeptical about the wisdom of this undertaking.

My primary concerns about the proposed package of assistance to Colombia are two-fold. First, I am concerned about the degree to which this package involves the United States in a counter-insurgency campaign in Colombia. The aim of our assistance to the Colombian military would be to combat narcotics traffickers, I have no doubt—but its primary use would be to wage war against the rebels who control the south. Our country’s history teaches us something about how easy it is to get stuck in such situations, about how seductive arguments to increase our involvement might become after we invest massive resources in this phase of the counter-insurgency campaign. It troubles me that, because of the drug-related elements of the Colombian issue, we in this body are not, perhaps, walking into this scheme with our eyes wide open to these dangers.

But my primary concern, Mr. President, is the impact that Plan Colombia could have on the human rights of Colombians. The Colombian military, which this package of assistance would directly support, has been involved in serious human rights abuses and has a record of collaborating with derous paramilitary forces that terrorize Colombian citizens. The package in the foreign operations appropriation bill seems to appear in the Economist magazine, to “merely bolt three shiny new antidrugs battalions on to an abusive and unreformed military force.” That action would escalate a war in which civilians bear the brunt of the violence. I know that Senator LEAHY has worked hard to establish human rights conditions for the use of this assistance. But I am not at all certain that it is appropriate for the United States to engage the Colombian military to this degree at this time.

I note that the Senator from Vermont has a point when he questions the emergency designation for this spending package. Colombia has been in crisis for some time. But of course, that is not the appropriate language for this body from fiscal discipline—discipline, Mr. President, that we badly need.

In contrast, for a genuine emergency, for the devastating flooding in southern Africa, this bill provides only one eighth, one eighth, of the administration’s request. It was not so long ago, that the entire country was moved by video and photographs of the people of southeastern Africa, clinging to life in trees and rooftops as flood waters rushed past them. These floods were particularly tragic because the country most seriously affected by them, Mozambique, has made significant strides toward recovery from its long and brutal civil war. Though the country is still affected by extreme poverty, in recent years Mozambique has enjoyed exceptional rates of economic growth. While more needs to be done, the country has improved its record with regard to basic human rights. Mr. President, the people of Mozambique have been fighting for a better tomorrow. A kind of disaster comes at a terrible time, and it will require the assistance of the international community to help the people of Mozambique to hold to the opportunities that lay before them before the waters rose.

And an appropriate level of funding for the communities ravaged by flooding in southern Africa is just the beginning. Even a cursory glance will indicate that there is a great deal that is not in this appropriation bill. Let us consider the news is not entirely bad. I applaud the increased funding levels to combat the global HIV/AIDS crisis, which I believe is one of the most important international issues that this country faces in this new millennium, although I would still like to see that level increase.

And I am pleased to see provisions linking the resumption of certain military and security assistance programs for Kosovo to less favorable conditions which bolster the position of reformers in the new government by requiring real accountability for human rights abuses and real cooperation with
the international community on matters relating to East Timorese refugees. On this note, I would point out to my colleagues the fact that UNHCR personnel recently suspended activities in three refugee camps in West Timor because the security situation in these camps, where military-backed militias continue their campaign of intimidation and destabilization, has made it impossible to for humanitarian workers to continue to do their jobs. Provision like those included in this bill are critically important as are the more comprehensive provisions of a bill that I have introduced, S. 2621, the East Timor Repatriation and Security Act of 2000.

Despite the laudable elements, this bill funds only $75 million of the administration's $269 million debt relief request—and that's excluding the $210 million supplemental request, which also goes unfunded. This bill barely addresses the crushing debt burden that stands as an obstacle to growth and development throughout much of the developing world.

This bill allocates only $55 million for peacekeeping operations. That is a sizable cut. It is likely to threaten one of the most logical and far-sighted initiatives that we have in this area. Mr. President, the African Crisis Response Initiative, or ACRI, which trains African militaries to help them to become more effective in working to secure stability and to share the global burden of peacekeeping.

This bill cuts two of the most important accounts for international development aid, the ESF account and the World Bank IDA account, below fiscal year 2001 levels.

The Center on Budget and Policy Priorities has found that the U.S., when compared to twenty other donor nations worldwide devotes the smallest portion of its national resources to development aid—the smallest portion by far. The typical donor country in the study contributed more than three times the share of national resources that the U.S. contributes. In fact, the U.S. fails—and fails miserably—to contribute the U.N. target level of even point-seven percent—not seven percent, but seven-tenths of one percent—in aid to the developing world. The Center found that, using a number of different sources, the level of U.S. development aid in fiscal year 2001 would be equal to its lowest level since the end of World War II, measured as a share of the economy. That conclusion refers to the Administration's request, a request that falls below the President's request. I believe that we must exercise more foresight and that we must re-think our priorities to make more room for the world around us and for the global context in which our great nation will operate in this new century.

I believe strongly in fiscal discipline. I believe in governing within our means. I know that means tough choices. But I also know some of the appropriations bills we have just passed and this bill will serve more of the same as we consider spending in fiscal year 2001. Yet we continue the disturbing trend, a trend that I believe runs counter to our national interest and counter to our national identity, of pouring our back on the rest of the world.

I yield the floor, and 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. GRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 3177

Mr. GRAHAM. Mr. President, I wish to speak in opposition to the amendment offered by the Senator from Washington. Is there time remaining on that issue?

The PRESIDING OFFICER. The Senator from Washington?

Mr. LEAHY. Well, by default I am. Would the Senator like some time?

Mr. GRAHAM. Yes. I request 8 minutes.

Mr. LEAHY. I yield 8 minutes to my good friend, the senior Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, I have spoken earlier this afternoon on the issue of Colombia in the context of the amendment offered by the Senator from Minnesota. But now that we have another amendment relative to this provision within the foreign operations appropriations bill, I am pleased to have been afforded this opportunity to speak a second time.

I believe that the fundamental thrust of the amendment offered by the Senator from Washington, which would cut all but $200 million of the recommended appropriations for the United States share of the financing plan in Colombia, would essentially be to不错 only the U.S. participation but would probably eliminate the prospects of other nations, that see themselves looking to the United States for leadership in terms of dealing with the crisis in Colombia, and we would probably have a very destabilizing effect on Colombia's stated intention to provide more than half of the $7.5 billion cost of the comprehensive plan in Colombia.

Essentially, what we would be saying, by adopting this amendment, is that we are prepared to see Colombia continue in the almost death spiral of downward direction in which it has been in for the past many months.

I would like to first point out what are some of the national interests of the United States that would be sacrificed if we were to allow that to occur. Of course, the most fundamental sacrifice would be the loss of an effective democratic partner in the efforts to build stability within the Western Hemisphere. Colombia is the longest continuous democracy on the continent of South America. It is a country that other countries, which are relatively new democracies, look to for leadership and example.

What a horrendous consequence it would be for the world to go to the call for help at this critical time, we were to be the principal agent of converting this nation of over half a century of democracy into a failed state. There are also consequences to the region, particularly the Andean region. That is a region that is already in trouble, as I know the Presiding Officer is well aware.

There is a new and untested government in Venezuela. We have, in Ecuador, the first successful military coup in Latin America in almost two decades. Peru is in the midst of a very contentious election aftermath which in many quarters has been called incredible in the sense of not being a credible election.

Even Bolivia, which has been a source of stability, had to impose essentially a period of martial law. And on the north side, we have Panama, which has recently been given full control of the Panama Canal, and where there are great concerns about the stability of that country, and particularly its vulnerability to drug traffickers.

So here Colombia sits, in the middle of this very vulnerable, fractional part of our hemisphere. If it goes down, it will have enormous spillover effects, and the consequences will be dire for U.S. interests.

What we most think about when we hear the word 'Colombia' is drugs. Colombia has become an even greater source of drugs due, in part, to the success of our efforts in Peru and Bolivia in reducing coca production, but also, unfortunately, due, in large part, to the fact that we now have a marriage between the narcotraffickers, the guerrillas, and the paramilitaries who are all working together in various places in Colombia, particularly in the southernmost regions, to have contributed to a doubling, maybe soon a tripling, of drug production in that nation over the last decade.

Colombia is also an important economic partner of the United States. It has one of the larger economies in
Latin America, and it has been a significant trading partner for the United States.

Colombia has had a long period not only of democracy but also of sustained economic growth. It was not until 3 or 4 years ago that the record of every year being better than the last was broken in terms of the economy of Colombia. It was able to avoid a series of economic crises in South America and be a solid bastion of economic stability. That pattern is now broken, with 20 percent unemployment, a 3- to 5-percent drop in gross domestic product, and an outlaw of investment.

Finally, we have a national interest in terms of the people of Colombia believing that their future and their hope is in Colombia, and that they do not have to flee and become another diaspora in the region.

There has been substantial out-migration, oftentimes of the people with the very skills that are going to be necessary to restore the democracy and economy in Colombia.

When I was in Colombia, in December of last year, I was told that if you wanted to apply for a visa to leave Colombia, even as a tourist or for one of the standard visas, it took 10 months to get an appointment to meet with the U.S. consulate official to apply to get a visa. That is how backlogged they are because of the number of people who are trying to legally leave the country. One can imagine if these conditions of violence and economic turmoil continue how many people will be leaving illegally from Colombia with the United States as their primary destination.

We have a lot at stake. This is not a trivial issue with which we are dealing. I hope by a very strong vote, rejected previous propositions that would have diluted our capacity to be a good neighbor on this critical issue, that we will do so again in defeating the amendment offered by the Senator from Washington.

Once we have acted, we still will have some work to do, in particular work to do in terms of internationalizing the friends of Colombia to be a strong support group to continue this effort, remembering that 30 percent of Plan Colombia is going to be paid by other countries than the United States or Colombia—the Colombians have yet to identify who will pick up that 30 percent of the cost—and that we must put greater emphasis on the economic recovery of Colombia, which I hope will include items such as bringing parity to the Andean pact nations vis-a-vis the recently adopted increase in trade preferences for the Caribbean Basin and extending the Andean trade preference to the year 2008 in order to give investors greater confidence.

There is important work to do today, important work to do tomorrow. The goal is to be a good neighbor and contribute to the salvation of a very good friend of the United States, Colombia, at a time of dire need.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I now ask unanimous consent that the first vote begin at 6:15, with the time between now and 6:15 divided equally between the Senator from Connecticut and the Senator from Washington.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Kentucky.

Mr. LIEBERMAN. I thank the Chair and my friend and colleague from Kentucky.

Mr. President, I rise to support the amendment offered by my friend and colleague, Mr. Ryburn, who is a co-sponsor of this amendment. I am proud to be a co-sponsor of that amendment. I respectfully oppose the amendment offered by my friend and colleague from the State of Washington.

As has been amply testified to here today, the cocaine and heroin enforcement is a critical issue that includes a flourishing drug trade emanating from that country, an aggressive guerrilla movement spreading within it, right-wing paramilitary operations, and human rights abuses on all sides. All of this represents a fundamental threat to democratic government, the rule of law and economic prosperity in Colombia, and undermines stability in the region. It also, closer to home, results in the sad reality of a continued massive drug flow into these United States. There has been literally an explosion of cocaine and heroin production in Colombia, and too much of it ends up in our country.

The democratically elected leader of Colombia, President Pastrana, has consistently asked for our assistance and has shown strong leadership in developing a long-term comprehensive strategy for dealing with the multifaceted crisis his country faces.

The United States is not pushing its way into this situation, nor are we attempting to impose an outside solution. The Colombian Government quite simply cannot carry out these constructive plans it has without substantial help from its friends abroad. Our Government has responsibly pledged that the United States will make a major contribution to this critical effort, and I am confident that is in our national interest to do so. The administration’s budget request for what has become known as Plan Colombia seeks to help that country and other nations in the region tackle the issues of the drug trade, guerrilla and paramilitary violence, human rights abuses, internally displaced people, and economic deterioration.

This assistance package would allow for the purchase of 30 Blackhawk helicopters to do the essential job of transporting counter narcotics battalions into southern Colombia. These Blackhawks are fast, they have tremendous payload capacity, and they are well suited for the long-range operations envisioned. Unfortunately, the Senate version of the foreign operations appropriations bill eliminates the funding for the Blackhawks and replaces them with twice as many of the slower, less capable Huey II helicopters. While the Huey II is an improvement over the 1960s vintage Huey helicopter, it does not have the same performance capabilities, including range, speed, lift, or survivability, at any altitude as does the Blackhawk.

The Colombian Army itself chose the Blackhawk to meet its long-term requirements for all of its forces and believes it is the best solution for providing helicopter support to the newly formed counter narcotics battalions. The Blackhawk would allow the Colombians to put more troops on the ground, more quickly and from greater distances, allowing for a higher initial entry of the battalions and for more aggressive operations. The Blackhawk is going to be paid by other friends of Colombia to be a strong supporter.

Finally, we have a national interest in terms of the people of Colombia believing that their future and their hope is in Colombia, and they do not have to flee and become another diaspora in the region.

I hope just as we, by a very strong vote, rejected previous propositions that we will do so again in defeating the amendment offered by my friend and colleague from Kentucky.

The superior troop carrying capacity and range of the UH-60L, or Blackhawk, versus the Huey II, coupled with the combat nature of operation, limited size of landing and pick up zones within the area of operations, the requirement to operate in high altitude areas and the increased survivability to both aircrew and troops, clearly indicates that the Blackhawk is the helicopter that should be fielded to Colombia in support of a counter drug effort.

That was from a U.S. Army report. The superior troop carrying capacity and range of the UH-60L, or Blackhawk, versus the Huey II, coupled with the combat nature of operation, limited size of landing and pick up zones within the area of operations, the requirement to operate in high altitude areas and the increased survivability to both aircrew and troops, clearly indicates that the Blackhawk is the helicopter that should be fielded to Colombia in support of a counter drug effort.

That was from a U.S. Army report. That was from a U.S. Army report.
region. Neither is this assistance a panacea to the problems of drug abuse and addiction in the United States. It is a strong step forward for these reasons, I support the underlying package, oppose the Gorton amendment, and proudly support and cosponsor the Dodd amendment.

I thank the Chair and yield the floor. Mr. MCCONNELL. Mr. President, the capacity of this body for self-delusion seems to this Senator to be unlimited. Time after time, we permit this administration to involve us in some new armed conflict without seriously examining the consequences of that involvement, the cost of the involvement, the length of the involvement, or even the possibility that we will attain the goals of that involvement.

Mark my words, we are on the verge of dollar-for-dollar money. We will blithely make this downpayment—and this is a downpayment only. Next year, maybe we will need a lot more money if they are not doing very well down there. And how much of the equipment is going to end up in the hands of rebels by sale or capture or otherwise? We have no way of controlling that without a presence on the ground.

I urge this body to say to the administration: No, we are not going to do this until you first come to us with a formal overall plan with a beginning, middle, and an end, and a plan for how we are going to achieve our goals. Get the authority first and then fund it. It is 10 times better for this society to put that $700 million on our debt and not get in a civil war in South America. That is what this debate is all about—not that we don’t like the Colombians or that we don’t want them to be successful, but we don’t want a part of their war.

The PRESIDING OFFICER. The Senator from Kentucky [Mr. MCCONNELL] proposes amendments en bloc number 3495, 3491 and 3539, as modified, in the following:

The amendments are as follows:

**AMENDMENT NO. 3495**

Mr. MCCONNELL. Mr. President, I send amendments Nos. 3495, 3491, and 3539, as modified, to the desk en bloc and ask for their immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes amendments en bloc numbered 3495, 3491, and 3539, as modified.

The amendments are as follows:

- **AMENDMENT NO. 3495**

  *(Purpose: To express the sense of the Senate concerning the violence, breakdown of rule of law, and troubled pre-election period in the Republic of Zimbabwe.)*

  **(a) FINDINGS.—** The Senate finds that—

  1. People around the world supported the Republic of Zimbabwe’s quest for independence, majority rule, and the protection of human rights and the rule of law.

  2. Zimbabwe, at the time of independence in 1980, showed bright prospects for democracy, economic development, and racial reconciliation.

  3. The people of Zimbabwe are now suffering the destabilizing effects of a serious, government-sanctioned breakdown in the rule of law, which is critical to economic development as well as domestic tranquility.

  4. A free and fair national referendum was held in Zimbabwe in February 2000 in which voters rejected proposed constitutional amendments to increase the president’s authorities to expropriate land without payment.

  5. The President of Zimbabwe has defied two high court decisions declaring land seizures to be illegal.

  6. Previous land reform efforts have been ineffective largely due to corrupt practices and inefficiencies within the Government of Zimbabwe.

  7. Violence in Zimbabwe has resulted in several murders and brutal attacks on innocent individuals, including the murder of farm workers and owners.

  8. Violence has been directed toward individuals of all races.

  9. The ruling party and its supporters have specifically directed violence at democratic reform activists seeking to prepare for upcoming parliamentary elections.

  10. The offices of a leading independent newspaper in Zimbabwe have been bombed.

  11. The Government of Zimbabwe has not yet publicly condemned the recent violence.

  12. President Mugabe’s statement that thousands of law-abiding citizens are en masse of the state has further incited violence.

  13. 147 out of 150 members of the Parliament in Zimbabwe (98 percent) belong to the same political party.

  14. The unemployment rate in Zimbabwe now exceeds 60 percent and political turmoil is on the brink of destroying Zimbabwe’s economy.

  15. The economy is being further damaged by the Government of Zimbabwe’s ongoing involvement in war in the Democratic Republic of the Congo.

  16. The United Nations Food and Agricultural Organization has issued a warning that Zimbabwe faces a food emergency due to shortages caused by violence against farmers and farm workers.

  17. Events in Zimbabwe could threaten stability and economic development in the entire region.

  18. The Government of Zimbabwe has rejected international election observation delegation accreditation for United States-based nongovernmental organizations, including the International Republican Institute and National Democratic Institute, and is also denying accreditation for other nongovernmental organizations and election observers of certain specified nationalities.

  19. **SENSE OF THE SENATE.—** The Senate—

    1. Extends its support to the vast majority of citizens of the Republic of Zimbabwe who are committed to peace, economic progress, and an open, transparent parliamentary election process.

    2. Strongly urges the Government of Zimbabwe to enforce the rule of law and fulfill its responsibility to the political and civil rights of all citizens.

    3. Supports those international efforts to assist with land reform which are consistent with accepted principles of international law and which take place after the holding of free and fair parliamentary elections.
Mr. MCCONNELL. Mr. President, I move to reconsider the vote.

Mr. DODD. Mr. President, in one minute: The amendment I am proposing along with my colleague from Connecticut and others merely says the decision on which type of equipment will be used in the Colombian effort ought to be determined by the U.S. military in conjunction with the Colombian military, not language requires specifically a Huey helicopter. I do not think that decision ought to be made by Members of Congress, necessarily.

The military categorically, in a 24-member review of what was needed to make the program in Colombia successful, requests that it be the Blackhawk helicopter.

In a letter from the Colombian Ministry of Defense they specifically request it. They would have to change their entire infrastructure to handle a Huey helicopter. The cost is excessive—more than the Blackhawk. The amendment doesn’t say to buy Blackhawks, it says, let the military make the decision. Congress ought not be mandating the kind of equipment to notify civilians of aerial bombardment, non-lethal, non-food aid such as blankets, medical caine, fuel, mobile clinics, water drilling equipment, communications equipment to notify civilians of aerial bombardment, non-military vehicles, tents, and shoes.

Mr. MCCONNELL. These amendments have been cleared on both sides of the aisle.

The PRESIDING OFFICER. Is there further debate on the amendments?

Without objection, the amendments are agreed to.

The amendments (Nos. 3495, 3491, and 3359, as modified) were agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Senator Feinstein be added as a cosponsor to amendment No. 3576 and that Senator Bennett be added as a cosponsor to amendment No. 3519.

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

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the Gorton amendment No. 3517.

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays on the Gorton amendment and the Dodd amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment of the Senate from Washington, Mr. Gorton.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from New Mexico (Mr. DOMENICI) is necessarily absent.

Mr. REID. I announce that the Senator from Hawaii (Mr. INOUYE) is necessarily absent.

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

The result was announced—yeas 19, nays 79, as follows:

[Rollcall Vote No. 139 Leg.]

YEAS—19

Abraham Feingold New York
Akaka Fong Hawaii
Ashcroft Frist Tennessee
Baucus Grassley Nebraska
Bennett Hagel Nebraska
Biden Hatch Indiana
Bingaman Helms South Carolina
Bond Hollings Alabama
Brownax Hutchison Texas
Bryan Jefords Kentucky
Bunning Johnson Kentucky
Burns Kennedy Nevada
Byrd Kerrey Nebraska
Campbell Kerry Massachusetts
Chafee, R. Kyi Hawaii
Cleland Landrieu Louisiana
Conrad Levin North Dakota
Coverdell Lieferman Georgia
Daschle Lieberman Connecticut
DeWine Lott Ohio
Dodd Lugar West Virginia
Dorgan Mack Wyoming
Durbin McCain Arizona
Edwards McConnell Arizona

NAYS—79

Allard Gorton Colorado
Boxer Gramm South Carolina
Collins Grams Murray
Craig Gregg South Carolina
Crafo Harkin Iowa
Enzi Hutchinsoton Wyoming
Fitzgerald Kohl Delaware

Mr. BYRD. Mr. President, I wish the Senators would respect the Chair. The chair has asked for order.

Mr. THURMOND. Mr. President, may we have order in the Senate.

The PRESIDING OFFICER. The Senate will be in order. The Senate will be in order.

The Senator from Kentucky.

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

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

The motion to lay on the table was agreed to.

Mr. MCCONNELL. Mr. President, I would say we are down to just a handful of amendments we are trying to work out now and should be able to give some more information as soon as the next vote is completed.

Mr. LEAHY. Several Senators have been very helpful, saying they are going to withdraw amendments or look to another piece of legislation. I appreciate that. It is possible to finish this bill this evening if we continue to have the cooperation we have had on both sides of the aisle.

Mr. MCCONNELL. I thank the Senator from Vermont.

AMENDMENT NO. 3524

Mr. M CCONNELL. Amendment No. 3524 has been accepted.

The PRESIDING OFFICER. The PRESIDING OFFICER. There are 2 minutes equally divided on the Dodd amendment.

The Senator from Connecticut.

Mr. DODD. Mr. President, in one minute: The amendment I am proposing along with my colleague from Connecticut and others merely says the decision on which type of equipment will be used in the Colombian effort ought to be determined by the U.S. military in conjunction with the Colombian military, not language requires specifically a Huey helicopter. I do not think that decision ought to be made by Members of Congress, necessarily.

The military categorically, in a 24-member review of what was needed to make the program in Colombia successful, requests that it be the Blackhawk helicopter.

In a letter from the Colombian Ministry of Defense they specifically request it. They would have to change their entire infrastructure to handle a Huey helicopter. The cost is excessive—more than the Blackhawk. The amendment doesn’t say, buy Blackhawks, it says, let the military make the decision. Congress ought not be mandating the kind of equipment that is going to help best to make this work. Our amendment allows for the cooperation we have had on both sides of the aisle.

The amendment is printed in the RECORD.
CONGRESSIONAL RECORD—SENATE

June 21, 2000

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

REPUBLICA DE COLOMBIA
MINISTERIO DE DEFENSA NACIONAL

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

Hon. C.W. YOUNG,
Chairman, Committee on Appropriations, U.S. House of Representatives, Washington, DC.

Dear Chairman:

We wish to thank the United States Congress for its support of Plan Colombia and the United States Administration’s aid package to assist the people of Colombia in their fight against the explosive cultivation of coca. With your support, this aid will reverse the trend of increased drug production, violence and instability that we are all too familiar with.

While we are grateful for your consideration of the aid package, we are concerned with the proposal to replace the 30 UH-60L Blackhawk helicopters from the UH-60L Blackhawk with 60 “Huey II” helicopters. The decision to provide the Colombian Military with UH-60 helicopters was determined jointly by Colombian and United States military experts to be the best aircraft for the mission.

The Blackhawk is our clear choice given the austere environment in which our security forces must operate. First, it has redundant systems and protections that not only make it much more difficult to shoot down, but more importantly, afford our soldiers and crew increased survivability in a crash. Second, the Blackhawk is 50% faster than the Huey II allowing a quicker response time for our security forces to reach remote, inaccessible drug producing areas. Third, it has much greater range. Therefore, the need for forward arming and refueling stations is significantly reduced. Fourth, the Blackhawk flies and operates better at higher altitudes, an important consideration given that the Andes mountain range runs the entire length of Colombia. Lastly, it carries three times the number of soldiers at high altitudes and twice as much at sea level, inserting more troops and security forces on the ground sooner. Optimal maneuverability at high altitudes and troop carrying capacity is crucial in counter narcotics operations, especially consideration of the areas where poppy cultivation takes place.

While the “Huey II” helicopter may be less expensive to purchase and operate, there are considerable indirect expenses not being factored in by the “Huey II” advocates. For example, 60 Huey IIs require twice the number of trained pilots as 30 Blackhaws. In addition to more trained pilots, they require more trained mechanics, maintenance facilities, spare parts, equipment, force protection, and hangar space at airfields. Much of the savings in acquiring the “Huey II” would be offset by these associated logistics and support costs.

Blackhawk is the backbone of our military’s helicopter combat fleet. Therefore our infrastructure is being standardized around it and more important, our force structure planning is based in this type of aircraft. As for today, our government has already acquired Blackhawks with our own resources and has the appropriate logistic facilities to operate and maintain up to 30 additional UH-60L Blackhaws.

Some members of the US Congress have proposed a combination of Blackhawks and Hueys. That type of structure planning was stated above, introducing new “Huey II” into our fleet would require separate pilot train-

ing, spare parts and supplementary maintenance facilities, not to mention the delays or changes in the projection of the force. This will pose a major logistic problem and extra efforts, since the fleet must be jointly operated, increasing technical, technical and administrative costs. The industry does believe that the UH-1Ns will be vitally important for a successful transition to the more advanced UH-60 Blackhawk. We also believe that there will be a continuing need to retain some of the UH-1Ns after the integration of the UH-60 fleet into the Colombian counter-narcotics program.

If the Congress of the United States considers that additionally to the 30 Blackhawks initially requested, based on our needs and operative and logistical capabilities, the government of Colombia should receive a number of Bell helicopters, we suggest that the United States Government give consideration on supporting our extensive pilot training requirements by starting a program to acquire 20 Bell 206 training helicopters. These aircraft would enable our armed forces to establish a joint pilot training school that would meet our existing and future pilot training requirements.

We appreciate the efforts and kind support you have given in this process. Thank you for your consideration.

Sincerely,

MAJOR GENERAL LUIS EUGENIO GILBERT VARGAS,
Director of National Solidarity.

GENERAL FABIO VELASCO CHAVEZ,
Commander in Chief of the Air Force.

ADMIRAL SERGIO GARCIA TORRES,
Commander in Chief of the Navy.

GENERAL JORGE ENRIQUE MORA RANGEL,
Commander in Chief of the Army.

GENERAL FERNANDO TAPIAS STAHLIN,
Commander in Chief of the Military Forces.

LUIS FERNANDO RAMIREZ ACUÑA,
Minister of National Defense.

The PRESIDING OFFICER. The Senator from Kentucky.

The Senate will be in order.

Mr. MCCONNELL. Mr. President, the issue is this. We do not have enough Blackhawk helicopters to fly our own troops, much less the Colombian troops. The Blackhaws are much more expensive. The Huey II helicopter will only cost us about $1,000 an hour more expensive to operate. The Huey II will get the job done. We ought to do that in the most efficient way, looking not only at this year’s appropriation but down the road. We will add up the operation and maintenance cost on the Blackhawk in subsequent years. The Huey II will do the job.

Mr. STEVENS. Mr. President, is there any time left?

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

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. NICKLES. I announce that the Senator from New Mexico (Mr. DOMENIC) is necessarily absent.

Mr. REID. I announce that the Senator from Hawaii (Mr. INOUYE) is necessarily absent.

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

The result was announced, yeas 47, nays 51, as follows:

[Rollcall Vote No. 140 Leg.]

YEAS—47

Abraham
Alaska
Baucus
Bayh
Biden
Boxer
Breaux
Bryan
Byrd
Cleland
Conrad
Daschle
Dodd
Durbin
Edwards
Feingold
Feinstein
Brown
Dole
Durbin
Edwards
Enzi
Eskridge
Enzi
Espero
Erickson
Erich
Espero
Erich
Erickson
Espero
Erich
Erickson

NAYS—51

Akaka
Baucus
Bayh
Biden
Boxer
Breaux
Bryan
Byrd
Cleland
Conrad
Daschle
Dodd
Durbin
Edwards
Feingold
Feinstein
Brown
Dole
Durbin
Edwards
Enzi
Eskridge
Enzi
Espero
Eskridge
Espero
Eskridge

The amendment was rejected.

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

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

The motion to lay on the table was agreed to.

Mr. LOTT. Mr. President, I know Senators are anxious to get a feel for what the proceedings will be for the remainder of the evening and in the morning. I commend the managers for the work they have been doing and commend Members for the help we have been receiving from them on both sides in terms of disposing of amendments one way or another.

I believe we are very close to getting an agreement that would get the remaining amendments done tonight.
Then, in the morning, we could turn to the Labor-HHS appropriations bill and have stalled votes at 2 o’clock, both on any amendments and final passage of the foreign operations appropriations bill and any amendments that might be ready to be voted on and put in that staked sequence at 2 o’clock tomorrow.

We do not quite have that agreement yet. But for all Senators who are still working on it, I hope they will work with us to get it completed momentarily. If that cannot be done, I will be calling up the Kyl amendment No. 3558, and getting a second so we can have a rollover vote on that, and other amendments, tonight.

I think we can get this bill done without having to have that recorded vote. But if we can’t get an agreement as to how we are going to complete our work, then we will be having more votes tonight.

So for the Senators who are waiting to get final information, just give us a few more minutes. I think we are about to the point where we can enter this agreement, and then we would have a feel for the remainder of the night.

Mr. LEAHY. If the Senator from Mississippi will yield, Senators have been working very hard on both sides to clear things.

I suggest this as an alternative to some of my colleagues. A number of matters are things that could just as well be handled in report language.

The Senator from Kentucky and I, in some of those instances, have been able to work that out. With the help of both the Republican leadership and the Democratic leadership, we have been able to get rid of many of these amendments. I think we are so close to working out the suggestion the distinguished Senator from Mississippi has made, that Senators should look at that. It is one that is strongly supported by the managers of this bill. I hope we might make it possible to do it.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, in cooperation with the manager on our side, we have worked very hard to move this legislation along. On the proposed unanimous consent request that would be propounded by the majority leader, we would complete debate on all amendments tonight and vote, as the leader indicated, tomorrow after 12 o’clock. We have one outstanding objection on that. We are in the process of working to have that resolved. We hope to have that done in the near future.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENTS NOS. 3558, 3557, 3515, 3546, AS MODIFIED, 3547, AS MODIFIED, 3549, AS MODIFIED, 3545, AS MODIFIED, AND 3522, AS MODIFIED, EN BLOC

Mr. MCCONNELL. Mr. President, we have some more amendments that have been cleared on both sides. I call up amendment No. 3553 by myself; amendment No. 3546 by Senator Byrd; amendment No. 3515, Senator Shelby. Then the following amendments, Mr. President, I call up and send modifications to those amendments to the desk: Senator Reid, No. 3546; Senator Reid, No. 3547; Senator Reid, No. 3549; Senator Breaux, amendment No. 3545; Senator Helms, amendment No. 3517; Senator Landrieu, amendment No. 3522.

Mr. LEAHY. Mr. President, if the Senator will yield, I believe there is still a question on the amendment by the distinguished Senator from Rhode Island that we are trying to work out. I wonder if that could be withheld for the moment.

Mr. MCCONNELL. The Senator says there is a question about the Chafee amendment.

Mr. LEAHY. Yes.

Mr. MCCONNELL. I will withhold the Chafee amendment No. 3545. These are the modifications which I send to the desk.

Mr. LEAHY. I will continue to work with my friend from Rhode Island to see if we can work out whatever the problem is.

AMENDMENT NO. 3527

(Purpose: To transfer $24 million from elsewhere in the bill to Peace Corps to bring FY 2001 funding up to FY 2000 levels)

Mr. MCCONNELL. Mr. President, I send a Dodd amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MConnell] for Mr. Dodd, proposes an amendment numbered 3527.

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

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

The amendment is as follows:

On page 38, line 4 strike all after the first comma thru the word “Provided,” on line 7, and insert in lieu thereof the following: “$244,000,000, including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside the United States: Provided, That $24,000,000 of such sums be made available from funds already appropriated by the Act, that are not otherwise earmarked for specific purposes: Provided further:”.

Mr. DODD. Mr. President, the amendment I have offered would restore the FY 2001 appropriations for Peace Corps programs to FY 2000 appropriations levels.

Today, approximately 7000 Americans are Peace Corps volunteers. They are recent college graduates, mid-career professionals, and retired seniors. They live and work in the far corners of the globe—in Africa, Latin America, Asia, the Middle East, Eastern Europe, and the Pacific. As we consider this matter, American volunteers are diligently working to improve the lives of citizens in 77 countries throughout the world.

Mr. President, the President has requested $275 million in appropriations for FY 2001. While I would like to see this Senate approve an amendment to increase funding in this bill to meet the administration’s request, I am simply asking that the Senate restore funding to the FY 2000 levels.

My request of my colleagues is a modest one—their support for an amendment to raise funding in this bill for the Peace Corps by $24 million—from $220 million to $244 million—to bring the FY 2001 appropriations for this agency up to this fiscal year’s appropriations. This amendment does not add any new money to the bill, but rather allows the Clinton administration to use earmarked funds already appropriated in this bill.

Absent adoption of this amendment, the Appropriations Committee mark will reduce funding for the upcoming fiscal year by 10 percent over the current fiscal year’s funding for the Peace Corps.

What are the consequences of such reductions in funding?

Peace Corps posts will have to be shut down in as many as eleven countries:

The number of new volunteers accepted by the agency will have to be cut by 16 percent, some 1,250 fewer individuals will have the honor of serving their country;

Plans for new initiatives to enable Peace Corps volunteers to bring the benefits of information technology to underserved communities throughout the world and to bolster HIV/AIDS prevention priorities in Africa and elsewhere will fall by the wayside;

New country programs will remain unfunded;

The agency’s ability to provide future emergency assistance through its newly established Crisis Corps of returned volunteers to respond to the devastation of unanticipated disasters such as those experienced in Central America following the 1998 devastation of Hurricane Mitch will be severely impaired.

Finally it will undermine the Agency’s ability to replace outdated computer systems in order to meet government financial management requirements, not terribly exciting but very important to the overall functioning of the Peace Corps as an organization.

The funding level in the bill is totally inconsistent with what the Congress did in 1999. Last year the Congress went on record in support of increased funding for the Peace Corps for FY 2001 to $298 million—beyond the Administration’s request—in order to support an increase in Peace Corps volunteers.

I am not asking the Senate to vote on an increase of that magnitude today. I am simply asking support for a steady state budget.
Mr. President, thirty-four years ago, I was a Peace Corps volunteer in the Dominican Republic. My two-year volunteer had a profound impact on my life. I treasure my Peace Corps experience forever—as will nearly every returned Peace Corps volunteer one meets.

Next year the Peace Corps will celebrate its 40th anniversary. It is important that we ensure that the agency is sufficiently funded to live up to the expectations that its success has engendered throughout the world.

For these reasons I strongly urge my colleagues to support this amendment and the restoration of funding for the Peace Corps.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3527) was agreed to.

Mr. McConnell. Mr. President, we have the block of amendments that have been cleared on both sides at the desk, some of them as modified.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 3553; 3557; 3515; 3546, as modified; 3547, as modified; 3549, as modified; and 3552, as modified), on bloc, were agreed to as follows:

**AMENDMENT NO. 3553**

(Purpose: To make technical amendments to language limiting support for Plan Colombia.)

Beginning on page 151, line 21, strike “(a)” and all that follows through line 7 on page 152 and insert the following:

**LIMITATION ON SUPPORT FOR PLAN COLOMBIA.**—

(1) **LIMITATION.**—Except as provided in paragraph (2), none of the funds appropriated or otherwise made available by any Act shall be available for support of Plan Colombia unless and until—

(A) the President submits a report to Congress requesting the availability of such funds; and

(B) Congress enacts a joint resolution approving the request of the President under subparagraph (A).

(2) **EXCEPTIONS.**—The limitation in paragraph (1) does not apply to—

(A) appropriations made by this Act, the Military Construction Appropriations Act, 2001, or the Department of Defense Appropriations Act, 2001, for the purpose of support of Plan Colombia; or

(B) the unobligated balances from any other program used for their originally appropriated purpose to combat drug production and trafficking, foster peace, increase the rule of law, improve human rights, expand economic development, and institute justice reform in the countries covered by Plan Colombia.

On page 152, line 17, insert “in connection with support of Plan Colombia” after “Colombia.”

On page 152, line 19, strike “250” and insert “300.”

On page 153, lines 20 and 21.

On page 153, line 1, insert “United States” after “of.”

On page 153, line 4, strike “100” and insert “300.”

On page 153, between lines 18 and 19, insert the following:

(d) **STANFORD CONSTRUCTION.**—Nothing in this section may be construed to affect the authority of the President to carry out any emergency evacuation of United States citizens or any search or rescue operation for United States military personnel or other United States citizens.

(e) **REPORT ON SUPPORT FOR PLAN COLOMBIA.**—Not later than June 1, 2001, and not later than January 1 and December 1 of each of the succeeding four fiscal years, the President shall submit a report to Congress setting forth any costs (including incremental costs incurred by the Department of Defense) incurred by any department, agency, or other entity of the Executive branch of Government during the previous fiscal year in support of Plan Colombia. Each such report shall provide an itemization of expenditures by each such department, agency, or entity.

On page 153, line 19, strike “(d) MONTHLY REPORTS...”, and insert “(f) MONTHLY REPORTS...”.

On page 153, line 21, strike “30” and insert “60”.

On page 154, line 1, insert “United States AFTER” and “and”.

On page 154, line 3, strike “(e)” and insert “(g)”.

On page 154, line 5, strike “subsection (a)(2)” and insert “subsection (a)(1)(B)”.

On page 154, line 9, strike “subsection (a)(1)” and insert “subsection (a)(1)(A)”.

On page 154, line 12, strike “subsection (a)(1)” and insert “subsection (a)(1)(A)”.

On page 155, line 12, strike “(r)” and insert “(h)”.

**AMENDMENT NO. 3557**

(Purpose: To make the limitation on assignment of United States personnel in Colombia inapplicable to certain intelligence and counterterrorism activities of the United States Government.)

On page 155, between lines 18 and 19, insert the following:

(g) **NATIONAL SECURITY EXEMPTION.**—The limitation contained in subsection (b)(1) shall not apply with respect to any activity subject to reporting under title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).

**AMENDMENT NO. 3546, AS MODIFIED**

(Purpose: To allocate funds for the Secretary of State to meet with representatives of countries with a high incidence of the practice of dowry deaths or honor killings to develop a strategy for ending the practices, and for other purposes.)

On page 150, between lines 19 and 20, insert the following:

**SEC. 3. ELIMINATION OF DOWRY DEATHS AND HONOR KILLINGS.**

(a) **IN GENERAL.**—The Secretary of State should meet with representatives from countries that have a high incidence of the practice of dowry deaths or honor killings with a view toward working with the representatives to increase awareness of the practices, to develop strategies and to end the practices, and to determine the scope of the problem within the refugee population.

(b) **DEFINITIONS.**—In this section:

(1) **DOWRY DEATH.**—The term “dowry death” means the killing of a woman because of a dowry dispute.

(2) **HONOR KILLING.**—The term “honor killing” means the murder of a woman suspected of dishonoring her family.

AMENDMENT NO. 3547, AS MODIFIED

(Purpose: To require that funding for the United States Agency for International Development be used to develop and integrate, where appropriate, educational programs aimed at eliminating the practice of female genital mutilation.)

On page 12, line 14, strike “loans.” and insert the following: “loans: Provided further. That of the funds appropriated under this heading, up to $1,500,000 may be used to develop and integrate, where appropriate, educational programs aimed at eliminating the practice of female genital mutilation.”

AMENDMENT NO. 3549, AS MODIFIED

(Purpose: To authorize the Secretary of State to determine the feasibility of the practice of female genital mutilation and to development recommendations for eliminating the practice.)

On page 140, between lines 19 and 20, insert the following:

**AMENDMENT NO. 3572, AS MODIFIED**

(Purpose: Relating to support by the Russian Federation for Serbia)

On page 140, between lines 19 and 20, insert the following:

**AMENDMENT NO. 3515. SUPPORT BY THE RUSSIAN FEDERATION FOR SERBIA.**

(a) **FINDINGS.**—Congress finds that—

(1) General Dragolubvic, Minister of Defense of the Federal Republic of Yugoslavia (Serbia and Montenegro) and an indicted war criminal, visited Moscow from May 7 through May 12, 2000, as a guest of the Government of the Russian Federation, attended the inauguration of President Vladimir Putin, and held talks with Russian Defense Minister Igor Sergeyev and Army Chief of Staff Anatoly Kvaishin;

(2) General Odiyanic was military Chief of Staff of the Federal Republic of Yugoslavia during the Kosovo war and has been indicted by the International Criminal Tribunal for the Former Yugoslavia (ICTY) for crimes against humanity and violations of the laws and customs of war, alleged atrocities against Albanians in Kosovo;

(3) international warrants have been issued by the International Criminal Tribunal for the Former Yugoslavia for General Odiyanic's arrest and extradition to the Hague;

(4) the Government of the Russian Federation, a permanent member of the United Nations Security Council which established the International Criminal Tribunal for the Former Yugoslavia, has an obligation to arrest General Odiyanic and extradite him to the Hague;

(5) on May 16, 2000, Russian Minister of Economics Andrei Shapovalyants announced
that his government has provided the Ser-
bian regime of Slobodan Milosevic $102,000,000 of a $150,000,000 loan it had reac-
vativated and will sell the Government of Ser-
bia $32,000,000 of oil despite the fact that the in-
ternational community has imposed eco-
nomic sanctions against the Government of
the Federal Republic of Yugoslavia and the
Government of Serbia;
(6) the Govement of the Russian Feder-
ation is providing the Milosevic regime such
assistance while it is seeking debt relief from
the International community and loans from
the International Monetary Fund, and
while it is receiving corn and grain as food
aid from the United States;
(7) the hospitality provided to General
Ostianic demonstrates that the Government
of the Russian Federation rejects the indict-
ments brought by the International Criminal
Tribunal for the Former Yugoslavia against
him and other officials, including Slobodan
Milosevic, for alleged atrocities committed
during the Kosovo war; and
(8) the relationship between the Govern-
ment of the Russian Federation and the Gov-
ernments of the Federal Republic of Yugo-
slavia and Serbia only encourages the regime
of Slobodan Milosevic to foment instability
in the region and thereby jeopardizes the
safety and security of American military and
civilian personnel and raises questions about
Russia's commitment to its responsibilities
as a member of the North American Treaty
Organization-led peacekeeping mission in
Kosovo.

(i) Fifteen days after the date of enact-
ment of this Act, the President shall submit
a report to Congress detailing all loans, fi-
nancial assistance, and energy sales the Gov-
ernment of the Russian Federation or enti-
ties acting on its behalf has provided since
June 1999 and intends to provide to the Gov-
ernment of Serbia or the Government of the
Federal Republic of Yugoslavia or any enti-
ties under the control of the Governments of
Serbia or the Federal Republic of Yugo-
slavia.

(ii) If that report determines that the Gov-
ernment of the Russian Federation or other
entities acting on its behalf has provided or
intends to provide the governments of Serbia or the Federal Republic of Yugoslavia or any
entity under their control any loans or eco-
nomic assistance and oil sales, then the fol-
lowing shall apply:
(A) The Secretary of State shall reduce as-
sumptions by the Russian Federation
by an amount equal in value to the loans,
financial assistance, and energy sales the Gov-
ernment of the Russian Federation has pro-
vided and intends to provide to the Govern-
ments of Serbia and the Federal Republic of
Yugoslavia.
(B) The Secretary of the Treasury shall
instruct the United States executive direc-
tors of the international financial institu-
tions to oppose, and vote against, any exten-
tion by those institutions of any financial
assistance (including any technical assist-
ance or grant) of any kind to the Govern-
ment of the Russian Federation except for
loans and assistance that serve basic human
needs.

(ii) In this subparagraph, the term “inter-
national financial institution” includes the
International Monetary Fund, the Inter-
national Bank for Reconstruction and Devel-
opment, the International Development As-
sociation, the International Finance Cor-
poration, the Overseas Private Investment Guar-
ty Agency, and the European Bank for Re-
construction and Development.

(C) The United States shall suspend exist-
ing programs of the Russia Federation pro-
vided by the Export-Import Bank and the
Overseas Private Investment Corporation and
any consideration of any new loans,
guarantees, and other forms of assistance by
the Export-Import Bank or the Overseas Pri-
vate Investment Corporation to Russia.

(D) The President may waive the actions
described in paragraph (B) if he deter-
dines and reports to Congress that it is in
the national interests of the United States
of America.

(E) It is the sense of the Senate that—The
President of the United States should in-
struct his representatives to negotiations on
Russia's international debt to oppose further
forgiveness, restructuring, and rescheduling
of that debt, including that being considered
under the “Comprehensive” Paris Club nego-
tiations.

AMENDMENT NO. 3522 AS MODIFIED

(Purpose: To provide for the rehabilitation of
the transportation infrastructure of Bul-
 garia and Romania)

At the appropriate place, insert:

"Provided, That not less than $15,000,000 of
the funds made available under the previous
proviso shall be made available from funds
appropriated under the Economic Support Fund."

Mr. LEAHY. I suggest the absence of a
quorum.

The PRESIDING OFFICER. The
clerk will call the roll.

The assistant legislative clerk pro-
ceded to call the roll.

Mr. WELLS70NE. Mr. President, I
ask unanimous consent that the order for the
quorum call be rescinded.

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

AMENDMENT NO. 3588

Mr. WELLS07NE. Mr. President, I
don't know whether we have reached
agreement or not or whether there will be
further discussion on amendment.

I thank my colleagues. I believe
amendment No. 3588 has been accepted.

This is an amendment I have offered
with Senator BROWNACK, who is in the
chair. I point out to colleagues that
this amendment would use $250,000 of
the funds appropriated to Kosovo to
help police better identify and respond
to cases of trafficking. It also would
provide some help for those who live in
the Newly Independent States of the
former Soviet Union who have been
victims of trafficking. I thank both the
Senator from Kentucky and the Sena-
tor from Vermont for accepting this
amendment.

I especially thank Senator
BROWNACK for the work I have been
able to do with him dealing with the
awful aspect of this new global econ-
omy: the trafficking of women forced
into prostitution, and terrible labor
conditions. We have a great piece of
legislation. Both of us hope it will pass
soon. This amendment to this piece of
legislation is a good step in the right
direction. I thank my colleague, Sena-
tor BROWNACK, for his support. I
thank Senators for supporting this
amendment.

I yield the floor.

The PRESIDING OFFICER. The Sena-
tor from Pennsylvania.

AMENDMENT NO. 3588

(Purpose: To make available up to $1,000,000
of the appropriation in the previous proviso
for greater cooperation, coordination, and other
mutual assistance in the interdiction of illicit
drugs being transported over Cuba airspace
and waters)

Mr. SPECTER. Mr. President, I have
an amendment which has been cleared
on both sides. I send the amendment to
the desk and ask for its immediate con-
ideration.

The PRESIDING OFFICER. The
clerk will report.
The legislative clerk read as follows:
The Senator from Pennsylvania [Mr. Specter] proposes an amendment numbered 3569.

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

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

The amendment is as follows:

On page 141, between lines 19 and 20, insert the following:

SEC. 1. UNITED STATES-CUBAN MUTUAL ASSISTANCE IN THE INTERDICATION OF ILICIT DRUGS.

ALLOCATION OF FUNDS.—Of the amount appropriated under the heading “Department of State, International Narcotics Control and Law Enforcement”, up to $1,000,000 shall be available to the Secretary of Defense, on behalf of the United States Coast Guard, the United States Customs Service, and other bodies to work with the appropriate authorities of the Cuban government to provide for greater cooperation, coordination, and other mutual assistance in the interdiction of illicit drugs being transported over Cuban airspace and waters, provided that such assistance may only be provided after the President determines and certifies to Congress that:

(a) Cuba has appropriate procedures in place to protect against innocent loss of life in the air and on the ground in connection with interdiction of illegal drugs; and

(b) that there is no evidence of the involvement of the government of Cuba in drug trafficking.

Mr. Specter. Mr. President, the essence of this amendment is that up to $1 million shall be made available to the Secretary of Defense on behalf of the U.S. Coast Guard, the U.S. Customs Service, and other bodies to work with the appropriate authorities of the Cuban Government to provide for greater cooperation, coordination, and other mutual assistance in the interdiction of illegal drugs being transported over Cuban airspace and waters, provided that there is no evidence of the involvement of the government of Cuba in drug trafficking.

The Government of Cuba has been prepared for some time to provide further assistance to the United States through the use of their airspace and coastal waters on drug interdiction.

In June of 1999, I had occasion to visit Cuba and I had a long meeting with their President, Fidel Castro. We covered a wide variety of subjects. One of them was the issue of drug interdiction.

I believe this is a measure which our officials in all branches of the Federal Government favor to try to cut down on the flow of drugs. There is, obviously, a demand side that our policy should be toward Cuba with respect to the embargo. But whatever anybody may think about those subjects, it is my view that there is no doubt that we ought to take up the availability of assistance from Cuba on drug interdiction. That is what this amendment provides.

There is a real issue about U.S. policy toward Cuba. I voted against the Dodd amendment, which would create a commission to make recommendations on that policy, because I think that the issue of policy really ought to be decided by the next President of the United States in conjunction with the Congress. The times have certainly changed, so that Castro no longer presents a threat to export communism to Latin America. I believe that the consideration of change in policy really ought not to be entrusted to a commission at the present time, which would report after January 20 of next year, when the issue really is for the President of the United States—whoever may be elected.

I supported the Gorton amendment, which would strike the funds for Colombia, although I knew at the time that the funding for Colombia would pass on a large number. I have visited Colombia on a number of occasions over the past decade. I am very much in favor of assisting Colombia in restoring law and order to that nation, to try to avoid the destabilizing effect of the drug cartels. But I do not believe that it is appropriate to spend hundreds of millions of dollars—almost a billion dollars in the Senate appropriations and $1.4 billion in the House. I believe there is currently an imbalance in the $18 billion a year spent on drugs, with about two-thirds of that—or $12 billion—going to the so-called supply side, and some $6 billion going to the so-called demand side.

My view is that we would be doing better to use that money for rehabilitating and education to try to eliminate the demand for drugs. I was an original sponsor of legislation many years ago to bring in the military on interdiction, and I think that it is a good policy. But no matter how strong our interdiction is, drugs will come into the United States as long as there is a demand for drugs. My experience as district attorney of Philadelphia shows that a great deal can be done to prosecute drug dealers and street crime and the like to cut down on drug kingpins. But, again, as long as there is a demand for drugs, there will be a supply. So it is my view that the wiser course of action is to spend more money on education and rehabilitation through the drug courts, which are now part of the crime bill of 1994. It is because of my view that funds are better spent on rehabilitation and education and the demand side that I supported the Wellstone amendment.

I thank my colleagues who have worked with me to clear this amendment. As with most Senators, I would like to have a rollcall vote. We are trying to bring this matter to a conclusion. Tomorrow, we are going to start on the appropriations bill of Labor, Health, Human Services, and Education, which comes from the subcommittee I chair. So I appreciate the acceptance of this amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3569) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 3569

Mr. Nickles. Mr. President, I call up amendment No. 3569.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:
The Senator from Oklahoma [Mr. Nickles] proposes an amendment numbered 3569.

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

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

The amendment is as follows:

On page 142, line 11 after the word “purposes:” insert the following: “President further, That of the funds made available under this heading, not less than $100,000,000 shall be made available by the Department of State to the Department of Justice for counter narcotic activity initiatives specifically policing initiatives to combat methamphetamine production and trafficking and to enhance policing initiatives in drug ‘hot spots’.”

Mr. Nickles. Mr. President, just briefly, this amendment would transfer $100 million away from the Colombian aid into the Department of Justice to be used for drug interdiction, for counternarcotic activities including and especially to combat methamphetamine production and trafficking, which is rampant throughout the United States, and also to use this money to enhance policing initiatives throughout the country in drug hotspots.

I appreciate the cooperation of my colleagues and hope we will have an affirmative vote on that.

Mr. Lott. Mr. President, we may need a moment more to have a chance to review the unanimous consent proposal. I believe we have one worked out that is fair and acceptable to Senators on both sides of the aisle. If we can get this agreement entered into, then there would be no further votes tonight, nor in the morning. Then we would begin the final debate at 1:30, with the votes that are necessary stacked at 2 p.m., and final passage at that time.

In the morning, though, we would go to Labor-HHS Appropriations at 9:30. Any votes relative to that bill would also be put in a stacked sequence beginning at 2 p.m., if any are ready. We certainly hope good progress can be
made on that bill tomorrow. We look forward to working with the managers of that legislation in order to the pending bill be offered and debated tonight, along with any relevant second-degree amendments, and the votes occur in relation to those amendments beginning at 2 p.m. on Thursday, with 4 minutes prior to each vote for explanation.

I further ask consent that at 1:20 p.m. on Thursday, the Senate resume consideration of the pending bill, and Senator FEINGOLD be recognized to offer his filed amendment regarding Mozambique and that amendment be voted on in the voting sequence under the same terms as outlined above.

I further ask consent that following the introduction of the Feingold amendment, it be laid aside and Senator BOXER be recognized to call up her two filed amendments, Nos. 3541 and 3542, and there be 40 minutes total for debate on both amendments, with the votes occurring in the voting sequence as outlined above.

I ask unanimous consent that following the disposition of the amendments, the bill be advanced to third reading and the Senate proceed to vote on that motion. I further ask consent that following that vote, the bill then be placed back on the calendar awaiting the House companion bill.

I further ask consent that at 9:30 a.m., the Senate begin consideration of the House Labor-HHS and Education Appropriations bill and any votes ordered due to that bill, following the concurrence of the two leaders, occur at the end of the voting sequence scheduled at 2 p.m. on Thursday, with the same 4 minutes allocated for explanation prior to those votes.

The PRESIDING OFFICER. Is there objection?

Mr. FEINGOLD. Mr. President, reserving the right to object, I ask the majority leader, with regard to the amendment I intend to offer, I hope the agreement contemplates the possibility that we can work out something on the amendment so a vote would not be required.

Mr. LOTTO. Certainly. That is always the case. If the Senate gets it worked out, we would expect to have that opportunity. The managers, I am sure, would be glad to work with him this evening to work out some satisfactory way. I don’t know the substance of the amendment, other than it is on Mozambique. Certainly, that would be contemplated.

Mr. REID. Mr. President, reserving the right to object, if the Senator will yield, the conversation Senator LEAHY and I had with the manager of the bill is that we have talked about their reviewing very closely to see if something can be worked out. Today, there was a very emotional event at the White House. Senator INOUYE was awarded the Congressional Medal of Honor. It was one of the most dramatic events I have ever attended. Senator Akaka is calling and he desires some morning business to talk about this. There are lots of people in from Hawaii and from around the country. We are coming in at 9:30 a.m. to begin Labor-HHS.

Mr. LOTTO. Mr. President, why don’t we amend the request to say that we come in at 9:30, and after the opening and the prayer, we go to Senator AKAKA for 30 minutes, and we will begin Labor-HHS bill at 10 o’clock. We are all talking of Senator INOUYE and how he and the men of his unit served this country. For it to be appropriately memorialized in this Chamber by his colleague from Hawaii is more than appropriate. I am pleased to make that addition.

Mr. REID. Further reserving the right to object, when Senator MCCONNELL finishes his business tonight—and that should be shortly—I ask unanimous consent that the Senator from Rhode Island be recognized for 30 minutes and that the Senator from Nevada, Mr. REID, be able to speak. I have amendments that the committee has worked on during the day, and I would like to speak on those after Senator REID from Rhode Island speaks.

The PRESIDING OFFICER. Is there objection?

Mr. FEINGOLD. Mr. President, reserving the right to object, I want to further clarify that there would be no prohibition in this unanimous consent agreement if it would be necessary to withdraw the amendment which I propose.

Mr. LOTTO. Mr. President, I certainly know of no reason the Senate wouldn’t agree to the Senator’s amendment being withdrawn if the Senator desires to do so.

Mr. FEINGOLD. Mr. President, will the majority leader simply have that reflected in the agreement?

Mr. LOTTO. Mr. President, I include in the unanimous consent request that if Senator FEINGOLD wishes to withdraw his amendment, that would be in order.

Mr. FEINGOLD. I thank the majority leader.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTTO. Mr. President, in light of this agreement, there will be no further votes tonight, and the next series of votes will occur at 2 p.m. on Thursday.

Mr. SCHUMER. Mr. President, I would simply like to thank the majority leader. Much of this was done to accommodate my daughter’s graduation tomorrow morning. He went out of his way. I thank him, as well as the minority leader and the minority whip, for doing that for me. It allows the dignity of the Senate, as well. I thank all of the leaders for that.

Mr. LOTTO. Mr. President, I thank Senator SCHUMER. I thank all of my colleagues and the managers for the work they are doing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I thank the distinguished majority leader for helping us wrap up this matter in due time.

Mr. LOTTO. Mr. President, will the Senate yield before the majority leader leaves?

Mr. MCCONNELL. I yield to the Senator from Nevada.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, when we were riding up here together, I told the Senator we couldn’t talk about this bill. Mr. LOTTO. The Senator was right.

The PRESIDING OFFICER. The Senator from Kentucky.

Amendment No. 308

(Purpose: To provide emergency funding to the Department of Commerce and the Department of Agriculture to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene.

Mr. MCCONNELL. Mr. President, I send an amendment to the desk that has been cleared on both sides by Senator Edwards on behalf of himself, and Senator Torricelli, and Senator Robb.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky (Mr. McCONNELL), for Mr. Edwards, Mr. Torricelli, and Mr. Robb, proposes an amendment numbered 308.

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

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

The amendment is as follows:

On page 140, between lines 19 and 20, insert the following:

EMERGENCY FUNDING TO ASSIST COMMUNITIES AFFECTED BY HURRICANE FLOYD, HURRICANE DENNIS, OR HURRICANE IRENE.

SEC. 5. (A) Economic Development Assistance.—

(1) IN GENERAL.—There is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2000, for an additional amount for "Economic Development Assistance Program", $125,000,000, to remain available until expended, for planning assistance and public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene.

(2) EMERGENCY DESIGNATION.—The "$125,000,000—

(A) shall be available only to the extent that the President submits to Congress an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency.
requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901 et seq.) and (B) is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

(b) Community Facilities Grants.—

(1) In General.—There is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2000, for an additional amount for the rural community advancement program under subtitle E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009 et seq.), $125,000,000, to remain available until expended, to provide grants under the community facilities grant program under section 306(a)(19) of that Act (7 U.S.C. 1926(a)(19)) with respect to areas subject to a declaration of a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) as a result of Hurricane Floyd, Hurricane Dennis, or Hurricane Irene.

(2) Emergency Designation.—The $125,000,000 is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

Mr. Edwards. Mr. President, let me begin by thanking Senators Stevens, Lott, McConnell, Leahy, and Byrd for accepting this amendment, No. 3582.

Throughout the process of dealing with Hurricane Floyd and its impact on my State they have been insisting in their help and deserve the thanks and deep appreciation of the people of North Carolina. I've also had the honor of working with Senators Torricelli and Risch on this amendment. They have fought hard.

This amendment would provide $125 million in funding to the Economic Development Administration this year. It would also provide $125 million in funding this year for USDA's Community Facilities program.

Mr. President, this money is desperately needed. Although 9 months have passed since Hurricane Floyd struck North Carolina, the people of eastern Carolina are still struggling to rebuild. Thousands still live in FEMA trailers. Hundreds of businesses still haven't reopened. Several cities are still operating under sewage and water moratoria.

This amendment will mean the difference between businesses reopening and businesses closing, people working and people not working, cities thriving and cities withering.

I believe this amendment will make a real difference, and will put us on the road to recovery. Let me submit a list of possible $100 million in EDA projects that has been prepared by the State. This list is by no means exhaustive, but it illustrates the extent of the need and how much good this money can be used for.

I am enormously pleased that this amendment has been accepted. We have a lot more work to do in order to enact it into law. I hope this provision will be incorporated into the final supplemental appropriations package that is being negotiated as part of the Military Construction appropriations conference. The innocent victims of Hurricane Floyd deserve no less.

Indeed, the Federal Government has consistently provided this type of aid to disaster victims. I ask unanimous consent that a list of previous assistance packages be printed in the RECORD. It is only fair to treat this disaster in the same manner.

I ask unanimous consent that my remarks be printed in the RECORD following the amendment.

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

EXAMPLES OF CONSTRUCTION PROJECTS THAT REQUESTED EDA FUNDS COULD FUND (50% MAXIMUM PARTICIPATION UNLESS WAIVED)

<table>
<thead>
<tr>
<th>District and county</th>
<th>Applicant</th>
<th>Total project cost</th>
<th>Project description</th>
</tr>
</thead>
<tbody>
<tr>
<td>7—Brunswick ..........</td>
<td>Brunswick County</td>
<td>$6,600,000</td>
<td>Construct 1.85 mgd WWTP that will immediately serve a new industry creating 300 jobs.</td>
</tr>
<tr>
<td>5—Alamance ..........</td>
<td>Wilson County</td>
<td>$2,500,000</td>
<td>Water improvements to serve three existing industries retaining/saving 350 jobs and the construction of a multi-tenant building.</td>
</tr>
<tr>
<td>1—Edgerton ..........</td>
<td>Edgecombe WGS District No. 1 &amp;7</td>
<td>$4,242,000</td>
<td>Water and sewer improvements to serve a new industry that will create 800 jobs.</td>
</tr>
<tr>
<td>2—Harnett ..........</td>
<td>Harnett County/Fayou-Varna</td>
<td>$4,000,000</td>
<td>Regional water transmission main and municipal sewer improvements to serve an expanding industry (400 jobs) and industrial development.</td>
</tr>
<tr>
<td>3—Lenoir ..........</td>
<td>Lenoir County</td>
<td>$3,512,700</td>
<td>Upgrade and expand the city’s 4.08 mgd plant to 6.0 mgd. The expansion requires upgrades to more stringent effluent limits (120 jobs).</td>
</tr>
<tr>
<td>4—Chatham ..........</td>
<td>Rocky Mount</td>
<td>$10,000,000</td>
<td>Infrastructure for new subdivisions of affordable housing.</td>
</tr>
<tr>
<td>5—Rutherford .......</td>
<td>Siler City</td>
<td>$2,505,000</td>
<td>Water treatment facility to eliminate system inflation adversely impacting WWTP’s treatment capacity (125).</td>
</tr>
<tr>
<td>4—Buncombe ..........</td>
<td>Towns of Reidsville</td>
<td>$2,537,512</td>
<td>Water, sewer and street construction to develop phase I of the Town of Reidsville’s 300 acre industrial park (400 jobs).</td>
</tr>
<tr>
<td>1—Warren ..........</td>
<td>Warren County</td>
<td>$2,943,999</td>
<td>Sanitary sewer replacement to eliminate inflow and infiltration that is reducing the WWTP’s treatment capacity that will create 600 jobs.</td>
</tr>
<tr>
<td>1—Wayne ..........</td>
<td>Wayne County</td>
<td>$2,080,000</td>
<td>Sewer improvements that will serve industries creating 700 jobs.</td>
</tr>
<tr>
<td>2—Wilson ..........</td>
<td>Wilson County</td>
<td>$1,751,063</td>
<td>Replacement of a major sewer interceptor to correct infiltration resulting in WWTP operating under a moratorium and SSO (400 jobs).</td>
</tr>
<tr>
<td>Total ..........</td>
<td></td>
<td>$47,444,665</td>
<td></td>
</tr>
</tbody>
</table>

POTENTIAL EDA PROJECTS—FY 2000 SUPPLEMENTAL

<table>
<thead>
<tr>
<th>District and county</th>
<th>Applicant</th>
<th>Total project cost</th>
<th>Project description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1—Edgerton ..........</td>
<td>Tarboro</td>
<td>$3,000,000</td>
<td>Water and sewer improvements in Kingsboro corridor to retain commerce and support industrial growth in non-flood-prone areas.</td>
</tr>
<tr>
<td>1—Edgerton ..........</td>
<td>Pinetops</td>
<td>$1,500,000</td>
<td>Water treatment plant flooded during Hurricane Floyd. Funds would allow for expansion of industrial and residential capacity of facility.</td>
</tr>
<tr>
<td>1—Edgerton ..........</td>
<td>Tarboro</td>
<td>$600,000</td>
<td>Water and sewer lines to accommodate the expansion of commerce and the development of 2 low to moderate income subdivisions.</td>
</tr>
<tr>
<td>1—Edgerton ..........</td>
<td>Tarboro</td>
<td>$350,000</td>
<td>As part of NC “Main Street” project, rehabilitate Rafter-Clark Building. This project will increase utilization of downtown properties, including mixed-use development, increase tax base in Tarboro area, including property and sales tax, create employment opportunities through an enhanced commercial district; and encourage private sector development in real property, related improvements, and job creation. $300,000 for construction/renovation; $50,000 for planning and technical assistance.</td>
</tr>
<tr>
<td>1—Edgerton ..........</td>
<td>Tarboro Area Development Corporation/NC Department of Commerce, Division of Community Assistance.</td>
<td>$4,000,000</td>
<td>Water and sewer and natural gas improvements to Whidbey industrial park to accommodate the relocation of businesses to non-flood-prone areas.</td>
</tr>
<tr>
<td>1—Edgerton ..........</td>
<td>Coastal Community College</td>
<td>$1,300,000</td>
<td>Acquire, renovate and relocate building to accommodate the relocation of businesses located in flood-prone areas (business incubator).</td>
</tr>
<tr>
<td>1—Edgerton ..........</td>
<td>La Grange</td>
<td>$3,000,000</td>
<td>Expansion of water and sewer capacity will support the relocation of existing businesses and residents to non-flood-prone areas.</td>
</tr>
<tr>
<td>1—Edgerton ..........</td>
<td>Onslow County</td>
<td>$3,000,000</td>
<td>Water and sewer extensions to county owned industrial park to support the relocation of commercial activities to non-flood-prone areas.</td>
</tr>
<tr>
<td>1—Edgerton ..........</td>
<td>Duplin County/Belville</td>
<td>$2,500,000</td>
<td>Water improvements to serve existing industries (400 jobs) and the construction of multi-tenant commercial building to serve flood-displaced businesses.</td>
</tr>
<tr>
<td>1—Edgerton ..........</td>
<td>Pender County</td>
<td>$1,400,000</td>
<td>Breaching and drainage improvements to save more than 600 jobs at industrial sites severely impacted by Hurricane Floyd.</td>
</tr>
<tr>
<td>1—Edgerton ..........</td>
<td>Farmville</td>
<td>$1,500,000</td>
<td>Provide water pump stations and extensions to serve new ethanol facility that will create 1000 jobs—replacing the 450 jobs lost after hurricanes.</td>
</tr>
<tr>
<td>1—Edgerton ..........</td>
<td>Beaufort</td>
<td>$1,500,000</td>
<td>Construct industrial building for lease to flood-displaced businesses.</td>
</tr>
<tr>
<td>1—Edgerton ..........</td>
<td>Greenville</td>
<td>$1,500,000</td>
<td>Water and sewer extensions to serve businesses and flood displaced businesses to non-flood-prone areas.</td>
</tr>
<tr>
<td>1—Edgerton ..........</td>
<td>Farmville</td>
<td>$1,000,000</td>
<td>Provide water and sewer pump station to serve US 258/US 264 interchange area to provide for the expansion of commerce and the development of subdivisions/housing.</td>
</tr>
</tbody>
</table>
In past disasters, EDA funding, combined with Community Development Block Grants, has been a critical tool in helping towns and cities recover: Midwest Floods in 1993—$200 million for EDA plus $200 million for CDBG; Northridge Earthquake in 1994—$35 million for EDA plus more than $225 million for CDBG; Tropical Storm Alberto in 1994—$50 million for EDA plus $130 million for CDBG; Red River Valley Floods in 1997—$52 million in EDA plus $50 million for CDBG; and in the Agriculture Appropriations, there is no EDA or CDBG funding allocated for Hurricane Floyd affected states.

None.

Mr. MCCONNELL. Mr. President, this amendment has been cleared on both sides of the aisle.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3589) was agreed to.

Mr. MCCONNELL. 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 Senator from Vermont.

SENATOR INOUYE OF HAWAII

Mr. LEAHY. Mr. President, there has been discussion of the great honor that the distinguished senior Senator from Hawaii earned. He actually earned it when I was a child. He earned it on the battlefield in Europe, particularly in Italy, my mother country.

I will speak further on this at a more appropriate time. But I have served with DAN INOUYE for 25 years, and only because I was managing this bill was I not with him when he received the honor today. I talked to him before I told him how enormously proud I am of him—all of his colleagues are proud of him—for the 25 years that I have served with him.

While he did not receive the honor at the time it was due—and many know why—his bravery was so well demonstrated at a time in this country when our sense of inclusion of people of all races was not as good as it is today.

But I think the feeling of veterans and the feeling of historians have vindicated his achievements throughout all of this time.

I think of one thing. I was overseas for the 50th anniversary of D-Day, and when DAN INOUYE walked onto the stage when his name was announced, veterans from all over this country cheered and applauded. He was accompanied by another distinguished Member of this body who was also cheered, from the Presiding Officer’s State, Senator Dole. It was an emotional moment for all Senators who were there to see such loved Members of this body received that way.

Today we open a new chapter in our country—closing not a very good chapter—and we did the right thing telling everybody that DAN INOUYE earned the Congressional Medal of Honor.

I yield the floor.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2001—Continued

AMENDMENT NO. 3540

Mr. MCCONNELL. Mr. President, due to some confusion in the processing of cleared amendments, a mistake was made. Therefore, I ask unanimous consent to vitiate action on amendment No. 3545.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Mr. President, I ask unanimous consent that Senators COVERDELL, KENNEDY, and I be added as cosponsors to the Dodd amendment regarding the Peace Corps.

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

ASSISTANCE TO LEBANON

Mr. ABRAHAM. Mr. President, if the distinguished Senator from Kentucky will yield, I would like to clarify some issues regarding additional assistance to Lebanon.

Mr. MCCONNELL. I would be happy to yield to my colleague from Michigan.

Mr. ABRAHAM. As the Senator knows, I have a special interest in the provision of the bill that provides $15 million for development activities in Lebanon, including support for the American educational institutions there. I am pleased that this year that level of funding is maintained in the bill as it was reported from committee, and I wish to thank the Senator from Kentucky for his leadership and the interest that he too has taken in Lebanon’s future.

As you know, earmarking $15 million in economic assistance is an important beginning to a comprehensive aid package to Lebanon. However, the recent events in the South of Lebanon call for a more detailed and larger aid package to Lebanon.

A larger aid package can help the country rebuild itself due to the devastation of the past 30 years. Specifically, Lebanon needs the financial assistance to: rebuild its schools; repair and rebuild its sewage systems; repair its destroyed power generation plants; upgrade its water purification facilities; and construct general infrastructure projects.

In my opinion, a package similar to the recent Jordanian package of $250 million would provide the type of support needed to effectively launch the rebuilding effort.

Unfortunately, it appears that the Administration is not currently prepared to present a comprehensive aid package. Several inquiries of the Administration have produced no budgetary figures. This is disappointing in that your legislation is clearly the appropriate vehicle in which to include this funding. Notwithstanding their reluctance, I would like to offer my amendment to increase Lebanon’s funding to $250 million.

Mr. MCCONNELL. Thank you, Senator ABRAHAM.

I, like you, am dismayed to learn that the Administration has not offered any budgetary amounts for an aid package to Lebanon. You are absolutely right that the current events in Lebanon demand that we reexamine our foreign aid package to that country.

As such, I pledge to work with you every step of the way to see that a
Mr. ABRAHAM. I withdraw my amendment.

Mr. MCCONNELL. The Senator’s comments are appreciated. As always, I will work with you and consult you as we put our differences together in a highly valued value your expertise on Lebanon.

Mr. ABRAHAM. I thank the Senator for that clarification. I also wish to commend him and his committee for their strong interest in a financial assistance package for Lebanon.

Mr. BYRD. Mr. President, Sec. 576 of S. 2522 contains language regarding implementation of the Kyoto Protocol. I would like to ask the distinguished Chairman and Ranking Member of the Foreign Operations Subcommittee two questions to clarify their understanding of this provision.

The United States is currently engaged in climate change negotiations to ensure meaningful participation of developing countries and to ensure that greenhouse gas emissions reductions are achieved in the most cost-effective manner. Is my understanding correct that this provision is not intended to restrict the Administration from engaging in these international negotiations related to both the Framework Convention on Climate Change (FCCC), which was ratified by the Senate in 1992, and the Kyoto Protocol to that Convention?

As you also know, the Senate has clearly expressed its views regarding the Kyoto Protocol in S. Res. 98, adopted unanimously by the Senate on July 25, 1997. That resolution calls on the Administration to support an approach to climate change that protects the economic interests of the United States and seeks commitments from developing countries to reduce greenhouse gas emissions. The Administration is aggressively engaging developing countries to reduce greenhouse gas emissions through international projects and activities emphasizing market-based mechanisms and environmental technology. It is my understanding that this provision is not intended to restrict international programs or activities to encourage commitments by developing countries to reduce greenhouse gas emissions. Is my understanding correct?

Mr. MCCONNELL. I thank the distinguished Senator from West Virginia for his questions. Your understanding is correct. Sec. 576 is not intended to restrict U.S. negotiations or activities such as you have described. Rather, it is intended to prevent the Administration from implementing the Kyoto Protocol prior to its ratification.

Mr. LEAHY. The Senator’s understanding is correct. Sec. 576 is not intended to prohibit the United States from engaging in international climate change negotiations or activities that would encourage participation by developing countries.

Mr. MCCONNELL. I thank the Senator for his questions to clarify their understanding of this provision. The United States is currently engaged in climate change negotiations to ensure meaningful participation of developing countries and to ensure that greenhouse gas emissions reductions are achieved in the most cost-effective manner. Is my understanding correct that this provision is not intended to restrict the Administration from engaging in these international negotiations related to both the Framework Convention on Climate Change (FCCC), which was ratified by the Senate in 1992, and the Kyoto Protocol to that Convention?

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requests more important to the security and well-being of this nation in the coming years than this one.

I believe it is critical that we move quickly to pass the Foreign Operations bill and this emergency supplemental request for Colombia.

Some have argued that the Colombia proposal is simply too expensive. But I believe that this proposal represents the proper balance regarding what should—in fact must—be one of this nation's highest priorities: to stop the flow of illegal narcotics into the United States.

As we debate this proposal today, Colombia faces an unprecedented crisis. Almost 40 percent of the country—an area itself the size of the entire nation of Switzerland—is under the control of the Armed Revolutionary Forces of Colombia, FARC. The FARC is an alliance of some 20,000 drug traffickers and terrorists who threaten the stability not only of Colombia, but of the entire Andean region. And, as we all know, there are right-wing paramilitary groups in Colombia who also have ties to the drug trade.

Over 80 percent of the world's supply of cocaine is grown, produced or transported through Colombia, and large swathes of Colombia, now lawless or under FARC or paramilitary control, have become prime coca and opium-producing zones.

These FARC rebels earn as much as two or even three million dollars per day from drug cultivators and traffickers who rely on their protection or—perhaps even more likely—who fear their retribution.

The FARC is currently holding hostage as many as 1,500 to 2,500 people, including at least 250 military prisoners and 250 police officers.

And, of the government of Colombia to govern large areas of their own country continues to disintegrate, the FARC narco-terrorists and paramilitaries continue to expand their base of operations and attack surrounding areas.

All this, and Colombia is facing its worst economic recession in more than 70 years: Real GDP fell by over 3 percent last year. Clearly, something needs to be done. And clearly, Colombia will need the help.

The situation in Colombia is not simply a problem in a far away land. The events taking place in Colombia have direct and severe repercussions for the United States and the rest of the world.

Colombia is the source country for 80 percent of the cocaine consumed in the United States each year, and up to 70 percent of the heroin.

And the situation is getting worse, not better. Coca cultivation in Colombia has doubled in the past decade alone, and shows no sign of slowing.

In addition to undermining the democratic institutions in Colombia, the violence that has become endemic has forced over 500,000 people to flee Colombia; 65,000 have sought refuge in the United States.

According to the administration, illegal drugs account for over 50,000 deaths each year in the United States, and cost over $100 billion a year in health care costs, accidents, and lost productivity. So the problem of narcotics production in Colombia is not just a problem in Colombia: To the flow of drugs from Colombia has very real, and very damaging effects, on our country.

Earlier this year, I joined many of my colleagues on the Appropriations Committee as we met with Colombia's President, Andres Pastrana. President Pastrana outlined a clear and comprehensive plan to address the drug trade, and to start solving the deeper problems within his country.

It is an ambitious plan, but one which I believe can be implemented, and can promote the peace process, strengthen democracy, and help revive Colombia's economy.

The Plan Colombia encompasses far more than the request we have before us. A combination of internal and external sources will be providing Colombia with most of the $7.5 billion over three years that President Pastrana has deemed necessary.

The United States need provide but a piece of the overall plan. Working with President Pastrana, President Clinton has asked Congress to fund $1.6 billion of that total. The two-year package will assist Colombia in combating the drug trade; help the country promote peace and prosperity; and deepen its democracy. This is a large package, but it is in our interest to provide it.

Without a major new effort, supported by the United States, the Colombian military and police simply lack the resources and ability to defeat the FARC and narco-trafficking forces. Without Plan Colombia, efforts to boost Colombia's interdiction and eradication capabilities, particularly in the south, including:

- Funds for special counter-narcotics battalions to push into coca-growing regions of Southern Colombia;
- Funds to purchase helicopters, desperately needed to provide the Colombian National Police access to the remote and undeveloped regions of the country where the narco-traffickers thrive;
- Funds to upgrade Colombia's interdiction capabilities, with aircraft and airfield upgrades, radar, and improved intelligence gathering;
- Funds for equipment to be used in increased eradication efforts;
- Funds to provide economic alternatives to coca growers; and,
- Funds for new programs to promote human rights, help the judicial system and to crack down on money laundering.

As many of my colleague are aware, there is some concern about the human rights questions raised by this assistance package. This supplemental request, after all, provides military assistance to an army and a police force which, in the past, has had a less than stellar record on human rights issues.

But it is my belief that the Leahy amendment, augmented by specific language that has been added to this legislation in committee, goes a long way towards meeting these concerns.

To begin with, any U.S. assistance to Colombian military and police forces will be provided in strict accordance with section 563 of the FY2000 Foreign Operations Act—the Leahy amendment.

In addition, this legislation contains new and specific provisions intended to guarantee the protection of human rights. Colombian military officers accused of human rights violations are to be tried in a civilian court, for example, not in the military courts which have, in the past, been far too lenient in the way they treat these cases. There are also requirements that any Colombian military units trained by the United States as part of this antinarcotics effort be screened for human rights abuses.

In addition, the committee has also included language at my request relating to the proliferation of small arms and light weapons in the regions which, I believe, has greatly contributed to the culture of violence and lawlessness in Colombia.

I believe that any effective strategy to stabilize the region and reduce the influence of the criminals, drug traffickers, narco-terrorists, and paramilitaries must include the implementation of stringent controls on existing stockpiles and the destruction of surplus and seized stocks of small arms and light weapons.

The small arms and light weapons language calls for the creation of a serial number registry by the Department ofState and by Colombia to track all small arms and light weapons provided to Colombia under this supplemental request, as well as the creation of a small arms and light weapons destruction initiative for the region. If any of the small arms and light weapons the United States supplies to Colombia as part of this assistance package are used in violation of human rights, this registry will allow us to track, to the unit, who was using these weapons and bring the responsible party to justice.

On the question of human rights, I believe that although we must remain watchful, the package crafted by the Appropriations Committee does a good job in meeting the concerns that have been raised.

Let me take a minute here, however, to express my concern about one specific part of the committee recommendations that I hope is addressed in conference: The lack of Blackhawk helicopters.
The President asked for $388 million to fund 30 additional Blackhawk helicopters.

These helicopters fly faster, farther, higher and hold more people than the Huey II helicopters provided for by the committee.

In fact, I believe that the Blackhawk is critical to the terrain and mission in Colombia for several reasons:

The Blackhawk can carry three times as many men as the Huey II; at high altitudes the advantage of the Blackhawk is even more pronounced; and the Blackhawk’s maximum speed is 50 percent faster than the Huey II.

I believe that the drug war is a serious one, and that we should be devoting the best possible resources to this ongoing struggle.

I am not a helicopter expert, but the experts in the administration and elsewhere are telling us that the Blackhawk is the right equipment for the job. I do not think we should be second-guessing that decision with so much at stake.

Let me also talk for a moment today about one other aspect of this assistance package for Colombia that has come under some discussions: the issue of demand reduction versus supply reduction.

I urge my colleagues to support the Colombia package in the Foreign Operations bill, and I yield the floor.

Mr. BIDEN. Mr. President, the foreign operations of the United States are undertaken to promote the national interests of our country. They are all useful and important programs, and they deserve our support.

The national interests that they serve, however, are of varying importance. As George Orwell wrote in his novel “Animal Farm,” “some are more equal than others.” All our foreign operations programs are useful, but some are downright vital to our national security.

One element in this bill that is truly vital to our national security is security countermeasures. I would introduce shortly an amendment to address that severe problem.

Another area in this bill that is the one area where only the Federal Government’s counterdrug fund-electoral aid is truly effective is to keep drugs from entering the United States. The equipment they used to detect the radioactive material was provided by the United States. In that case, the funding came from the Cooperative Threat Reduction program.

This year, the Export Control Assistance program will enable the Department of Commerce to assign a resident export control attaché to Russia. The Export Control Assistance program also sets up internal compliance programs in Russia’s high-tech industries and trains the Russian personnel who staff those offices. These programs enable Russia to police itself and give us increased visibility into plants that are of particular concern from the non-proliferation standpoint.

But this year, Congress increased funding for this program from $10 million to $14 million. Indeed, the report on the bill before us takes credit for that increase. This year, the President asked for $14 million, to maintain this vital level of effort, but the bill before us includes only $10 million.

When the appropriators increased this program last year, they were right. This year, they should do it again. We need more export control assistance to help other countries keep nuclear materials out of the hands of their dangerous neighbors.

Earlier this month, the National Commission on Terrorism warned that it was “particularly concerned about the persistent lack of adequate security and safeguards for the nuclear material in the former Soviet Union.” That is a cogent concern, and Export Control Assistance is one of the programs that helps to keep dangerous materials from crossing former Soviet borders.

By the way, the Foreign Relations Committee favors full funding of the President’s request for this program.
Indeed, at the suggestion of Chairman Helms, we added $5 million in our security assistance bill to support a new project in Malta.

Another non-proliferation program, the International Science and Technology Centers, provides safe employment opportunities for former Soviet experts in weapons of mass destruction who might otherwise be tempted to sell their skills to rogue states. This program not only helps those scientists. It also gives hope to, and helps to preserve discipline at, the institutes where those experts work.

The activities of this program are guided by a Governing Board headed by the Honorable Ron Lehman, a wonderful public servant who was Assistant Secretary of Defense in the Reagan Administration and director of the Arms Control and Disarmament Agency in the Bush Administration.

Ron Lehman and I often disagree on policy matters, but we are in complete agreement on the need to help Russia to restructure its bloated, Soviet-era weapons complexes without leaving its weapons experts prey to offers from countries like Iran, Iraq or Libya. His program is doing some wonderful things, moreover. Since 1994, the Science Centers have supported over 840 projects, employing over 30,000 weapons experts at more than 490 former Soviet institutes.

Some of these projects led to the formation of viable commercial companies; others resulted in contracts with Western companies to distribute new Russian products like medical devices or high temperature batteries. Around a fifth of Science Center funding now comes from Western companies and government agencies that employ former Soviet experts through this program.

Other projects have put weapons experts to work on public health, environmental remediation, and non-proliferation projects that provide real benefits to the former Soviet Union and its neighbors.

For example, the Russian Academy of Sciences, MINATOM, and the prestigious Kurchatov Institute recently completed a six-year project to map all the nuclear contamination sites in the former Soviet Union. Science Center funding was the lifeblood of that project.

The Science Centers also funded fourteen Y2K readiness projects that ensured the safety of nuclear power facilities and chemical and biological storage areas.

The International Science and Technology Centers are multinational. The U.S. Government provided only 31 percent of last year’s Science Center funding, currently at 36 percent provided by the European Union. Japan, Norway and South Korea also participate in the program. But without our leadership, this program will fail.

The bill before us would give that program only a third of what was appropriated for this fiscal year. I know that the budget numbers for foreign operations are unrealistically tight. They always are. But if we cut the Science and Technology Centers program that much, we will endanger our national security.

It only takes a few experts in nuclear, chemical or biological weapons to provide dangerous materials or technology to a “rogue state.” We should do everything in our power to make sure that economic desperation in Russia does not result in such a catastrophe.

The committee report on this bill states that it:

was disturbed to learn that, after at least 5 years of interaction between the State Department and Russian scientists, relations remain guarded.

1. for one, am not disturbed by that.

Russia still has a nuclear weapons program, but we are in complete agreement on the need to help Russia to restructure its bloated, Soviet-era weapons complexes without leaving its weapons experts prey to offers from countries like Iran, Iraq or Libya. His program is doing some wonderful things, moreover. Since 1994, the Science Centers have supported over 840 projects, employing over 30,000 weapons experts at more than 490 former Soviet institutes.

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June 21, 2000

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and reducing the risk of an accidental catastrophe.

The Foreign Relations Committee supports this program as well. Indeed, in our security assistance bill, we added $14 million, so that the Science Centers could fund all of the deserving projects that have been proposed. But the bill before us cuts $25 million out of this fine program, leaving less than 45 percent of what the President requested, and barely a third of what the Foreign Relations Committee recommends.

The price of such cuts could be far more than the $25 million in would-be savings. If we leave Russian weapons scientists underemployed, with time on their hands and not enough food on their tables, how will they resist an offer from Iran or Iraq?

When we talk about keeping these Russian scientists usefully employed, we're guarding against the spread of nuclear weapons and dreaded plagues. We're not talking about budget caps, but rather about life or death for millions of people.

I understand the need for efficient programs. But this program works. That GAO report did not need to make even one recommendation.

And when millions of lives are potentially at stake, we should do more than do less.

A traditional non-proliferation program is our contributions to KEDO, the Korean Energy Development Organization, pursuant to the Nuclear Framework with North Korea. Thanks to this agreement, North Korea has ceased reprocessing spent nuclear reactor fuel. Indeed, recently the last of the spent nuclear fuel was safely canned, under IAEA supervision. That vastly lowers any North Korean ability to produce nuclear weapons.

The Nuclear Framework Agreement has also led North Korea to let U.S. experts visit an underground site that we feared might be a nuclear plant. Our two visits showed that it was not a nuclear facility.

But there is a price for all these benefits, and part of that price is U.S. contributions of heavy fuel oil. Now, traditionally we have spent $35 million a year on that. But other countries have not helped out as much as we expected—although South Korea and Japan are spending much more than we are, to build new reactors in North Korea that will not be readily used for bomb-making. In addition, as we all know, fuel oil costs a lot more than it used to.

Appropriators have refused to allocate more than $35 million, however. Instead, last year, they kept this line at $35 million and added a separate, unallocated line of $20 million in the NADR account, which actually went to meet our KEDO obligations.

The bill before us again allocates only $35 million, but this time there is no additional line with $20 million.

This money keeps the Nuclear Framework Agreement on track. That agreement keeps North Korea from using a handy source of fissile material to make nuclear weapons. It also provides a bit of stability on the Korean peninsula, which has led to a suspension of North Korea's long-range missile tests, to U.S.-North Korean negotiations on an end to those programs and to North Korea's missile exports, and now to the first summit ever between the leaders of North and South Korea.

Do we really want to put the Framework Agreement at risk, by failing to fund it? Do we want to derail all the delicate negotiations that are ongoing with North Korea?

Perhaps the authors of this bill intend to fix this in conference, once everyone admires the trick used to bust the budget caps on foreign operations. If so, I will be relieved. Maintaining KEDO and the Nuclear Framework Agreement gets to the heart of our national security, however, and I think we should make clear that we want this shortfall remedied.

Another important program in this funding category is our contributions to the Comprehensive Test-Ban Treaty Preparatory Commission. These funds are used primarily to procure and install the International Monitoring System, which serves United States national security interests by enabling the world to detect, identify, and respond to any illegal nuclear tests by other countries.

The International Monitoring System offers features that are of particular value to the United States. Its network of seismic stations will supplement those that the U.S. Government uses to monitor foreign nuclear weapons programs. Some of those stations will be in locations where we could not hope to get seismic coverage in any other way.

The controlled and affiliated seismic stations will also afford regional coverage, rather than just long-range seismic collection. This will result in improved detection, as well as better geolocation of suspect events.

The International Monitoring System will include hydroacoustic collection in the world's oceans, all-bustle collection, and a large network of land-based atmospheric collectors to pick up telltale contamination in the air. Use of those additional monitoring techniques will increase the likelihood of getting multi-source evidence of an illegal nuclear weapons test.

In addition, the data from the International Monitoring System will be widely available, and therefore usable for enforcement purposes. This is important.

Although the Comprehensive Test-Ban Treaty has not entered into force, signatories are bound—by international law and/or by custom—not to undermine the “object and purposes” of the treaty. We have a legal interest, therefore, and surely a security interest, in making sure that other countries do not engage in nuclear weapons tests.

How do you enforce a ban on nuclear weapons tests? That takes more than just monitoring. It requires exposure of the offending country and convincing other countries that a violation has occurred. Only then can we rally the world to threaten or impose penalties on the offender.

U.S. Government sources of information, as good as they are, often cannot be used to create a diplomatic or public case against an offender. Our contributions to the CTBT Preparatory Commission will help us to get the publicly usable information that is so vital to putting a stop to any cheating.

The report on this bill states that in the past, the President has requested more than was needed for this program, that is true. But we're not asking for $250 million. The Appropriation branch asks for our share of the coming year's tentative budget, but we also work within the Preparatory Commission to scrub that budget, and it usually comes in a bit lower.

But does that mean we can safely cut 30 percent? Not on your life! The final U.S. obligation might be $20 million, as opposed to the requested $21.5 million. But $15 million is simply out of the question. That would presume a $25 million cut in the Preparatory Commission budget proposed by their Secretariat, which would mean an intolerable delay in fielding the monitoring system.

There may be some confusion because this program has been able to absorb budget cuts in the past. In those years, the State Department was able to apply previous-year funds to make up for the cuts. Virtually all the Fiscal Year 2000 funds, however, have already been obligated. Thus, a cut in Fiscal Year 2001 funding will be much more harmful than were previous cuts.

The report also states that the Preparatory Commission should reimburse the United States for services we have performed in setting up monitoring sites. That, too, is true, and we will be reimbursed. We will not be reimbursed, however, until the sites that we install have been certified as operational. That guards against shoddy work by other countries, and I don't think we want to give up that protection.

Certification has been achieved for one U.S.-installed site, and we will get $500,000 in reimbursements in Fiscal Year 2001. That is already taken into account in the President's budget request. Several million dollars in reimbursement will be received in later years. Cutting the 2001 budget will jeopardize not only the work program for the monitoring system, but also any reimbursements for past or current work that depend upon achieving certification next year.
The bottom line is simple: either we pay for our share of nuclear test monitoring costs, or we delay significantly the work on a monitoring system that serves our own national security. If we want to catch any country that cheats and to expose that cheating, so that we can sanction a violator, then we must pay our bills.

Non-proliferation programs were not the only ones to be cut in this portion of the bill before us. The Department of State’s Anti-Terrorism Assistance program and its Terrorist Interdiction program are vital to the security of United States diplomatic and military personnel overseas.

The first line of defense against attacks like those on our embassies in Kenya and Tanzania, or on the Khoobar Towers complex in Saudi Arabia, is not ours. Pakistan for Osama bin Laden and his buddies. Can anybody think of the first phase of a second phase will come due in Fiscal Year 2000 funds. But the bill for the first phase of the TIP program in Pakistan will be paid out of Fiscal Year 2000 funds. But the bill for the first phase will come due in Fiscal Year 2001.

The Department of State recently began a program to provide these important capabilities to Pakistan. We all know about Pakistan, the gateway to Afghanistan and its arsenals and his buddies. Can anybody think of a better place to beef up border security, so that terrorists can be apprehended as they go to and from those Afghan training camps?

The first phase of the TIP program in Pakistan will be paid out of Fiscal Year 2000 funds. But the bill for the second phase will come due in Fiscal Year 2001. So will the first phase of a two anti-terrorism programs are utterly vital to our security. They make foreign security services more competent in protecting our own personnel, and they also foster ties that can be crucial in crises. We should keep increasing these programs, and the President’s proposed budget would do just that.

The bill before us would cut 22 percent of the funds requested. It would impose a 7-percent cut from this year’s funding for these two anti-terrorism programs. This is simply unacceptable.

Finally, the Department of State’s Small Arms program has undertaken successful arms buy-backs in Africa, notably in Mali. This is a low-budget program is urgently needed in areas that are emerging from civil war and still awash in automatic weapons. A little bit of support can go a long way to drain the arsenals that otherwise end up going to drug-runners, bandit gangs, or renewed civil strife.

The President proposed $2 million for this program. The bill before us would slice away half of that. This is, indeed, a low-budget program, but $2 million is really the floor for a workable program. To take away half of that is to throw this effort into the basement.

The bill before us, Mr. President, leaves the Senate in a nearly untenable position. It is under the budget request by fully $1.7 billion. This is no way to fulfill our obligations to world organizations or to maintain either international influence or our own national security. We must accept that there is no such thing as world leadership on the cheap.

I deeply wish that I could restore the funds that this bill cuts from the NADR account. The truth is, however, that we must wait for conferences to break the ridiculous cap on this whole bill.

Mr. DOMENICI. Mr. President, I urge adoption of this bill.

Mr. HARKIN. Mr. President, I wanted to briefly discuss two important provisions regarding child soldiers and methamphetamine lab cleanup that are included in this supplemental spending package in the Foreign Operations bill before us.

Over the years, Iowa and many states in the Midwest, West and Southwest have been working hard to reduce the sale and abuse of methamphetamine. But meth has brought another problem that we must address: highly toxic labs that are abandoned and exposed to our communities.
We know that it can cost thousands of dollars to clean up a single lab. Fortunately, in recent years, the Drug Enforcement Agency has provided critical funds to help clean up these dangerous sites.

However, last year, the DEA funding was cut in half, despite evidence that more and more meth labs have been found and confiscated. Because of these cuts, in March, the DEA completely ran out of funding to provide meth lab cleanup assistance to state and local law enforcement.

Last month, the Administration shifted $5 million in funds from other Department of Justice Accounts to pay for emergency meth lab cleanup. This action will help reimburse these states for the costs they have incurred since the DEA ran out of money. My state of Iowa had already paid some $600,000 of its own pocket for clean up since March.

However, we've got another five months to go before the new fiscal year—and the number of meth labs being found and confiscated is still on the rise.

The bill before us contains $10 million I added in Committee to ensure that there will be enough money to pay for costly meth lab clean-up without forcing states to take money out of their other tight law enforcement budgets.

If we can find money to fight drugs in Colombia, we should be able to find money to fight drugs in our own backyard. We cannot risk exposing these dangerous meth labs to our communities.

Mr. President, the Appropriations Committee also adopted an amendment I offered to provide $5 million provision in the Colombia package to address some of the drug-related aspects of the drug conflict in Colombia—the use of child soldiers.

Human Rights Watch estimates that as many as 19,000 youths—some as young as eight—are being used by the Colombian armed forces, paramilitary groups and guerrilla forces. Up to 50 percent of some paramilitary groups and up to 80 percent of some guerrilla units are made up of children. Children are used as combatants, guides, and informants. They may be forced to collect intelligence, deploy land mines, and serve as advance shock forces in ambushes. Guerrillas often refer to them as “little bees,” because they sting before their targets realize they are under attack.

These children are forced to carry arms and are enticed by false promises or threats to their families. They are often tortured, drugged, sexually abused, and permanently traumatized by the horror and brutality of war. Children who are turned into soldiers lose their childhood.

They lose their innocence and their youth. They become instruments of destruction and atrocity. And the longer they remain under arms, the harder it is for them to heal and return to any semblance of a normal life.

Some of the funds included in the supplemental for Colombia are intended to support judicial reform, human rights protection and peace negotiations. Indeed, protecting human rights and rule of law is central to the overall success of Plan Colombia. The use of child soldiers is a serious human rights abuse prohibited by numerous international treaties and conventions, including ILO Convention 182 on the Elimination of the Worst Forms of Child Labor—and by the Colombian government itself. The International Criminal Court makes the recruitment or use of children under age 15 in military activities a war crime.

I think of no better way as they make funds plan to assist the demobilization and rehabilitation of child soldiers.

The current generation of children in Colombia is the fourth generation to grow up surrounded by conflict. The $3 billion in the Human Rights part of the Colombia package will help some of Colombia’s children regain their fundamental right to life and peace. The money will be used by NGOs working to provide humanitarian assistance to affected children and their families.

These NGOs will support programs providing counseling, education and reintegration services to former child soldiers; safe houses for escaped child soldiers; and public awareness and recruitment-prevention campaigns. Although $5 million represents less than one-third of 1 percent of the total supplemental funds for Colombia, this money may be the most well-spent of all.

Ms. MIKULSKI. Mr. President, as a member for the Foreign Operations Subcommittee, I’ve worked to enact foreign aid bills that reflect our national interests and our values. While I support the FY2001 foreign operations appropriations bill, I do have some serious concerns that I hope will be addressed during conference.

I am pleased that the foreign operations bill provides assistance to Israel, Cyprus and Armenia. I believe that its important that we stand by these neighbors and re-establish steps toward peace. I am also pleased that we support bilateral population assistance and support for micro-enterprise programs. These programs are vital in helping the world’s poorest people to help themselves.

I am disappointed that the bill does not provide sufficient assistance in other crucial areas, such as adequate flood relief assistance to Mozambique and the Administration’s full funding request for the United Nations High Commissioner for Refugees.

In addition, although I am pleased with the human rights requirements included in the Colombia aid package attached to this legislation, I have grave reservations about the large military aid package to Colombia.

Colombia has been caught up in a civil war for over thirty years. Over 35,000 Colombians have been killed in the last decade. In recent years, this civil war has been exacerbated by the illegal production and trade of drugs coming out of Colombia—primarily cocaine and heroin. Most of these drugs wind up in the United States and contribute to America’s growing drug problem.

It is clear that the United States has to help Colombia deal with this volatile situation.

It is also clear that we have to do more to stop the growing demand and dependence on drugs in our own country. In my own hometown of Baltimore—a city struggling with the nation’s epidemic of drug abuse—we have left a horrible mark on the city—drug-related crimes are now at $2 to $3 billion a year. Drugs destroy individual families and communities. That’s why I’ve always fought for anti-drug education, increased drug treatment programs and strong law enforcement.

I am not convinced that the military aid provided to Colombia included in this bill is the best way to fight drugs in the United States.

First of all, I’m concerned that we’re getting dragged into the middle of a civil war. I am also concerned that there is no clear exit strategy. The aid package is open-ended. The Administration has admitted that this “two-year” package is really expected to run longer—maybe five or six years. An open-ended commitment could turn into a quagmire.

I believe the best way to help Colombia is by supporting its peace process through a balanced aid package. The package before us is not at all balanced. Over 75% of the aid in military arms, equipment and training. Only a small fraction of the aid helps to fund economic alternatives to drug production, to assist the large number of civilians who will be displaced by this assistance or to address the deeper social problems that have led to Colombia’s increasing reliance on drug production and cultivation in the first place.

These funds would be better spent combating the drug problem in the United States. More funding and support is badly needed for drug treatment and prevention programs in our own country. That is why I supported Senator WELLSTONE’s amendment to reduce the military aid that is not provided to Colombia and re-direct that funding to domestic substance abuse programs—in particular to vital state and local community based programs—that are in desperate need of funding. I regret that this amendment did not pass.

Although I regret that such a large percentage of our assistance to Colombia is in military aid, I am pleased that...
strong human rights requirements must be met by Colombia's Government and applicants before the aid is dispensed. President Pastrana has taken important steps to improve the human rights situation in Colombia by disciplining army officials who have committed human rights violations. Nonetheless, it is a well-known and well-documented fact that membership of Colombia's Armed Forces continues to be linked to paramilitary groups that commit these violent acts.

The human rights requirements in this legislation helps to address this continuing problem. For example, under this legislation, the head of Colombia's Armed Forces must suspend personnel alleged to have committed gross human rights violations or to have aided or abetted paramilitary groups. It also allows the Colombian Government to prosecute leaders and members of paramilitary groups as well as military personnel who aid or abet paramilitary groups. Before U.S. military aid can be dispensed to Colombia, the U.S. Secretary of State must certify that these human rights conditions have been met. By enforcing these conditions, I believe that the Colombian Government—with U.S. support—might achieve real progress on Colombia's path to peace.

I urge that Congress maintain the strong human rights requirements in this legislation. Without such checks in providing assistance to Colombia, we run the risk of further exacerbating Colombia's civil war. We must also monitor the impact this assistance will have on reducing drug production in Colombia and drug supply in the United States. By keeping this goal in mind, we can evaluate and devise the best method for combating the war against drugs from the United States, which, after all, is the ultimate aim of this aid.

As the strongest nation on earth, and the world's strongest democracy, our foreign aid must be used to promote peace, stability and human rights. As a member of the Foreign Operations Conference Committee, I will work to ensure that the final legislation supports these goals and represents our national interests and our values.

Mr. BYRD. Mr. President, I think that a brief chronology of events regarding U.S. efforts to provide assistance to Colombia would be instructive. For years, the Administration has neglected the growing narcotics crisis in the Andean Region. Funding for international interdiction declined rapidly under the Clinton Administration. For example, international counter-narcotic funding dropped 36% from 1992 to 1996. Also Department of Defense air assets for counter-narcotics were slashed 68% from 1992–1999. As a result, drug production abroad and drug usage at home increased dramatically. The statistics are devastating. From 1992 to 1999, for example, cocaine use among 10th graders increased 133%.

Republicans have long argued for a restoration of balance in the U.S. counter-drug strategy: the 1980s showed that eradicating and interdicting illegal drugs outside our borders is a necessary part of a successful drug strategy. It is a strong point of tonight's legislation. The 1980's strategy was focused on drug law enforcement.

The Colombia crisis emerged as an international crisis last spring, 1999. I had the opportunity to travel to Colombia in August of 1999 to see the drug-fueled crisis firsthand. Upon my return, Senator DEWINE, Senator GRASSLEY and I introduced an assistance package, the Alliance Act, in October of 1999. The Alliance Act authorized $1.6 billion over 3 years to support anti-drug efforts, the rule of law, human rights, and the peace process in Colombia and neighboring countries. This was, in my view, a balanced and comprehensive approach to the crisis in Colombia.

Unfortunately, the Administration was nowhere to be seen. Except for several Administration envoys who arrived to Bogota empty-handed, the White House did little. Finally, after months of delay, in January 2000 the White House announced a response to Plan Colombia, though failed to provide details until early February. The Administration did not even mention the Alliance Act, though it fell short in two critical areas; it failed to take a truly regional approach by providing sufficient funds for other countries in the Andean region and it also failed to adequately provide for our front-line enforcement partners such as the Customs Service and the Coast Guard.

In March, the House passed a $13 billion Supplemental Package, which included $1.7 billion for Colombia. The Colombia portion is a small portion of the shortcomings in the Administration's proposal. Then in May, the Senate Foreign Operations Appropriations Subcommittees marked up its bill, which included almost $1 billion for Colombia (the Milcon Appropriations Subcommittee also marked up more than $300 million for Colombia as well).

I strongly urge passage of this assistance. There is no doubt that the crisis in Colombia is an emergency that directly affects our national security and threatens to destabilize the entire Andean region. While we may not all agree on every detail of this package, strong human rights requirements are an essential part of a successful counter-drug strategy: the 1980s showed that eradicating and interdicting illegal drugs outside our borders is a necessary part of a successful drug strategy.

The Colombia Crisis is a comprehensive approach to the crisis in Colombia. This lasts until 1997, when both parties agreed to form a national front.

This is a country that has been wracked by political and criminal violence for many decades. The political violence began with some presence back in 1940s when elements of what later became the Liberal Party and the Conservative Party literally battled for control of the country. This lasted until 1957, when both parties agreed to form a national front. There was renewed agitation by guerrilla forces, principally Marxist and Leninist forces—the whole spectrum—the two principal forces being Fuerzas Armadas Revolucionarias de Colombia, or the National Liberation Army.
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FARC, and Ejercito de Liberacion Nacional, or ELN.

These were followed by the success of Castro in Cuba, made significant inroads in terms of establishing independent zones along with agitators who also fought for agrarian rights in the countryside.

In the 1960s, the Colombian military conducted a serious counterinsurgency operation. They were able to eliminate these zones. But in that time, they won for themselves the infamous designation of being significant abusers of human rights. That reputation—both the perception and, unfortunately, reality—continues in the Colombian military today.

But by the end of the 1960s and the 1970s, they had effectively pushed the insurgency away from the populated centers of Colombia. The South, coastline and the Andean plains—into the jungles of the Amazon, in an area which is desolate, unpopulated, and, frankly, beyond the effective control of authorities in Bogota and elsewhere in Colombia.

But in the 1970s, the drug trade began to assert itself into the life of Colombians, first with the cultivation of marijuana. It took the Colombian police authority a while to recognize the threat to them as well as to others from this cultivation.

Recognizing the problem, they began to organize themselves to conduct counterdrug operations in the police force—not the military.

Then, as we all know, marijuana was rapidly displaced in the world drug market by cocaine. The cocaine trade became a curse for Colombia.

Within Colombia infrastructure, the leadership of several major organizations— FARC, the Medellin cartel and others—set up their headquarters in Colombia and began to run worldwide operations. Most of the production was done outside in the surrounding Andean country. This map is a recent example of cultivation areas—the cultivation areas in Peru, Bolivia, which have been very successful with eradication, and here is Colombia. Cultivation was typically outside Colombia. Within Colombia, they located clandestine laboratories to convert the coca leaf into cocaine base and later, cocaine. From the 1970s and through the 1980s, there was a fabulously powerful and wealthy criminal combination that was destabilizing Colombia.

The United States did not stand aside when this situation developed. The United States supported the Colombian police and insisted that the Colombian police reform themselves and throw out those who had been corrupted by the narcotraffickers. With cooperation, and with the leadership of the Colombian police and with the bravery and the sacrifice of scores of Colombian police officers, the Cali cartel was disrupted and the Medellin cartel was disrupted. The leaders of the cartels literally died in police shootouts.

We have a situation, where through support by the United States and the police forces of Colombia, we defeated a drug combination that was threatening the United States by importing vast amounts of cocaine into the United States.

Now there is a new situation and a new crisis. The new crisis is the result of two things: the collision of cocaine cultivation, coca cultivation, and these remnants of a political insurgency that has been ongoing in Colombia for decades. The FARC and other revolutionary units are in the hinterland.

What has arrived recently has been the cultivation of coca. As a result, the FARC—and its other guerrilla forces—has been enlisted in the support and protection of these coca fields. They are deriving resources in doing that. They are deriving resources to support their political activities.

Coca production now has been linked with armed military forces. The police and the military are not longer able to handle the situation where we want to ensure that the eradication is going to be as successful as we desire. What has been pressure from the countries that have been linked to the drug globalization—Brazil, Argentina, and, of course, Peru—have been successful as a result.

Part of the reason the cultivation of coca has come to Colombia is the fact that we have been successful. As an indication of our success, Colombian production has surged dramatically. It has surged where in other places the production has been cut back. Both in Bolivia and in Peru, we have made significant progress—again, working with local authorities, working with their counternarcotics organizations—and they have become successful in the cultivation of coca. What has been suppressed in Peru and Bolivia has now blossomed in the southern provinces of Colombia. Again, this combination of coca production and guerrillas has produced a new crisis as well as a drug crisis.

I have heard colleagues come to the floor and talk about the situation, saying: This is Colombia’s problem, not our problem.

Mr. President, the streets of America are also the battlegrounds for this problem because the final impact of cocaine is felt—as too many Americans are subject to the ravages of cocaine addiction.

This chart demonstrates what we are talking about. As I mentioned before, Peru has shown a 27-percent reduction in cultivation; Bolivia, a 53-percent reduction in cultivation; Colombia, production has increased and will increase unabated further and with their capabilities.

The bottom line is, from all these sources, but increasingly from Colombia, 512 metric tons a year of cocaine is directed to the United States. About 380 metric tons arrive, get through our border checkpoints, get around our intense efforts to stop it, and hit the streets of America.

In a real sense, Colombia’s problem is our problem and our problem is Colombia’s problem. It is the huge demand of the United States which is causing some of this instability in Colombia. So we have a rather strong national security interest in assisting Colombian forces to do the job we insist they do, which is to stop cocaine production and distribution emanating from Colombia.

It is important to note we have a situation where we want to ensure that the Colombian forces help us by curtailing supply, so it does not arrive on the streets of America.

The proposal that is included in the legislation before the Senate, Plan Colombia, has been carefully worked out. Its focus is counternarcotics—not the political insurgencies that have washed back and forth across Colombia for decades. It represents the recognition by our Government and the Government of Colombia—first, that there is a significant problem in Colombia that directly affects the tranquility of peace and the security of the United States. Second, I believe it also recognizes the competence of the Colombian authorities to fight the good fight.

Again, as I indicated, it was Colombian police officials working with the United States and other international narcotics control officers that went a long way to destroy the Cali cartel and the Medellin cartel. Now this is a new phase. It is no longer simply criminal syndicates operating in the cities of Colombia. It is a situation where guerrilla forces are protecting and profitting from the cultivation of coca in the hinterlands of Colombia.

Mr. President, as I mentioned, Plan Colombia is a reaction to the recognition of a crisis. It is also proposed as a result of the confidence that has been demonstrated in the Government of Colombia, their sincere dedication to try to eradicate their own problem with drug cultivation, and also it represents, I think, and based upon my trip, a sense of a reasonable prospect for success because of their commitment and also because of the nature of the problem.

Plan Colombia has many different aspects. First, it focuses on not only military operations. It focuses on the peace process, which is ongoing in Colombia today. President Pastrana, when he was elected, was elected on a planks that called for sincere and serious negotiations with the guerrilla forces. He has instituted such negotiations. In fact, what has happened in Colombia is that he has dedicated an area approximately outlined by this blue, in the hinterlands of Colombia, which is a DMZ area, controlled by FARC, the principle guerrilla group. This peace process is important.
This plan is also an attempt to provide alternate development efforts for the peasants and the cultivators in a region that is just a fraction of what the Colombian Government has committed to this effort for economic development and for ways to have alternatives to the coca cultivation.

Also, quite rightly, the plan calls for reform of the justice system and protection of human rights, because, frankly, one of the most feeble institutions within Colombia, and this accounts for many of their problems, is the justice system and the penal system that has to do with the protection of human rights. There is no way we want to be involved in an operation that is not going to emphasize the appropriate treatment of human rights, not only because that is the right thing to do but because in the long run that is the most effective way to win away any type of support for drug eradication and to build respect for the legitimate institutions of government in Colombia.

We are aided in this effort by provisions that have already been included under the direction of Senator Leahy. Essentially, under the Leahy provisions, units that receive assistance and training from the United States cannot receive this training unless an individual who faces any type of credible human rights violation has either been removed or appropriate justice has been rendered to that individual. In a practical sense, this means all the troops who are going to be trained are vetted for human rights abuses. And all of them must pass.

Also, the Minister of Defense of Colombia must, every 6 months, report on the process of bringing to justice those individuals who have been accused of human rights violations. As of today, both of the counternarcotics battalions have been vetted—the 1st Battalion and the 2nd Battalion. Also, other units of the Colombian Army have been vetted. In order to receive our training, these individuals cannot be convicted. And it has already had a positive effect. But rest assured, this is a constant struggle and we must insist and ensure that this human rights perspective is one that is not lost in our efforts to aid Colombia.

There is another point that I think is important to make. There have been many suggestions that the greatest human rights violation that the Colombian Army engages in is passive and active cooperation with armed militias, self-defense forces, or paramilitaries as they are called—the perception that they are really in charge of vigilante groups that are out to destroy not only leftist rebels, but anyone who seeks to express themselves or ask for their rights in Colombia. That has been the history. But at least on the surface, things are changing.

One example of that is this particular map of the river basin of last week's major paper in Bogota, Colombia. This is an advertisement that was taken out by the military. Essentially it says that 785 families will not celebrate Father's Day. Then it lists the victims of the violence in Colombia. But I think it is significant to note that they clearly point out another point of guerrilla, leftist activity, and the violence that is the result of what they determine are "autodefensas," militias, self-defense forces. This is a result, I believe, also based on my conversations that the military authorities in Colombia are getting the message. They are getting the message that there is no way we will tolerate alliances with paramilitary forces who are trying to subvert our emphasis on human rights. I think this is discouraging, in the sense that it is a horrible litany of lost souls, but it is also important to note that at least the military is trying to address the issue in an evenhanded way, the violence that both sides is doing to the fabric of peace in Colombia.

There is a situation here on human rights which is serious and in which the military is, for the first time I believe, taking this responsibility very seriously. There has been vetting of these military units. We are objecting to any type of training that would go to units containing individuals who have serious human rights violations.

There is also a high level of support for the effort to improve the human rights position in the Colombian Army, both the Defense Minister, General Tapias, the Chairman of the Joint Chiefs of Staff, and at the tactical level in Tres Esquinas, General Montoya. These individuals recognize that the continued cooperation and collaboration with the United States rests upon sincere and effective efforts to provide effective human rights training and effective human rights behavior in the Colombian military.

Another aspect of concern that has been raised by some of my colleagues with respect to operations in Colombia, and that is the perception that the elites of Colombia are not actively involved in this struggle. It is most significantly reflected in constitutional provisions that prevent graduates of high school from being sent into combat, where nongraduates can be drafted and sent into combat. This is an issue which is both symbolic and substantive, too.

Our discussions with the Minister of Defense suggest they are also recognizing this issue; that they are consciously moving to professionalize their force by replacing draftees with professional soldiers; and they are also proposing, according to the Defense Minister, legislation within this session of the Colombian Congress that will attempt to prevent this discrimination in favor of high school graduates and against high school graduates. It does represent, once again, a perception on the part of the Colombian authorities that they must not only protect human rights, but
they must be fully committed to this struggle in order to receive the support of the United States.

There is another criticism that has been lodged by some of my colleagues, and that is that this is just another entre into an unwinnable military quagmire, like Vietnam. There are many lessons to be drawn from Vietnam. One lesson is that we cannot fight and should not fight someone else’s battle if they do not have the will to do it themselves.

In this particular situation, Colombia is unlike Vietnam because the Colombian forces are asking for our help in terms of training, in terms of equipment, but not our troops. They recognize they must do that themselves. Also, their history suggests they have in the past done precisely that. They wanted to be very careful so that these steps—restricted, and is restricted, to the war on drugs.

Our role is also limited operationally because, as I mentioned before, we are providing equipment, we are providing trainers, and we are providing intelligence related only to counternarcotics operations. Again, this is very similar to what we did with the Colombian national police in their successful effort to destroy the cartel.

One cannot totally dismiss history. I believe we have to be very careful and cautious so that these steps—appropriate steps and limited steps—do not lead to something more. Part of this debate then should be to not only reassure the American public that what we are doing is appropriate, but also that we will continue to be vigilant so that any commitment we make to Colombia will be limited and will strictly be a function of their capacity and their willingness to fight their own fight and not unwittingly involve Americans directly in that fight.

There are some other differences between Colombia and those who suggest the Vietnam analogy. First of all, this is an insurgency without any significant foreign support. With the demise of the Warsaw Pact as a military force in Latin America, with the collapse of the Soviet Union, this is not a situation where there are indigenous forces supported by outside powers. In fact, the support the guerrillas on the left and the paramilitaries on the right are deriving is from their participation in the drug trade. There is no great popular support abroad for the leftist or for the rightist forces who are guerrillas or paramilitaries. Public opinion polls suggest they have very limited appeal.

Colombia is a country with strong democratic traditions. It has regular elections. Power transfers peacefully. It is a market economy, until recently it was an export economy. It is a market economy, until recently it was a market economy with a significant narcotics market. For all these reasons, I think again we should be watchful, but the analogy to Vietnam at this juncture fails.

Let’s also look ahead. There are consequences to our operations in Colombia. First of all, if there is success by these in Colombia, we should not be surprised that the level of violence will increase because these guerrillas and paramilitary forces depend upon support from somewhere. As they cannot sell drugs—we hope they will not be able to sell drugs—they will return to their old ways—kidnapping, extortion, etcetera.

We have to recognize, ironically, if the drug war is successful, we must see escalating levels of violence.

The Colombians recognize that, but they are still willing to pay the price, fight the fight, and destroy narcotics. We have to recognize the armed opponents, FARC and others, are well off. They will resist probably, and they will resist with sophisticated weapons and technology they have acquired through their contributions to their drug tactics.

There is another consequence that might develop if this plan is approved and funds provided to Colombia. That is, if these guerrillas and paramilitary units are deprived of their resources from the drug trade to continue their operations, there will, I think, be more pressure for the peace settlement. The will of these combatants to come to the table and try to work out an arrangement so that decisions in Colombia are decided peacefully and not through armed conflict, as it has been so long and so often in that country.

There is another aspect, of course, that would be very helpful to the peace settlements there, and that would be whether the United States could suppress its voracious appetite for cocaine. That would go a long way to assist Colombia in being a more peaceful and tranquil society.

So all of our efforts, not only to disrupt production in Colombia and elsewhere, but also to suppress demand here in the United States would, I think, be helpful.

But this particular plan, if it works—and there is a reasonable probability that it will work—materially and, I hope, effectively lead to sincere and renewed peace discussions within Colombia.

There is also a consequence for failure if we fail to approve the resources or if the plan fails for other reasons. At least one result would be that President Pastrana, and his government, in the middle of the process, would likely also fail. That could lead to several consequences.

First, he could be replaced by someone who is less amenable to the peace process. Given the tides of violence in Colombia, there could be a resurgence or the surfaced of an authoritarian figure who would be much less sensitive to the peace process.

Another possibility would be a recurrence of what happened in a previous administration under President Sampa, where, effectively, the President asked for support for the guerrillas, by means of narco-traffickers, by drug money, and the country was close to falling under the sway of narcotics dealers rather than the elected representatives of the people of Colombia. So there are consequences which we must wrestle.

All in all, our most promising option is to support this bill and support Plan Colombia. To do nothing renders a severe psychological blow to the people of Colombia and to the administration of President Pastrana, who is committed not only to fighting the drug war, but also waging a peace process in negotiations with the insurgents.

I think we ultimately have to conclude that our best course of action is to provide the kind of support that is outlined in this legislation, support that goes to the military aspects that have been created by the collapse of the cocaine cultivation in the coca lands, where armed bands roam and derive profit from coca production, together with a balanced approach that emphasizes economic development, particularly alternative development for the campesinos, the peasants, that strengthens the governance of Colombia, with particular emphasis on the judicial system and the penal system.

This comprehensive approach, representing about $1.6 billion in American resources, about $4 billion of Colombian resources, and hopefully contributions from other countries around the world, is, I believe, at this point the best hope of significantly undercutting drug production in Colombia, reducing the flow of cocaine into the United States, making our streets safer, and giving Colombia a chance to move to a peaceful, stable, civil society, which has alluded them for many years.

With that, Mr. President, I conclude my remarks.
In 1916, President Wilson proclaimed June 14 to be Flag Day, a day to honor the adoption of a national flag. Celebrate the "birthday" of our nation's flag. America is a rich country, but as Elizabeth points out, it is for our young people to understand the history of our nation and how the events of the past have helped to shape our country today and will continue to shape it in the future.

On August 3, 1949, Congress designated June 14 as Flag Day. Last week, a Dallas Morning News editorial reminded us of the origins and meaning of this national day of commemoration. Flag Day was established to ensure that each year on that day we recall our history and the role as a symbol of freedom and democracy to our citizens and to people around the world fighting for justice.

I was much surprised to discover that this editorial, written with great wisdom and eloquence, was penned by Elizabeth McGarr, an intern at the Dallas Morning News in her first week with the newspaper.

America is a diverse and culturally rich country, but as Elizabeth points out in her editorial, we are all able to unite around the flag and celebrate our commitment to the ideals embodied in the Declaration of Independence: life, liberty and the pursuit of happiness.

Elizabeth, who has just graduated from the Highskyad School in Dallas and will attend the University of Texas in the fall, is an outstanding role model for her peers and every American.

I ask unanimous consent that Elizabeth McGarr's editorial be entered into the RECORD.

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

(From the Dallas Morning News, June 14, 2000)

FLAG DAY: CELEBRATION HAS EVOLVED OVER NATION'S HISTORY

On June 14, 1777, almost a year after the Declaration of Independence was signed, the Continental Congress proposed that we should display our own flag instead of flying the British Union Jack. Our own national flag, one that would symbolize the life, liberty and the pursuit of happiness that the Founders emphasized in the Declaration of Independence, would represent America through battles foreign and domestic, through victories and defeats.

Each year on June 14, on Flag Day, we celebrate the "birthday" of our nation's flag.

On the 100th anniversary, in 1877, Old Glory flew outside every government building to honor the adoption of a national flag. Philadelphia hosted its first official Flag Day in 1893, and New York followed suit in 1897. In 1916, President Wilson proclaimed June 14 National Flag Day, and some states and communities observe this anniversary of the Flag Resolution of 1777. Yet it wasn't until 1949 that President Harry S. Truman finally authorized June 14 as Flag Day nationwide.

The American flag is one of the most complex flags to make, as evidenced by the 64 pieces of fabric needed to put it together. Its red, white, and blue parts stand for courage, purity and justice, respectively.

But on Flag Day, we celebrate more than the colorful cloth. We celebrate our struggles, trials, triumphs from the Halls of Montezuma to the shores of Tripoli. And most important, America celebrates all that the country has accomplished and all that it can achieve with a positive attitude and an optimistic spirit.

Often concerned with political correctness or societal standards, we too quickly judge people on the basis of skin color, religion or background. In truth, we are more alike than we are different. Is there a more united scene than a crowd of people at a baseball game removing their hats for "The Star Spangled Banner," or schoolchildren placing their hands over their hearts to recite the Pledge of Allegiance? Where the Stars and Stripes float our flag, as far and as wide as it can be, and on this June 14, we celebrate our devotion to country and the patriotic unity that arises when witnessing Old Glory wave in the wind.

EXPLANATION OF VOTES—S. 2349

Mr. INHOFE. Mr. President, yesterday a delayed flight due to weather and the closing of flights through Chicago caused me to lose votes on the Murray Amendment (No. 3252), the Hatch Amendment (No. 3473) and the Kennedy Amendment (No. 3473) to S. 2549 the Department of Defense Authorization Bill. I would like to state for the record what my votes would have been had I been able to cast their votes.

MURRAY AMENDMENT NO. 3252

Had I been present, I would have voted to table the Murray amendment. I do not believe we should turn our military medical facilities into abortion clinics. The Senate rejected this amendment last year, and I see no reason why the Senate should change its position.

Though military facility abortion advocates try to present the situation as otherwise, it is not the case that women in the military are deprived of the option of ending an abortion, if they chose to have one. They are simply not able to obtain an abortion in a military facility as an elective procedure.

Furthermore, as Chairman of the Readiness Subcommittee of the Armed Services Committee, I know our military medical resources are spread too thin as things are. Not only is allowing abortions in military medical facilities an insult to many of the taxpayers who have paid for those facilities, it forces the hospitals to divert resources that could have been used for preserving life to do the opposite. This amendment does nothing but support an agenda that promotes abortion. To that I am opposed.

HATCH AMENDMENT NO. 3473

I realize that many in the Senate viewed the Hatch Amendment as a viable alternative to the Kennedy Amendment on hate crimes.

As with the Kennedy Amendment, the Hatch Amendment gives statutory precedence to a special class of protections for crimes committed against a behavior driven lifestyle. To place sexual orientation on par with race, color, gender, religion, and national origin is simply a terrible precedent for the Senate to be setting.

Before anyone accuses me of supporting violence directed against any particular person or group of persons, let me say clearly, I unequivocally oppose violence against anyone. Any crime of violence is a hate crime and should be punished to the fullest extent of the law.

I appreciate the Senator from Utah's efforts to provide what he sees as an alternative to what I think would both agree is a worse piece of legislation. However, had I been present, I would have opposed his amendment.

While some may say that my NAY vote on the Hatch Amendment would have changed the outcome, the fact is this issue will be rewritten during conference.

KENNEDY AMENDMENT NO. 3473

I would have voted against the Kennedy amendment on hate crimes because I do not believe it is constitutional, nor do I think it is good policy.

As with the Hatch Amendment, to place sexual orientation on an equal level with race, color, gender, religion, and national origin is wrong.

Again, I unequivocally oppose violence against anyone. Any crime of violence is a hate crime and should be punished to the fullest extent of the law.

As a conferee on the Department of Defense Authorization bill, I will work vigorously to drop this language from the bill.

HONORING THOSE WHO HAVE SERVED OUR NATION

Mr. WARNER. Mr. President, Tony Snow wrote an editorial in the Washington Times. In this editorial he captures the very essence of service to this Nation by those who have worn the uniform of our Nation throughout its history.

This weekend, I and others will be attending ceremonies in recognition of those who served in the Korean war. A few days ago, the Commandant of the Marine Corps, the Presiding Officer, I, and other Members of the Senate and the House of Representatives attended a magnificent ceremony in honor of those who served during the Korean war.

I was privileged to be in the Marine Corps and served in the 1st Marine
June 21, 2000

CONGRESSIONAL RECORD—SENATE

Airwing for a brief period in Korea as a communications officer. I have an indelible memory of the sacrifices of many others, particularly, not myself included, who had to serve in a position in harm’s way and paid the ultimate price in life or in many cases in limb, and the suffering of their families.

Upon their return home, unlike World War II, in which I served a brief period towards the end, America did not welcome them with open arms. They were returned home from an operation of our military which was indecisive and inconclusive. Those wonderful veterans, these 50-some odd years, at long last deserve the recognition. I think Mr. Snow’s article captures it exceedingly well.

I ask unanimous consent to print in the RECORD the article to which I referred.

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

[From the Washington Times, May 28, 2000]

By Tony Snow

On certain spring mornings, warm winds coax fog from the waters of the Potomac River. Clouds rise in whisps from the banks and march up nearby hillsides, sometimes as high as the quiet hills of Arlington National Cemetery.

At those times, the nation’s most famous burying ground takes on an ethereal look. Its plain white grave markers rising not from earth, but cloud. And on these rare mornings, dewy and warm, one cannot help but feel a sense of sacred awe, looking at the headstones, with the Potomac and the nation’s capital spread out below.

Most of the men and women who rest here were of minor consequence as far as the history is concerned. They did not serve as presidents or prelates, or executors of high offices. They did not invent great new machines or conquer disease. Many died before they were old enough to make an enduring mark on life.

Yet, they all earned their place among generals and presidents because they did something few of us have done. They marched willingly into battle for the sake of our country.

This kind of heroism is becoming increasingly unfamiliar to us. We have not fought an all-out war in a quarter-century, and the nation has not united behind its military in an all-out war in a quarter-century, and the nation has not united behind its military in an all-out war in a quarter-century, and the nation has not united behind its military in an all-out war in a quarter-century, and the nation has not united behind its military in an all-out war in a quarter-century, and the nation has not united behind its military in an all-out war in a quarter-century.

Today, we devote less of our federal budget to national defense than we did on the eve of that attack. The president and his party actively have opposed the development of defenses that could protect us against such likely threats as random ballistic-missile attacks. They sneer at strategic defense—not because they have arguments against it, but because they despise the fact that Ronald Reagan thought of it first. And we seem scarcely interested in new forms of warfare—technological espionage and the potential for defeating bio-weapons.

Military history teaches us an important lesson about such attitudes. When great powers refused to best developments in technology, they fall. The best example of the phenomenon took place centuries ago, when Mongol hordes overran China. The attackers prevailed because they moved more swiftly and nimbly on the battlefields. They had adopted the very latest innovation—stirrups on saddles.

Memorial Day delivers an important lesson to those who will hear: When nations drop their guard or ignore the reality of evil, innocent people die. Nations endure crises and epidemics, but nothing sears the heart as much as war. If we want to avoid the necessity of building more Arlington, we should hear the testimony of those who repose there now: Walk softly. Carry a big stick. And never forget.

BUDGET SCOREKEEPING REPORT

Mr. DOMENICI. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the First Concurrent Resolution on the Budget for 1986.

This report shows the effects of congressional action on the budget through June 19, 2000. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the 2001 Concurrent Resolution on the Budget (H. Con. Res. 290), which replaced the 2000 Concurrent Resolution on the Budget (H. Con. Res. 68).

The estimates show that current level spending is above the budget resolution by $2.3 billion in budget authority and by $6.8 billion in outlays. Current level is $28 million below the revenue floor in 2000.

Since my last report, dated March 8, 2000, in addition to the changes in budget authority, outlays, and revenues from adopting H. Con. Res. 290, the Congress has cleared, and the President has signed, the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (P.L. 106-181) and the Trade and Development Act of 2000 (P.L. 106-200). The Congress has also cleared for the President’s signature the Agricultural Risk Protection Act of 2000 (H.R. 2559). This action has changed the current level of budget authority, outlays, and revenues.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 20, 2000.

Hon. Pete V. Domenici,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

Dear Mr. Chairman: The enclosed tables for fiscal year 2000 show the effects of congressional action on the budget for 2000 and are current through June 19, 2000. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 290, the Concurrent Resolution on the Budget for Fiscal Year 2000, which replaced H. Con. Res. 68, the Concurrent Resolution on the Budget for Fiscal Year 2000.

Since my last report, dated March 6, 2000, in addition to the changes in budget authority, outlays, and revenues from adopting H. Con. Res. 290, the Congress has cleared, and the President has signed, the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (Public Law 106-181) and the Trade and Development Act of 2000 (Public Law 106-200). The Congress has also cleared for the President’s signature the Agricultural Risk Protection Act of 2000 (H.R. 2559).

Sincerely,
STEVEN M. LIEBERMAN
(For Dan L. Crippen, Director).
Enclosures.
Mr. BIDEN. Mr. President, I rise today to comment on an opinion piece in the June 20 edition of the Washington Post written by Mr. Milan Panic, former Prime Minister of Yugoslavia, and an American citizen.

In this article, Mr. Panic argues for getting Russian President Putin to agree to offer Yugoslav President Slobodan Milosevic asylum, in a deal approved by the international community.

This is an appalling idea whose time, thank heavens, has not come. At least it would appear so, since it has been widely reported that at their recent summit meeting Putin told President Clinton that Miami seemed to be as good a place for Milosevic as Moscow.

President Putin may not be turning out to be a model democrat, but no one has accused him of being dumb. He obviously feels that having Milosevic enlivening the Moscow scene would not exactly burnish his own credentials.

All kidding aside, the idea of blithely pronouncing all of our efforts in the former Yugoslavia over the last decade a hopeless failure and then letting the architect of the carnage skip off with his family to exile is both morally reprehensible and politically catastrophic.

The international community has labored long and hard to set up the International Criminal Tribunal for the Former Yugoslavia in the Hague, and then to get it up and running.

Over the past year the number of individuals indicted for alleged war crimes in custody has risen dramatically. Why should we totally undercut the Hague Tribunal, just when it is hitting its stride?

Why should we undercut the new, reformist government in Croatia, which has reversed the obstructionist course of the late strongman Tudjman and has begun cooperating with the Hague? If Milosevic is given a suspension of prosecution, then why shouldn’t all the Croats in custody get the same deal?

In arguing against undercutting the Hague Tribunal, I do not wish to imply that it has been a complete success. What is missing from the jail cells in the Hague, of course, are the really big fish—the chief villains of the massive slaughter in Croatia, Bosnia, and Kosovo.

I am, of course, talking about Radovan Karadzic, Ratko Mladic, and, above all, the boss of all bosses Slobodan Milosevic. That’s the point! To make this promising international effort work we need to do precisely the opposite from granting amnesty to the Hague Tribunal, just when it is hitting its stride.

We have all learned not to make rash predictions about when Milosevic will fall from power, and I won’t fall into that trap today. But the signs of increasing discontent are everywhere—from the new student-run, grassroots resistance movement called Otpor to the rash of gangland style assassinations and assassination attempts among Milosevic’s retainers and allies.

So while I can’t say when Milosevic will fall, fall he will. And it will be much better, both for Serbia and for the international community, if he fails as a result of pressure from his own people, rather than from some sordid deal cooked up abroad.

In a larger sense, why should we nip a promising international judicial effort in the bud in a misguided attempt to relieve the Serbs, in the worst possible way, of a problem that they spawned and that they have the primary responsibility to rectify?

Somehow the curse of Milosevic is to be lifted from the Serbian people by a foreign deus ex machina, in this case the good Russian tsar. And then, in return for having graciously allowed their dictator to depart, the Serbian people would receive and end to sanctions from the international community.

AGAINT AMNESTY FOR MILOSEVIC

Former Yugoslavia in the Hague, and then to get it up and running.

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Table 1. Fiscal Year 2000 Senate Current Level Report, as of June 19, 2000

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Table 2. Supporting Detail for the Fiscal Year 2000 Senate Current Level Report for On-Budget Spending and Revenues, as of June 19, 2000

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Give me a break. Even if we could persuade Putin to go against his self-interest—our own—it’s too impossible, of course. Such a deal would just fuel the Serbs’ oft-noted passion for blaming others for misfortunes that they themselves have created. Why else would the foreigners have gotten rid of Milosevic if they hadn’t somehow been responsible for him in the first place?

And what are we to make of the article’s nice plan that part of the deal would be free and fair elections in Serbia under international supervision? I can just imagine what the other war criminals in the Yugoslav and Serbian governments would think of that idea.

The most likely result of an arranged Milosevic departure would be another set of gangsters, not democrats elected by universal suffrage. The Panic op-ed is entitled “B.” It might just as well be entitled “Enter Seselj”—that is, Vojislav Seselj, the fascist Deputy Prime Minister of Serbia. Mr. Panic’s naivete gives us a pretty good clue as to why Milosevic so easily could get rid of him in 1993.

Morality, Serbian politics, and the Hague Tribunal aside, granting asylum to Milosevic would be a political disaster for the United States and for NATO.

Last year President Clinton had a difficult time in rounding up support within NATO’s nineteen members for Operation Allied Force, and then sustaining that support until Milosevic’s troops and paramilitaries were forced out of Kosovo. But he skillfully managed to do it, and alliance unity was preserved.

Then we got our European allies and others to assume 85 percent of the burden of KFOR in Kosovo and also to allow combined forces to assume 85 percent of the burden of the Stability Pact for South East Europe.

Now, after pardoning Milosevic, I suppose we could turn to our European allies and say, “Incidentally, friends, we really didn’t need to fight that pesky, little air war after all. We could have just bought off old Slobo last year and sent him packing. But please don’t ignore fulfilling the commitments you made to the Defense Capabilities Initiative at the Washington NATO Summit. We really do need all the teeth, so you still have to spend a lot to upgrade your forces. Don’t worry, though. The Milosevic boycott was just a one-time event. Nothing like that will happen again. NATO is really not in the amnesty business. It’s just that the Serbs needed us to take the monkey off their back, and we’re sure that Slobo’s successors will now choose to cooperate with us.”

Pardon my sarcasm, Mr. President, but that dishonest idea is just too politically naïve to believe.

The Panic article also reveals an impatience as American as apple pie. We all want a quick fix. But, my friends, there are few quick fixes in life that have any permanence, and trying to set the Balkans right by way of shortcuts certainly won’t do it.

To have any chance of creating a modicum of stability in the former Yugoslavia and elsewhere in the region, solutions must be largely homegrown, if under the security umbrella provided by NATO.

So, let’s consign the Panic op-ed to the continuing war in Chechnya and Kosovo and supporting the opposition in Serbia through a variety of programs, which are in place, ongoing, and which, in time, I believe, will succeed.

HATE CRIMES PREVENTION ACT
Mr. L. CHAFEE. Mr. President, it has been more than a year since the Columbine tragedy, but still this Republican Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until we act, Democrats in the Senate will read some of the names of those who lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight. Following are the names of some of the people who were killed by gunfire one year ago today, June 21, 1999.

Larry Davis, 28, St. Louis, MO; Anthony Douglas, 19, New Orleans, LA; Helen Elizabeth Foster-El, 55, Washington, DC; Zeaull Hester, 41, Miami-Dade County, FL; Curtis Hill, 20, Oakland, CA; Sixto Ibarra, 17, Chicago, IL; Michael James, 18, Alachua, FL; Pedro Resendiz, 24, Kansas City, MO; Keith Silverman, 10, Houston, TX; Stefan Sure, 38, New Orleans, LA; Luen Van Lam, San Francisco, CA; Michael D. Washington, 21, Chicago, IL; Summersett Wheeler, 29, Miami-Dade County, FL; and Laron Wilson, 25, Louisville, KY.

HATE CRIMES PREVENTION ACT
Mr. L. CHAFEE. Mr. President, yesterday the Senate debated an issue of critical importance—preventing hate crimes. Hate crimes are attacks on our very culture. What makes the United States different from places such as the former Yugoslavia, Rwanda, or the Middle East, civilizations which are torn apart by prejudice and hatred, is our acceptance of diversity. The image of the United States as a melting pot, where diversity flourishes, is shattered by the nightmares of hate related violence. Hate crimes are crimes of intimidation and violence, in which a person’s civil rights are threatened because of prejudice.

The Hate Crimes Prevention Act, of which I am proud to be a cosponsor, does not create a new law, but rather federalize more crimes. Rather, it clarifies a law that has been on the books for over thirty years. Federal hate crimes protections were established as part of the Civil Rights Act of 1968. The law sets up a backbone—a states that cannot adequately prosecute these hate-based crimes. However, the current law’s strict dual intent requirement that the defendant acted because of the victim’s race, religion, or ethnicity and because the victim was exercising or exercising a federally protected right, such as voting or attending public school, is far too constricting. Even the heinous dragging death of James Byrd, Jr. in Jasper, Texas did not qualify under current law as a federal hate crime. Never since the statute was enacted have there been more than 10 prosecutions for hate crimes in a year.

The Smith-Kennedy amendment has two major components. First, it expands individuals covered by hate crimes to include sexual orientation, gender, and disability. Second, it eliminates constraints that make the current law ineffective. The federal government, with the approval of a state’s Attorney General, would be empowered to prosecute crimes that cause death or bodily injury “because of the actual or perceived race, color, religion, national origin, sexual orientation, gender, or disability” of the victim. According to FBI statistics, in 1996, almost two-thirds of the reported hate crimes were due to race, while 12% were based on sexual orientation. It is important that protection from hate crimes be extended to all of America’s citizens.

The Supreme Court has already signaled the constitutionality of hate crime statutes. In Wisconsin v. Mitchell, the Supreme Court unanimously upheld the constitutional right of states to enact hate crimes statutes. I believe that it is now time for Congress to act.

Mr. President, I cosponsored the Hate Crimes Prevention Act because it was the right thing to do. The issue here is civil rights, and as a nation we went a long way in the last century toward assuring that the civil rights of ALL Americans were not infringed upon. Let’s start this new century with another step in the right direction.

PLACE CHECHNYA ON THE AGENDA OF THE G–7 SUMMIT
Mr. WELLSTONE. Mr. President, I rise today to once again draw attention to the continuing war in Chechnya and to urge the Administration to include Chechnya high on the agenda at next week’s G–7 summit.

Colleagues, last Wednesday I met with Mr. II-yas Ak-ma-dov who was here to present a peace proposal on behalf of the Chechen people. This peace
proposal calls for the immediate introduction of a formal cease-fire, the formation of an international commission to investigate international violations of crimes on both sides of the conflict, and the start of political negotiations through the mediation of the Organization for Security and Cooperation in Europe. Mr. Ak-ma-dov relayed to me his serious concern at the desperation of the people in Chechnya, and noted that many of the recent suicide attacks we have heard about are a direct result of that desperation.

Mr. President, colleagues, we must seize every opportunity, including the upcoming G-7 summit, to continue to relay our serious concerns with the intransigence of the Russian Federation to acknowledge the concerns of the international community. The G-7 summit, which became the G-8 with the inclusion of the Russian Federation, is an association of democratic societies with advanced economies. Although Russia is not yet a liberal democracy or an advanced economy, it was important for us to participate in this summit to encourage its democratic evolution. Today as I watch Russia continue to deny international human rights monitors access to Chechnya in defiance of the international community, I must question that evolution.

In February this body passed Resolution 262 which called on President Putin to allow international monitors immediate, full, and unimpeded access into and around Chechnya to report on the situation there and to investigate alleged atrocities and war crimes. In March, the Council of Europe Parliamentary Assembly suspended the voting rights of Russia due to the large number of reports of human rights violations. And Mr. President, at the 56th Session of the U.N. Commission on Human Rights last April, the Commission harshly criticized the Russian military's behavior in Chechnya. The Commission approved a Resolution calling on the Russian government to establish a commission of inquiry into human rights abuses in Chechnya and mandating visits to Chechnya by U.N. special envoys on torture, political killings, and violence against women. Yet, despite all this on paper, Russia continues to ignore our requests.

The war in Chechnya from 1994–1996 left over 80,000 civilians dead. The number of deaths of innocent civilians rises daily as the current war continues. This is due not only to fighting, but to the inability of international organizations to easily distribute much needed humanitarian aid. A recent report from the U.N. High Commission on Refugees noted that elderly and sick people in the most affected areas have difficulty reaching soup kitchens which are scattered throughout the city due to continued fighting. Russia has closed investigations into alleged human rights abuses by Russian soldiers citing a lack of evidence, and none of the U.N. mandated special envoys to Chechnya have visited the area. Just three weeks ago customs officials in Moscow confiscated an Amnesty International report on human rights violations in Chechnya.

Mr. President, this body and the international community has consistently spoken out demanding the Russian government allow into Chechnya international human rights monitors. It is important that we not turn silent now.

In her address to the U.N. Human Rights Commission in March, Secretary Albright said that no nation should feel threatened by the Commission’s work since its task is to support the right of people everywhere to challenge the price, and that the Commission asks only that its members play by global rules. Mr. President, colleagues, the United States must seize the opportunity of next month’s G-7 summit in Japan to once again demand that Russia play by these rules. Our leadership within the G-7 and in the international community deserves no less. The people of Chechnya deserve no less.

Mr. President, I had a chance to meet with the Foreign Minister from Chechnya last week. I promised him that, as a Senator, I would speak out on the floor about what is happening in Chechnya. Just to summarize, the Foreign Minister came here with a proposal. It is a proposal that really calls for a cease-fire, calls for a political settlement, calls for international observers to be there.

What I want to say on the floor of the Senate is that this is a brutal war. Many innocent people have been killed. Certainly, some of the Chechans are responsible for the murder of Russians; but, overall, what we have seen is a tremendous loss of life, the decimation of a country. I have sent letters to Putin. I have spoken out about this. I think it is a human rights question. I call upon our Government, in particular, to be much more actively involved in trying to bring about some resolution to this conflict.

There are entirely too many innocent people paying the price. Entirely too many innocent people are losing their lives. I think it is a role for our Government to push for some kind of a peaceful settlement. I know we need to negotiate with Putin and be in contact with the Russian Government and work with them. I am all for that. I am not at all interested in rekindling a cold war. My father is a Jewish immigrant who fled Russia. But I also believe we should not turn our gaze away from what is happening in Chechnya.

We ought to make it crystal clear to the Russian Government that the wholesale violation of human rights and torture and murder of innocent people is simply not acceptable. The sooner there is some kind of a political settlement, the better off the people in Chechnya and Russia and the world will be. I don’t believe there is any evidence at all that this military campaign is going to work. Violence begets violence. Violence is met with violence.

I think our Government can play a more positive role than we have played. For the Senate today, I call on the Secretary of State and President Clinton to be much more actively involved in trying to bring about a resolution to this conflict.

Mr. CONRAD. Mr. President, last Friday I was necessarily absent from the Senate to survey recent flood damage in North Dakota. For a period of three days, rain, hail and tornadoes inundated northeast North Dakota and, sadly, four people lost their lives. My duty was to my constituents who were in the middle of another devastating natural disaster. As a result, I missed one vote Friday morning.

For the record, had I been present, I would have voted yes on adoption of the conference report to S. 761, the Electronic Signatures Act. The legislation will have an important impact on the electronic marketplace and how business is conducted via the Internet. My vote would not have changed the outcome of this vote.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, June 20, 2000, the Federal debt stood at $5,653,559,850,881.99 (Five trillion, six hundred fifty-three billion, five hundred eighty-one million, eight hundred eighty-one dollars and ninety-nine cents).

Fifteen years ago, June 20, 1985, the Federal debt stood at $1,761,499,000,000 (One trillion, one billion, eighty-three million, one hundred twenty-nine dollars and ninety-nine cents).

Ten years ago, June 20, 1990, the Federal debt stood at $3,121,083,000,000 (Three trillion, one hundred twenty-nine billion, eighty-three million, one hundred twenty-nine dollars and ninety-nine cents).

Fifteen years ago, June 20, 1985, the Federal debt stood at $1,761,499,000,000 (One trillion, seven hundred sixty-one billion, four hundred ninety-nine million, one hundred twenty-nine dollars and ninety-nine cents).

Twenty-five years ago, June 20, 1975, the Federal debt stood at $525,258,000,000 (Five hundred twenty-five billion, two hundred fifty-eight million) which reflects a debt increase of more than $5 trillion—$5,128,301,850,881.99 (Five trillion, one hundred twenty-eight billion, three hundred one million, eight hundred eighty-one million, one hundred eighty-one dollars and ninety-nine cents) during the past 25 years.
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ADDITIONAL STATEMENTS

RECOGNITION OF THE CAREER AND TECHNICAL EDUCATION PROGRAM

Mr. GORTON. Mr. President, it is my pleasure to talk to you today about the Career and Technical Education Program in Walla Walla, Washington. Students in this program are learning skills that are highly important in the working world and will give them a leg up on the competition as they enter the workforce. This program has made a tremendous impact on the school's learning environment and also gives students an incentive to stay in school.

Fifteen years ago, the faculty at Walla Walla High School wanted to create a program in which students would gain practical knowledge to supplement what is learned in the traditional classroom setting. The Career and Technical Education Program, created with the help of grant money, gives students the opportunity to gain technical skills along with the school's curriculum.

For example, students enrolled in anatomy or physiology class can put their knowledge to work by taking Sports Medicine where they learn about treating sports injuries, CPR and other first aid skills. In addition, technology labs have been interwoven into the curriculum to teach robotics, flight simulation, and bridge analysis to enhance math and physics classes. Through this programs, students can see a direct link between their work in the classroom to a potential job.

Gerald Cummins, Director of Career and Technical Education, says the Career and Technical Education Program has drastically improved the college bound population in Walla Walla over the last fifteen years. "Fifteen years ago, there were barely any kids continuing on to the college level. Now most kids are achieving college credits through our program before even being accepted into college."

The faculty at Walla Walla High School also has established strong communication between parents, the school and community members, giving students a sense of support that will encourage them to continue in their academic pursuits.

Much credit should be given to the vision of the Walla Walla School Board and staff who have worked to ensure high standards of teaching. They have found new ways to improve upon their curriculum and provided excellent opportunities for each student to expand his or her horizons.

TRIBUTE TO RONALD L. FREE-LAND, NEWLY ELECTED PRESIDENT OF THE CONFERENCE OF MINORITY TRANSPORTATION OFFICIALS

Mr. SARBANES. Mr. President, I rise today to pay tribute to a dedicated and respected leader in public transportation, Ronald L. Freeland, Administrator for the Mass Transit Administration of the Maryland Department of Transportation. Ronald has recently been chosen to be President of the Board of the National Conference of Minority Transportation Officials, COMTO, and I would like to express my appreciation for the work he has done for Maryland, and my congratulations and best wishes as he assumes his new leadership responsibilities.

Throughout his career, Ron Freeland has demonstrated a commitment to ensuring quality transportation in Maryland. Since 1997, Ron has overseen the Mass Transit Administration, MTA, which operates the bus, light rail, Metro, and MARC systems throughout the Baltimore-Washington area—systems that provide transportation services to 350,000 people every day. Prior to his service at MTA, Ron was Administrator of the Motor Vehicle Administration, where he made key reforms in that agency's operations, including improvements in the operation of the Vehicle Emissions Inspection Program. His public service also includes tenure as Director of Operations at MTA, membership on the Board of Directors for the Maryland Transportation Authority, and membership on the Board of the Canton Railroad. Well-maintained highways and reliable transit systems provide safe travel daily for millions of Americans, and I want to commend his dedication to improving transportation services in Maryland. I have known Ron for many years and have had the opportunity to work closely with him on many issues affecting transportation in Maryland. I have found him to be a dedicated public servant and a steadfast ally to the friends of public transportation.

In addition to his work for the people of Maryland, Ron has fought tirelessly for equality within the transportation community. He is about to assume leadership of the Conference of Minority Transportation Officials, a national organization founded in 1971, which now boasts over 2,000 members and over 25 local chapters throughout the United States. Ron has been working with COMTO for almost twenty years, and has demonstrated unyielding devotion to COMTO's dual mission of achieving inclusion and upward mobility for minorities and women within the industry, and improving the industry for citizens and groups who are underserved by existing transportation services. His leadership and integrity in this pursuit inspired the members of COMTO to choose Ron as National President—and they could not have made a better choice. I am confident that, as President, Ron will inspire his colleagues across the country to dedicate themselves to ensuring minorities and women equal access to transportation jobs and services. It is the courage and the hard work of people like Ron Freeland that will make certain no one is left behind as the transportation industry evolves to meet America's growing needs in the 21st century.

TRIBUTE TO BERT M. CONCKLIN

Mr. WARNER. Mr. President, it is with great pleasure that I rise today to pay tribute to a patriot, federal servant, and industry leader. Bert M. Concklin has worked with him closely for nearly twenty years in his capacity as president of the Professional Services Council (PSC), as a representative of two of the largest employers in Virginia, PSC and Computer Sciences Corporation. I am grateful for his driving influence on numerous advisory panels.

After more than eight years with PSC, Bert has accepted the role of Business Systems Modernization Executive at the Interstate Revenue Service. I admire his courageous willingness to tackle such an obvious challenge and I anticipate that he will, as always, perform exceedingly well. The agency is fortune to acquire such a talented executive.

Throughout his career, Bert has proven himself to be an effective leader and an even-handed advocate. The fact that he has been such a dynamic leader for the professional and technical services industry, which is populated by so many of our nation's most innovative companies, has in no small way made our jobs in the United States Senate that much easier. Those companies represent an integral part of our nation's defense and I know that Bert's dedication originates in large part from a love of our country that I share. Perhaps this trait comes from his days at the United States Naval Academy, but I suspect he had it even before.

Bert is no stranger to federal service. During his many years of service with the federal government he has held a number of distinguished positions including, Assistant Secretary and Deputy Assistant Secretary for the Occupational Safety and Health Administration; Deputy Administrator for Policy Evaluation for the Federal Energy Administration; Administrator of Price Controls for the Cost of Living Council; and Director of Information Systems with the Office of Management and Budget. He has also held significant special assignments including membership on the FAA Blue Ribbon Advisory Committee.

I wish every success to Mr. Concklin as he starts the next chapter of his truly remarkable career and thank him for a job exceedingly well done.
DUKES CELEBRATE 50TH ANNIVERSARY

Mr. HOLLINGS. Mr. President, it is my pleasure to congratulate The Rev. and Dr. Breaux, many Dukes of Lafayette, S.C. who recently celebrated their 50th wedding anniversary. During the past 50 years, Morgan and Marie Dukes have lived throughout South Carolina and in Washington, D.C. After Morgan graduated from the Southern Baptist Seminary in Louisville, Kentucky, the couple moved to Bath, S.C. where Morgan led the congregation at First Baptist Church. He served as Director of Religious Activities at Furman University from 1958-1965 and then as pastor of First Baptist Church in Walhalla.

In 1970, Morgan and Marie moved to Washington, D.C., where Morgan was pastor of Brookland Baptist Church and later joined the staff of the Baptist Joint Committee on Public Affairs. For 15 years Marie worked as a secretary in the office of the Dean of the College of Engineering at the University of Maryland, College Park. They returned to South Carolina in 1990 to assist homeless men at the Star Gospel Mission in Charleston, a position from which Morgan retired in 1997. Marie worked for 10 years as a realtor in Summerville.

The Dukes have accomplished a great deal in their 50 years of marriage and have enriched many communities in South Carolina and here in our nation’s capital. Peatsy and I join with their friends and family, including their children Vicki, Betty Ann and David and granddaughter, Lauren, in celebrating this important milestone in their life together.

SALUTING LOUISIANA’S COLLEGE ATHLETES

Mr. BREAUX. Mr. President, I rise today to pay tribute to the baseball teams at Louisiana State University, LSU, and the University of Louisiana-Lafayette, ULL, the LSU women’s track team and all Louisiana student-athletes.

If there is one thing Louisianians take as seriously as our politics and cooking, it is our athletics. In fact, Louisiana has an excellent tradition when it comes to producing great athletes. This is easily demonstrated in the number of athletes from Louisiana who have played or currently play professional sports.

Sports teach us the importance of teaming, competing and determining. It also teaches us to never give up, even when faced with seemingly insurmountable odds.

No one has to tell the University of Louisiana-Lafayette’s baseball team about perseverance and defying the odds. They had to defeat the nation’s number one ranked team twice in one day to get to the College World Series. But once there, they defied expectations by posting a respectful two wins and two losses, and etched the mascot “Ragin’ Cajuns” into the vocabulary of every college baseball fan.

Teams at LSU have also applied the lessons taught in athletics, as well as Yogi Berra’s oft-repeated truism “it ain’t over till it’s over,” to become one of the finest athletic programs in the country.

The LSU baseball team, after starting the season 6-0, struggled to a 6-5 record in their first 11 games. But, with the help of tremendous senior leadership, self-confidence and the will to win, LSU finished strong by ending the season with an outstanding 52-17 record and their fifth national championship in nine years.

And the LSU women’s track team is no stranger to dramatic finishes, either. During the final day of competition, they scored just enough points on a winning performance in the final event to win their 12th NCAA outdoor championship in 14 years.

In all, LSU had one of its finest athletic years ever during the 1999-2000 season. Outside of these two national titles, a total of 11 teams finished in the nation’s top 10 in their respective sports.

This year’s two national championships gives LSU a total of 35 national championships, the most of any school in the Southeastern Conference. And of the 20 sports LSU sponsors on the varsity level, 14 finished the year in the nation’s top 25 and participated in NCAA championship events.

I salute the student-athletes who have helped make Louisiana one of the finest states for collegiate athletics in the country. And I especially congratulate the LSU baseball and women’s track teams who have proved once again it isn’t how you start the game that matters, but how you finish. It is this value that will transcend the playing field to make Louisiana’s student-athletes champions in the biggest game of all—the game of life.

TRIBUTE TO ALICE M. McCUE

Mr. DODD. Mr. President, I am delighted to rise today to pay tribute to a well-respected and remarkable public servant. Ms. Alice McCue, who has worked for the Department of Veterans Affairs Regional Office in Hartford since 1945. On June 25th, the Department of Veterans Affairs will recognize her 55 years of service to our nation’s veterans, and I want to take a few moments to discuss Alice McCue’s remarkable career.

Alice started working for the VA following her graduation from high school at Mt. St. Joseph Academy in Hartford. She began her career as a typist in the Communications and Records Section, and moved to the Administrative Division in 1949. Between 1950 and 1978, Alice held a number of different positions, including several years as a clerk in the office of the Chief Attorney. Since that time, Alice has been a Veteran Claims Reader.

Alice has been a constant force since her first days of employment. Her hard work and dedication to the veterans of Connecticut have earned her a number of awards and special accommodations. Alice received three Special Contributions Awards over the past several years, as well as a Time-Off Award in 1995, the same year in which she was the recipient of a Superior Performance Award.

Over the years, Alice was involved in a plethora of activities at the VA’s Hartford office and became an integral component of every project in which she was engaged. In the State Income Verification Match Project, she handled several hundred cases. She also worked on the Social Security Unverified Match Project, the Committee on Waivers and Compromises, and as an Equal Employment Opportunity counselor and Third Party Inquiry Coordinator for the Social Security Administration.

Alice’s influence at the VA is perhaps most truly reflected by her colleagues’ words of praise. They describe her as a dependable, hard-working, and professional employee and friend. She not only treats every case as if it was her own, but she also takes the time to assist other adjudicators with their cases. When it comes to training and teaching less-experienced employees, Alice is an indispensable asset, and many in the Hartford office have benefited from her guidance. Her supervisors further cite her willingness to handle the most complex cases as well as her amicable air and trustworthiness which have long bolstered her reputation and sense of community among the employees.

On June 26, 2000, the Hartford regional office of the Department of Veterans Affairs will hold a luncheon in honor of Alice, who will receive the Secretary’s Service Award at that time. Today, it is my pleasure to join the Department of Veterans Affairs and the countless veterans and their families that Alice McCue has helped over the years, in thanking her for her exemplary service and commitment.

MESSAGE FROM THE HOUSE

At 11:51 a.m., a message from the House of Representatives, delivered by Ms. Nieland, 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. 2815. An act to present a congressional gold medal to astronauts Neil A. Armstrong, Buzz Aldrin, and Michael Collins, the crew of Apollo 11.

H.R. 2688. An act to designate the facility of the United States Postal Service located at 424 South Michigan Street in South Bend,
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Indiana, as the “John Brademas Post Office.”

H.R. 3859. An act to amend the Congressional Budget Act of 1974 to protect Social Security and Medicare surpluses through strengthened budgetary enforcement mechanisms.

H.R. 4201. An act to amend the Communications Act of 1934 to clarify the service obligations of noncommercial educational broadcast stations.

H.R. 4601. An act to provide for reconsideration pursuant to section 213(c) of the concurrent resolution on the budget for fiscal year 2001 to reduce the public debt and to decrease the statutory limit on the public debt.

MEASURES REFERRD

The following bills were read the first and second times by unanimous consent:

H.R. 2315. An act to present a congressional gold medal to astronauts Neil A. Armstrong, Buzz Aldrin, and Michael Collins, the crew of Apollo 11; to the Committee on Banking, Housing and Urban Affairs.

H.R. 2938. An act to designate the facility of the United States Postal Service located at 424 South Michigan Street in South Bend, Indiana, as the “John Brademas Post Office”; to the Committee on Governmental Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–9298. A communication from the Assistant Secretary for Planning and Analysis, Department of Veterans’ Affairs, transmitting a draft of proposed legislation entitled “The Enhance Veterans’ Education Benefits Act of 2000”; to the Committee on Veterans’ Affairs.

EC–9299. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a request for a revision to the fiscal year 2001 budget submission for the DOE Office of Science; to the Committee on Appropriations.

EC–9300. A communication from the Secretary of Energy, transmitting a request for a revision to the fiscal year 2001 budget for the Savannah River Site; to the Committee on Energy and Natural Resources.

EC–9301. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft of proposed legislation to authorize the exchange of land between the Secretary of the Interior and the Director of the Central Intelligence Agency at the George Washington Memorial Parkway in McLean, Virginia; to the Committee on Energy and Natural Resources.

EC–9302. A communication from the Acting Assistant Secretary, Pension and Welfare Benefits Administration, Department of Labor, transmitting pursuant to law, a report of a rule entitled “Rules and Regulations for the Incorporation of Prior Pension and Welfare Benefits of Federal Employees into the Federal Employees Retirement System” (RIN 1210–AA79) received on June 1, 2000; to the Committee on Governmental Affairs.

EC–9303. A communication from the Director of Defense Research and Engineering, transmitting pursuant to law, a report relative to the Department of Defense budget, to the Committee on Armed Services.

EC–9304. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety, and Health, Department of Energy, transmitting pursuant to law, the report of a rule entitled “DOE Limited Standard; Hazard Analysis Reports for Nuclear Explosive Operations” (DOE–DP–STD–3016–99) received on June 16, 2000; to the Committee on Armed Services.

EC–9305. A communication from the Secretary of Energy, transmitting a request for a revision to the fiscal year 2001 budget for the Savannah River Site; to the Committee on Energy and Natural Resources.

EC–9306. A communication from the Acting Commandant of the Coast Guard, Department of Transportation, transmitting, pursuant to law, a request for a rule entitled “Nonreactor Nuclear Safety Design Criteria and Explosives Safety Criteria Guide for Use With DOE–G420.1–1” (DOE–G420.1–1) received on June 14, 2000; to the Committee on Environment and Public Works.

EC–9307. A communication from the Director of Energy Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Withdrawal of Directive for the Interim Enhanced Surface Water Treatment Rule (IESWTR), the Stage 1 Disinfectants and Disinfection Byproducts Rule (Stage 1 DBPR) and Revisions to State Primary Requirements to Implement the Safe Drinking Water Act Amendments” (FRL 6715–4) received on June 19, 2000; to the Committee on Environment and Public Works.

EC–9308. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety, and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Guide for the Mitigation of Natural Phenomena Hazards for DOE Nuclear Facilities and Non–nuclear Facilities” (DOE–G420.1–2) received on June 14, 2000; to the Committee on Environment and Public Works.

EC–9309. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety, and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Non–reactor Nuclear Safety Design Criteria and Explosives Safety Criteria Guide for Use With DOE–G420.1–1” (DOE–G420.1–1) received on June 14, 2000; to the Committee on Environment and Public Works.

EC–9310. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety, and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Guide for the Mitigation of Natural Phenomena Hazards for DOE Nuclear Facilities and Non–nuclear Facilities” (DOE–G420.1–2) received on June 14, 2000; to the Committee on Environment and Public Works.

EC–9311. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety, and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “DOE Standard; Hazard Categorization and Accident Analysis Technique for Compliance with DOE Order 5488.23, Nuclear Safety Analysis Reports” (DOE–STD–1027–12) received on June 14, 2000; to the Committee on Environment and Public Works.

EC–9312. A communication from the General Attorney, Office of Educational Research and Improvement, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Jacob K. Javits Gifted and Talented Education Program: National Research and Development Center—Notice of Final Rulemaking” (RIN 8482–0016) received on June 15, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9313. A communication from the Deputy Secretary of Health and Human Services (Health Resources and Services Administration), transmitting, pursuant to law, the report of the rule entitled “Indirect Food Additives: Paper and Paperboard Components” (RIN 0906–AA13) received on June 1, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9314. A communication from Director of Regulations Policy and Management Staff, Federal Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Secondary Direct Food Additives Permitted in Food for Human Consumption” (RIN 0939–0759) received on June 6, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9315. A communication from Director of Regulations Policy and Management Staff, Federal Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Sterility Requirement for Aquous-Based Drug Products for Oral Inhalation” (RIN0910–AA88) received on June 7, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9316. A communication from Director of Regulations Policy and Management Staff, Federal Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Investigational New Drug Applications; Amendment to Clinical Hold Regulations for Products Indicating ‘Treat–enning Diseases and Conditions’” (RIN910– AA84) received on June 7, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9317. A communication from Director of Regulations Policy and Management Staff, Federal Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Food Additives Permitted In Feed and Drinking Water’ of Animals; Sodium Yeast’’ (RIN9016–0016) received on June 14, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9318. A communication from Director of Regulations Policy and Management Staff, Federal Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “‘Single New Drug Applications; Amendment to Clinical Hold Regulations for Products Indicating ‘Treat–enning Diseases and Conditions’” (RIN910– AA84) received on June 7, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9319. A communication from Director of Regulations Policy and Management Staff, Federal Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Food Additives Permitted In Feed and Drinking Water’ of Animals; Sodium Yeast’’ (RIN9016–0016) received on June 14, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9320. A communication from the Assistant Secretary for Energy, Department of Labor, transmitting, pursuant to law, the report of a rule entitled...
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BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN:
S. 2653. A bill to amend the Illinois Land Conservation Act of 1995 to provide for the use of certain fees and receipts collected under that Act for public schools and public roads in the vicinity of Midewin National Tallgrass Prairie, Illinois; to the Committee on Energy and Natural Resources.

By Mr. HARKIN:
S. 2790. A bill to clarify the authority of the Secretary of Agriculture to establish performance standards for the reduction of microbiological pathogens in meat and poultry; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEAHY (for himself and Mr. Voinovich):
S. 2761. A bill to fund task forces to locate and apprehend fugitives in Federal, State, and local government and local government cases and to provide administrative subpoena authority; to the Committee on the Judiciary.

By Mr. DODD:
S. 2767. A bill to establish SHARE Net grants to support the development of a comprehensive, accessible, high-technology infrastructure of educational and cultural resources for nonprofit institutions, individuals, and others for educational purposes through a systematic effort to coordinate, link and enhance, through technology, existing specialized resources and expertise in public and private cultural and educational institutions; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAUCUS:
S. 2768. A bill to amend the Food Security Act of 1985 to permit owners and operators to use certain practices to meet the requirement for establishing approved vegetative cover on highly erodible cropland subject to federal conservation reserve contracts; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KENNEDY (for himself, Mr. Specter, Mr. Dodd, Mr. Dwyer, Ms. Mikulski, Mr. Smith of Oregon, Mr. Bingaman, Mr. L. Chafee, Mr. Wellstone, Mr. Jeffords, Mrs. Murray, Mr. Collins, Mr. Bentsen, Mr. Burns, Mr. Durbin, Mr. Cochran, Mr. Kerry, Mr. Voinovich, Mr. Cleland, Mr. Banneker, Mr. Baucus, Mrs. Boxer, Mr. Lieberman, and Mr. Breaux):
S. 2769. A bill to amend the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1978 to extend the authorizations of appropriations for the programs carried out under such Acts, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:
S. 2763. A bill to amend the securities laws to provide for regulatory parity for single stock futures, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN:
S. 2761. A bill to clarify the authority of the Secretary of Agriculture to establish performance standards for the reduction of microbiological pathogens in meat and poultry; to the Committee on Agriculture, Nutrition, and Forestry.


Mr. HARKIN. Mr. President, today I am introducing the Microbiological

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

Reports of Committees

The following reports of committees were introduced, read, and seconded by unanimous consent:

By Mr. THOMPSON, from the Committee on Governmental Affairs, without amendment:
H.R. 612: A bill to redesignate the Federal building located at 701 South Santa Fe Avenue in Compton, California, and known as the "Mervyn Malcolm Dymally Post Office Building".
H.R. 643: A bill to redesignate the Federal building located at 10301 South Compton Avenue, in Los Angeles, California, and known as the "Augie T. Hawkins Post Office Building".
H.R. 1666: A bill to designate the facility of the United States Postal Service at 200 East Pascuanche, through a systematic effort to coordinate, link and enhance, through technology, existing specialized resources and expertise in public and private cultural and educational institutions; to the Committee on Health, Education, Labor, and Pensions.
H.R. 2357: A bill to designate the United States Post Office located at 3673 Warrensville Center Road in Shaker Heights, Ohio, as the "Captain Colin P. Kelly, Jr. Post Office".
H.R. 2397: A bill to designate the building of the United States Postal Service located at 5 Cedar Street in Hopkinton, Massachusetts, as the "Thomas J. Brown Post Office Building".
H.R. 2397: A bill to designate the United States Post Office located at 713 Elm Street in Wakefield, Kansas, as the "William H. Avery Post Office".
H.R. 2832: A bill to redesignate the facility of the United States Postal Service located at 100 Orchard Park Drive in Greenville, South Carolina, as the "Keth D. Oglesby Station".
H.R. 3018: A bill to designate the United States Post Office located at 557 East Bay Street in Charleston, South Carolina, as the "Marybelle H. Howe Post Office".
H.R. 3699: A bill to designate the facility of the United States Postal Service located at 8409 Lee Highway in Merrifield, Virginia, as the "Joe T. Broyhill Post Office Building".
H.R. 3761: A bill to designate the facility of the United States Postal Service located at 3138 Washington Boulevard in Arlington, Virginia, as the "Joseph L. Fisher Post Office Building".
H.R. 4241: A bill to designate the facility of the United States Postal Service located at 1818 Milton Avenue in Janesville, Wisconsin, as the "Les Aspin Post Office Building".
S. 2043: A bill to designate the United States Post Office building located at 3101 West Sunflower Avenue in Santa Ana, California, as the "Hector G. Godinez Post Office Building".

"Workforce Investment Act" (RIN1205-AB20) received on May 24, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-932. A communication from the Assistant Secretary for Employment and Training, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Birth and Adoption Unemployment Compensation" (RIN1205-AB21) received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-932. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "The State Vocational Rehabilitation Services Program (Evaluation Standards and Performance Indicators)" (RIN1205-AB14) received on May 31, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-932. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Safe and Drug-Free Schools and Communities National Program Federal Activities—Effective Alternative Strategies: Grant Competition to Reduce Student Suspensions and Expulsions and Ensure Educational Progress of Students Who Are Suspected or Expelled" received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

"Safe and Drug-Free Schools and Communities National Program Federal Activities—Grant Competition to Prevent High-Risk Drinking and Violent Behavior in Communities National Program Federal Activities—Middle School Drug Prevention and Alcohol and Other Drug Prevention Activities—The Challenge Newsletter" received on May 31, 2000; to the Committee on Health, Education, Labor, and Pensions.

"Safe and Drug-Free Schools and Communities National Program Federal Activities—Activities—Grant Competition to Prevent High-Risk Drinking and Violent Behavior in Communities National Program Federal Activities—Grant Competition to Prevent High-Risk Drinking and Violent Behavior in Communities National Program Federal Activities—Grant Competition to Prevent High-Risk Drinking and Violent Behavior in Communities National Program Federal Activities—Middle School Drug Prevention and Alcohol and Other Drug Prevention Activities—High-Risk Drinking and Violent Behavior Activities—Middle School Drug Prevention and Alcohol and Other Drug Prevention Activities—Middle School Drug Prevention and Alcohol and Other Drug Prevention Activities—Alcohol and Other Drug Prevention Model College Campus Grant Competition" received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-932. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Safe and Drug-Free Schools and Communities National Program Federal Activities—Alcohol and Other Drug Prevention Model College Campus Grant Competition" received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-932. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Safe and Drug-Free Schools and Communities National Program Federal Activities—Middle School Drug Prevention and School Safety Program Coordinators Grant Competition" received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-932. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Safe and Drug-Free Schools and Communities National Program Federal Activities—Grants Competition to Prevent High-Risk Drinking and Violent Behavior Among College Students" received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.
Performance Standards Clarification Act of 2000. Passage of this bill is vital because on May 25th, the U.S. District Court of the Northern District of Texas struck down the U.S. Department of Agriculture’s (USDA) authority to enforce its Microbiological Performance Standard for Salmonella. The District Court’s decision in Supreme Beef v. USDA (Supreme Court), seriously undermines the sweeping food safety changes adopted by USDA in its 1996 Hazard Analysis Critical Control Point and Pathogen Reduction (HACCP) rule.

The District Court’s decision in Supreme Beef v. USDA, did not strike down the Microbiological Performance Standards for reducing viral and bacterial pathogens. The Pathogen Reduction Rule recognized that bacterial and viral pathogens were the threat in America, responsible for 5,000 deaths and 33 million illnesses. To address the threat of foodborne illness, USDA developed a modern inspection system based on two fundamental principles.

The first was that industry has the responsibility to determine how to produce the safest products possible. Industry had to examine their plants and determine how to control contamination at every step of the food production process, from the moment a product arrives at their door until the moment it leaves their plant.

The second, even more crucial principle was that plants nationwide must adhere to these principles. The Microbiological Performance Standards provide targets for reducing pathogens and require all USDA-inspected facilities to meet them. Facilities failing to meet a standard are shut down until they create a corrective action plan to meet the standard.

To date, USDA has only issued one Microbiological Performance Standard, for Salmonella. The vast majority of plants in the U.S. have been able to meet the new standard, so it is clearly workable. In addition, USDA reports that Salmonella levels for meat and poultry products have fallen substantially. The Salmonella standard, therefore, has been successful. The District Court’s decision threatens to destroy this success and set our food safety system back years.

Congress cannot let a court’s unfortunate misinterpretation of USDA’s authority undermine our efforts to provide the safest food possible and the strongest food safety system available. Whatever the ultimate outcome of the Supreme Beef case, it is intolerable to have so much uncertainty about USDA’s authority to enforce food safety regulations. The public should not have to worry about whether the products on their table have met food safety standards. This legislation provides the necessary clarification and assurance that if a product bears the USDA stamp of approval, it has met all of USDA’s food safety requirements.

I plan to seek every opportunity to get this language enacted. I think it is essential, both because it modernizes our food safety system, ensuring that we are making progress in reducing dangerous pathogens.

I hope that both parties, and both Houses of Congress will be able to act to pass this legislation before the July 4th weekend. The public’s confidence in our meat and poultry inspection system is at stake.

By Mr. LEAHY (for himself and Mr. KOHL):

S. 2761. A bill to fund task forces to locate and arrest fugitives in Federal, State, and local criminal cases and to provide administrative subpoena authority; to the Committee on the Judiciary.

CAPTURING CRIMINALS ACT OF 2000

Mr. LEAHY. Mr. President, as a former prosecutor, I am well aware that fugitives from justice are an important problem and that their capture is an essential function of law enforcement. According to the FBI, nearly 550,000 people are currently fugitives from justice on federal, state, and local felony charges. This means that there are almost as many fugitive felons as there are citizens residing in my home state of Vermont.

The fact that we have more than one half million fugitives from justice, a significant portion of whom are convicted felons in violation of probation or parole, who have been able to elude courts order and arrest, breeds disrespect for our laws and undermines the safety of our communities. We must do better. The Leahy-Kohl “Capturing Criminals Act of 2000,” which I introduce today, will provide additional tools and resources to our federal law enforcement agencies to pursue and capture fugitive felons on both federal and state charges.

Our federal law enforcement agencies should be commended for the job they have been doing to date on capturing fugitives and helping the states and local communities bring their fugitives to justice. The U.S. Marshals Service, our oldest law enforcement agency, has arrested over 120,000 federal, state, and local fugitives in the past four years. This is more federal fugitives than all the other federal agencies combined. In prior years, the Marshals Service spearheaded special fugitive apprehension task forces, called FIST Operations, that targeted fugitives in particular areas and was singularly successful in arresting over 34,000 fugitive felons.

Similarly, the FBI has established twenty-four Safe Streets Task Forces exclusively focused on apprehending fugitives in cities around the country. Over the period of 1995 to 1999, the FBI has been singularly successful in apprehending fugitives, arresting an average of 6,539 state fugitives. The Capturing Criminals Act would help our law enforcement agencies keep the pressure on fugitives by authorizing the Attorney General to establish regional Fugitive Apprehension Task Forces, to be coordinated by the United States Marshals Service; authorizing administrative subpoenas for use in obtaining records relevant to finding federal and state fugitives; and, finally, requiring the comprehensive report on the administrative subpoena authorities held by federal agencies, which vary in scope, enforcement and privacy safeguards.

An “administrative subpoena” is the term typically used to refer to a demand for documents or testimony by an investigative entity or regulatory agency that is empowered to issue the subpoena independently and without the approval of any grand jury, court or other judicial entity. I am generally skeptical of administrative subpoena power. Administrative subpoenas avoid the strict grand jury secrecy rules and the documents provided in response to such subpoenas are, therefore, subject to broader dissemination. Moreover, since investigative agents issue such subpoenas directly, without review by a judicial officer or even a prosecutor, fewer “checks” are in place to ensure the subpoena is issued with good cause and not merely as a fishing expedition. Nonetheless, unlike initial criminal inquiries, fugitive investigations present unique difficulties. Law enforcement may not use grand jury subpoenas since, by the time a person is a fugitive, the grand jury phase of an investigation is usually complete. The grand jury subpoenas are obtained of grand jury subpoenas to obtain phone or bank records to track down a fugitive would be an abuse of the grand jury. Trial subpoenas may also not be used, either because the fugitive is already convicted or no trial may take place without the fugitive.

This inability to use trial and grand jury subpoenas for fugitive investigations creates a disturbing gap in law enforcement procedures. Law enforcement partially fills this gap by using the All Writs Act, 28 U.S.C. § 1651(a), which authorizes federal courts to “issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law.” The procedures, however, for obtaining orders under this Act, and the scope and non-disclosure terms of such orders, vary between jurisdictions.

Thus, authorizing administrative subpoenas will help bridge the gap in fugitive investigations to allow federal law enforcement agencies to obtain records useful for tracking a fugitive’s whereabouts. The Leahy-Kohl

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Thus, authorizing administrative subpoenas will help bridge the gap in fugitive investigations to allow federal law enforcement agencies to obtain records useful for tracking a fugitive’s whereabouts. The Leahy-Kohl
Capturing Criminals Act makes clear that the approval of a court remains unnecessary for an order non-disclosure of the subpoena and production of the requested records to the subscriber or customer to whom the records pertain.

I am certainly not alone in recognizing the problem this nation has with fugitives. Senators THURMOND and BIDEN have introduced the “Fugitive Apprehension Act,” S. 2516, specifically to address the difficulties facing law enforcement in this area. I commend both my colleagues for their leadership. While I agree with the general purposes of S. 2516, aspects of that bill would be problematic. I look forward to working with my colleagues on the Judiciary Committee to resolve the differences in our bills.

Without detailing all of the differences in the bills, let me provide some examples. As introduced, S. 2516 would limit use of an administrative subpoena to those fugitives who have been “indicted,” which fails to address the fact that fugitives flee after receiving an order on the basis of a “complaint” and may flee after the prosecutor has filed an “information” in lieu of an indictment. The Leahy-Kohl “Capturing Criminals Act,” by contrast, would allow use of such subpoenas to track fugitives who have been accused in a “complaint,” information, or indictment.

In addition, S. 2516 requires the U.S. Marshal Service to report quarterly to the Attorney General (who must transmit the report to Congress) on use of the administrative subpoenas. In my view, while a reporting requirement is useful, the requirement as described in S. 2516 is overly burdensome and insufficiently specific. The Leahy-Kohl “Capturing Criminals Act” would require the Attorney General to report for the next three years to the Judiciary Committees of both the House and Senate with the following information about the use of administrative subpoenas in fugitive investigations: the number issued, by which agency, identification of the charges on which the fugitive was wanted and whether the fugitive was wanted on federal or state charges.

Although S. 2516 outlines the procedures for enforcement of an administrative subpoena, it is silent on the mechanisms for both contesting the subpoena and requesting the Attorney General to report the records pertain. The Leahy-Kohl “Capturing Criminals Act” expressly addresses these issues.

This legislation will help law enforcement—with increased resources for regional fugitive apprehension task forces and administrative subpoena authority—to bring to justice both federal and state fugitives who, by their conduct, have demonstrated a lack of respect for our nation’s criminal justice system. I look forward to working with my colleagues to ensure swift passage of this legislation.

Mr. President, I ask unanimous consent that the text of my legislation be printed in the RECORD.

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

**S. 2761**

*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 “Capturing Criminals Act.”

**SEC. 2. FUGITIVE APPREHENSION TASK FORCES.**

(a) In general.—The Attorney General is authorized to establish, upon consultation with the Secretary of the Treasury and appropriate law enforcement officials in the States, Fugitive Apprehension Task Forces, consisting of Federal, State, and local law enforcement officials to apprehend fugitives within regions of the United States, to be coordinated by the Director of the United States Marshals Service, for the purpose of locating and apprehending fugitives, as defined by section 1075 of title 18, United States Code, as added by this Act.

(b) Authorization of Appropriations.—There are authorized to be appropriated to the United States Marshals Service to carry out the provisions of this section $20,000,000 for fiscal year 2001, $5,000,000 for fiscal year 2002, and $5,000,000 for fiscal year 2003.

(c) Other Federal and State Law.—Nothing in this section shall be construed to limit the authority under any other provision of Federal or State law to locate or apprehend a fugitive.

**SEC. 3. ADMINISTRATIVE SUBPOENAS TO APPREHEND FUGITIVES.**

(a) In general.—Chapter 49 of title 18, United States Code, is amended by adding at the end the following:

**§1075. Administrative subpoenas to apprehend fugitives**

(a) Definitions.—In this section—

(1) the term ‘fugitive’ means a person who—

(A) having been accused by complaint, information or indictment, or having been convicted of committing, a felony under Federal law, flees from or evades (or attempts to flee from or evade) the jurisdiction of the court with jurisdiction over the felony;

(B) having been accused by complaint, information or indictment, or having been convicted of committing, a felony under State law, flees from or evades (or attempts to flee from or evade) the jurisdiction of the court with jurisdiction over the felony;

(C) escapes from lawful Federal or State custody after having been accused by complaint, information or indictment, or convicted, of committing a felony under Federal or State law;

(D) is in violation of paragraph (2) or (3) of the first undesignated paragraph of section 1073;

(2) the term ‘investigation’ means, with respect to a State fugitive described in subparagraph (B) or (C) of paragraph (1), an investigation in which there is reason to believe that the fugitive fled from or evaded (or attempted to flee from or evade) the jurisdiction of the court, or escaped from custody, in or affecting, or using any facility of, interstate or foreign commerce, or as to any act committed or threatened in the course of serving an official or official of a State or political subdivision has requested the Attorney General to assist in the investigation, and the Attorney General finds that—

(A) the terms of the subpoena are unreasonable or unnecessary;

(C) the expression of the United States for the judicial district within which the investigation is carried on or of which the subpoenaed person is an inhabitant, or in which he carries on business or may be found, to compel compliance with the subpoena. The court may issue an order requiring the subpoenaed person to appear before the Attorney General, to produce records if so ordered. Any failure to obey the order of the court may be punishable by the court as contempt thereof. All process in any such case may be served in any judicial district in which the person may be found.

(2) RIGHTS OF A SUBPOENA RECIPIENT.—Not later than 20 days after the date of service of an administrative subpoena under this section upon any person, or at any time before the return date specified in the subpoena, whichever period is shorter, such person may file in the district court of the United States for the judicial district within which such person resides, is found, or transacts business, a petition to modify or quash such subpoena on grounds that—

(A) the terms of the subpoena are unreasonable or unnecessary;
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“(b) The subpoena fails to meet the requirement; or
“(c) The subpoena violates the constitutional rights or any other legal right or privilege of the subpoenaed party.

The time allowed for compliance with a subpoena in whole or in part shall be suspended during the pend-ency of a petition filed under paragraph (2). Such petition shall specify the grounds upon which the petitioner relies in seeking relief.

“(f) DELAYED NOTICE.—
“(1) IN GENERAL.—Where an administrative subpoena is issued under this section to a provider of electronic communication service as defined in section 2510 of this title or remote computing service as defined in section 2711 of this title, the Attorney General may
“(A) in accordance with section 2705(a) of this title, delay notification to the subscriber or customer to whom the record pertains; and
“(B) apply to a court for an order compelling the provider of electronic communication service or remote computing service not to notify any other person of the existence of the subpoena or court order.

“(2) SUBPOENAS FOR FINANCIAL RECORDS.—If a subpoena is issued under this section to a financial institution for financial records of any customer of such institution, the Attorney General may apply to a court under section 1109 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3409) for an order to delay customer notice as otherwise required.

“(g) IMMUNITY FROM CIVIL LIABILITY.—Any provider of electronic communication service or remote computing service for financial records of any customer of such institution, the Attorney General may apply to a court for an order requiring the party to whom an administrative subpoena power is exercised to provide the requested records.

“(h) DELEGATION.—The Attorney General and the Secretary of the Treasury shall issue guidelines governing the issuance of administrative subpoenas. Such guidelines shall mandate that administrative subpoenas may be issued only by a reviewing and approving official of senior supervisory personnel within the Department of Justice and the Department of the Treasury.

“(i) REPORT.—The Attorney General shall report in January of each year to the Committees on the Judiciary of the Senate and the House of Representatives on the number of administrative subpoenas issued under this section, whether each matter involved a fugitive from Federal or State charges, and

SEC. 4. STUDY AND REPORT ON THE USE OF ADMINISTRATIVE SUBPOENAS.

Not later than December 31, 2001, the Attorney General shall complete a study on the use of administrative subpoena power by executive branch agencies or entities and shall report the findings to the Committees on the Judiciary of the Senate and the House of Representatives.

(a) The Attorney General shall complete a study on the use of administrative subpoena power by executive branch agencies or entities and shall report the findings to the Committees on the Judiciary of the Senate and the House of Representatives. Such report shall include—

“(1) a description of the sources of administrative subpoena power and the scope of such subpoena power within executive branch agencies;
“(2) a description of applicable subpoena enforcement mechanisms;
“(3) a description of any notification provisions and any other provisions relating to safeguarding privacy interests;
“(4) a description of the standards governing the issuance of administrative subpoenas; and
“(5) recommendations from the Attorney General regarding necessary steps to ensure that administrative subpoena power is used and enforced consistently and fairly by executive branch agencies.

By Mr. DODD:

S. 2762. A bill to establish SHARE Net grants to support the development of a comprehensive, accessible, high-technology infrastructure of educational and cultural resources for nonprofit institutions, individuals, and others for educational purposes through a systematic effort to coordinate, link and enhance, through technology, existing specialized resources and expertise in public and private cultural and educational institutions; to the Committee on Labor, Health, Education, and Pensions.

SAVING HUMANITIES, ARTS, AND RESOURCES FOR EDUCATION NETWORKING ACT OF 2000 (SHARE NET ACT)

Mr. DODD. Mr. President, I rise today to introduce legislation which will help light the way to a stronger educational system with broader reach and deeper substance—the SHARE Net (Saving Humanities, Arts, and Resources for Education Networking) Act of 2000.

Education is not just about schools and colleges. Education is everything from our very first breath as infants to our last days. We learn at work, at school, at home and in our cars. We learn from the people around us, from books, newspapers, artwork, radio and television, and more and more, we learn from the Internet and computers.

In the very backbone of post-secondary education and overlooked, initiatives was the Morrill Acts of 1862 and 1890. These initiatives brought about a sea-change in our Nation’s educational system by allocating the proceeds from the sale of federally-held western lands to states for the creation of practical, affordable higher education. These Land-Grant institutions sparked a revolution in higher education, which had been solely the purview of the wealthy and privileged. Land-Grant institutions focused on reaching real people with helpful knowledge. They focused on agriculture, teaching and research into other practical areas—they encouraged and facilitated broader participation in post-secondary education with low costs and continuing education programs.

Today, Land Grant colleges and universities continue to fulfill their original missions of research, outreach and teaching. They have grown to the public assets to transform education. Successful, it was also simple—leverage teaching. They have grown to be the very backbone of post-secondary education—providing access to quality, affordable higher education. These institutions have also emerged as leaders in advanced research—a vital link in our national economy and one of the keys to our global competitiveness. Morrell’s vision was not only hugely successful, it was also simple—leverage public assets to transform education. Mr. President, I believe another such opportunity confronts us today as rapidly-developing technology offers new opportunity confronts us today as rapidly
The 1996 Telecommunications Act and Balanced Budget Act of 1997 established a freeze for the transition from analog to digital television and for the auction of publically-owned analog spectrum. This auction is expected to produce nearly $6 billion in federal revenue; some believe the figure to be as much as $18 billion. This valuable publically-owned asset is today’s equivalent of the frontier lands of a century ago.

These resources should be tapped to fund the further development of our educational system by utilizing today’s technologies to expand the reach and impact of existing high-quality educational and community resources. Advanced Internet, digital spectrum and other telecommunication technologies offer new untapped potential to increase the quality and reach of educational resources.

And the educational resources are abundant in our communities. What is needed is a systematic effort to link these resources, to enhance their accessibility and broaden their content. My bill would do just this. It would support the work of local and regional partnerships of educational and cultural organizations. These partnerships would survey existing resources, identify and fill gaps, link these resources together through technology and broaden access to them and, ultimately, develop a comprehensive, accessible high-tech educational infrastructure to benefit all Americans.

Mr. President, there is no question our educational system is strong. But it cannot be neglected. So let’s learn from the past success of the Morrill Acts and invest today’s public resources in our greatest asset and the very foundation of our future: education.

By Mr. KENNEDY (for himself, Mr. SPECTER, Mr. DODD, Mr. DEWINE, Ms. MIKULSKI, Mr. SMITH of Oregon, Mr. BINGAMAN, Mr. L. CHAFFEE, Mr. WELLSTONE, Mr. JEFFORDS, Mrs. MURRAY, Ms. COLLINS, Mr. ROCKEFELLER, Mr. BURNS, Mr. DURBIN, Mr. COCHRAN, Mr. KERRY, Mr. Voinovich, Mr. CLELAND, Mr. SARBANES, Mr. BAUCUS, Mrs. BOXER, Mr. LIEBERMAN, and Mr. BRATTON).

S. 2764. A bill to amend the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973 to extend the authorizations of appropriations for the programs carried out under and for public purposes; to the Committee on Health, Education, Labor, and Pensions.

WHY I CHANGED MY MIND ABOUT AMERICORPS

BY DAN COATS

When I was in the Senate, I did not support the legislation that created AmeriCorps because of my fundamental belief in private voluntary service and my skepticism about government-based solutions. I thought that government-supported volunteers would undermine the spirit of voluntary service and that new federal resources might subvert the mission and the independence of the civic sector.

My faith in the civic sector has not diminished one bit; in fact, it is stronger today than ever before. However, I have changed my mind about AmeriCorps. Instead of distorting the mission of the civic sector, AmeriCorps has proved to be a source of new power and energy for nonprofit organizations across the country.

My changed view about AmeriCorps is in no small measure because of the leadership that Harris Wofford, my Democratic former Senate colleague from Pennsylvania, has given to that program, Wofford and I did not vote on the same side very often in the Senate, and we still differ on many issues. But his leadership of AmeriCorps has convinced me that I should have voted with him on this issue.

First, thanks to Wofford’s steadfast commitment to place national service above partisanship, AmeriCorps has not become the political program that some of us initially feared. Second, he shares my belief that the solutions to some of our most intractable problems lie in the civic sector. Accordingly, he has set AmeriCorps to the work of support, not supplanting, the civic sector.

I have seen firsthand how AmeriCorps members have provided a jolt of new energy to the civic sector from my experience as president of Big Brothers Big Sisters of America. As Millard Fuller, founder of Habitat for Humanity and another former skeptic of government-supported volunteers, also discovered, the leadership provided by full-time AmeriCorps members is a key addition for nonprofit and faith-based organizations that are tackling the most difficult community and human problems.

AmeriCorps members, through their idealism, enthusiasm and can-do spirit, have multiplied the impact of organizations like Big...
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Brosthers Big Sisters and Habitat, and hundreds of other organizations large and small. The millions who have changed their minds about AmeriCorps continue to grow.

In the last year, Sens. John McCain (R-Ariz.) and Mike DeWine (R-Ohio) and Rep. John Kasich (R-Ohio) have spoken out about the positive role AmeriCorps plays in strengthening the civic sector. Together, we join a growing bipartisan list of present and former federal and state legislators, governors and civic leaders in support of AmeriCorps.

Their support is part of a quiet, yet remarkable, transformation in American politics that has occurred since the white-hot debate that took place a few years ago between those who believed that government should take the lead in solving community problems and those who thought government could accomplish little or nothing, and was even likely to be a negative force.

Now, as evidenced by both major party presidential candidates and by growing support from state governors, the tide has turned, and a ground has emerged, leading to a unique partnership between AmeriCorps, the non-profit organizations and private and religious groups that are critical in strengthening our communities. It is these institutions that transmit values between generations that encourage cooperation between citizens, and make our communities stronger.

In a recent speech to the nation’s governors, retired Gen. Colin Powell declared himself “a strong supporter of AmeriCorps.” After spending two years working with the organization, Powell concluded: “What they do in training other individuals to volunteer is really incredible. So it is a tremendous investment in your people, a tremendous investment in the future. . . .” Later this month, a bipartisan coalition in the Senate will introduce legislation to reauthorize AmeriCorps and its parent agency, the Corporation for National Service. I hope that Congress will move quickly to enact this legislation so that AmeriCorps can continue to work with the nonprofit and faith-based sectors to strengthen our communities and build on our all the great work they are doing.

Mr. DODD. Mr. President, I am pleased to rise today as an original cosponsor of the National and Community Service Act of 2000 and urge my colleagues to join me in supporting the reauthorization of the Corporation for National Service through this legislation.

While Americans often wonder what, exactly, it is that the numerous agencies and commissions scattered around town do, it is quite clear what the Corporation for National Service does. It’s members tutor and mentor at-risk youth. They build affordable housing and clean up the Nation’s rivers, streams and parks. They help seniors live independently and give productive lives. They provide assistance to the victims of natural disasters. And perhaps most importantly, they train others to do all of these tasks and dozens more—leveraging their numbers, multiplying their effort, addressing countless community needs. These are important tasks. They empower our citizens. They build our communities. They renew our country. That is what the Corporation for National Service does in my view—provide a true national service to the citizens of this country.

The Corporation for National Service is one of the most impressive success stories in recent memory. The numbers are simply remarkable. Take the AmeriCorps initiative for example. Since it’s inception in 1993, more than 150,000 Americans have served or are currently serving as AmeriCorps members. They have provided much-needed assistance to 33 million of their neighbors in more than 4,000 communities.

Specifically, AmeriCorps members have helped nearly 3 million children succeed in school through tutoring and mentoring initiatives. They have worked with the police and other community organizations to safeguard our neighborhoods—establishing, operating and expanding over 40,000 safety patrols and working with 600,000 at-risk youth in after-school programs.

AmeriCorps members have improved the daily lives of Americans by building or rehabilitating over 25,000 homes, working with employers to create jobs, and providing food, clothing and other necessities to over 2.5 million homeless people. With regard to our natural environment, AmeriCorps members have planted over 50 million trees and removed 70,000 tons of trash from our neighborhoods. And when I talk about the leverage created through AmeriCorps members recruiting and training others, I am talking about nearly two million volunteers brought to bear on locally generated programs because of the efforts of AmeriCorps members.

The National Senior Service Corps has been another resounding success. What Tom Brokaw has dubbed “The Greatest Generation” is still ready to make their mark. The 21st Century Community Corps has been energized by the Corporation for National Service. With over 25,000 Foster Grandparents, 15,000 Senior companions and 467,000 Retired and Senior Volunteer Program members, nearly 250,000 children—including, 58,000 with learning disabilities or suffering from abuse and neglect—have been given an invaluable source of loving care. Sixty-two thousand older Americans in need of a little extra help have been paired with Senior Corps members to make daily life more manageable. These Senior Corps members provide a critical bridge to independence for these seniors. Whether by helping with the daily tasks or simply being a friendly companion, these Senior Corps members are making a huge difference.

Learn and Serve, yet another initiative of the Corporation for National service, has served more than 1.5 million students in meaningful internships through college and helped them apply academic skills to meet community needs. It is an admirable track record of accomplishment, Mr. President. One that according to recent study returns $1.66 to the community for every dollar invested.

While compiling the numbers, however, we often forget the impact this program has on those who dedicate themselves as volunteers. But we must not forget the impact that service has on those who give of themselves—time and their energy—to make a difference. The personal satisfaction one receives from working for others is a feeling I can speak about personally. Long before AmeriCorps was a reality, I was Peace Corps volunteer in a small town in the Dominican Republic. But whether it is in the Dominican Republic or in my home state of Connecticut—or any state across this nation—there are many small towns that need help sustaining their educational system for National Service is a catalyst to their neighbors or maintaining their environment or any number of areas.

And an honest day’s work on behalf of those efforts translates in any language. It is a source of tremendous satisfaction and pride to those who drive participants in either the Peace Corps abroad or AmeriCorps here at home, to continue to work and continue to build their communities, something that can’t be quantified.

There is also a real period of personal learning that AmeriCorps members go through. A study by Aguirre International determined that “participation in AmeriCorps results in substantial gains in life skills for more than three-quarters of the members” who participate. When we talk about life skills here, we are talking about communications skills, interpersonal skills, analytical problem-solving, organizational skill and using information technology. These are necessary skills for the 21st century. AmeriCorps members take these skills with them after their term of service, back to employers who want them, back to communities who need them.

The Corporation for National Service and the Peace Corps are a strong ethic of civil responsibility and a lifelong desire to serve. By immersing its members in local, state and national issues, and asking them to address and interact with these issues, the Corporation for National Service and the Peace Corps become a catalyst for civic participation. And regardless of which side of the aisle you sit on, I think we can all agree that an active and involved constituency is what we all hope for.

Across the range of initiatives that I have touched upon today, are a couple of common themes. Primarily, these efforts are initiated from the ground-up. These programs were not crafted by Senators or Congressmen or someone who sits here in Washington, they are generated by people within the community they serve and administered at the state level. That allows these programs the flexibility to take advantage
of the individual strengths of each community and as a result, better address the new needs.

Secondly, these programs harness what we all know is the true strength of America, its citizens. The Corporation for National Service is channeling a constant flow of human energy, ingenuity, and talent into the states and communities of our country. The Corporation partners with organizations that have a proven track record to provide the necessary human resource to grow and expand these already successful programs. It is a model that works. It is an idea that has captured the imagination and harnessed the energy of this Nation. It is our responsibility to ensure that it continues.

The legislation we offer today will ensure that the Corporation for National and Community Service Amendments Act of 2000. This legislation will authorize the National and Community Service Act and the Domestic Volunteer Service Act of 1973.

The idea of the Federal government becoming a partner in community service originated with President Franklin Roosevelt’s creation of the Civilian Conservation Corps. It was continued with President Kennedy’s development of the Peace Corps and President Johnson’s VISTA initiative. President Nixon contributed to the community service movement by expanding senior volunteer programs. In the 1990s, both a Republican president and a Democratic president strengthened the community service structure. President Bush established the Points of Light Foundation and President Clinton created the Corporation for National Service. The Corporation for National Service not only incorporated the community service programs previously established, but also created AmeriCorps.

Since AmeriCorps began more than six years ago, over 40,000 individual and corporate partners have helped AmeriCorps members serve local and national organizations. Recently, the Senate Committee on Health, Education, Labor, and Pensions, which I chair, held a hearing regarding the reauthorization of the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973. One of the witnesses who testified was Emily Zollo, an AmeriCorps member from Cabot, Vermont. Emily serves with the North-East Kingdom Initiative AmeriCorps Program in Lyndonville, Vermont. Her assignment is at the Middleleigh Public Library in Lyndonville where she works with the “Books on Wheels” bookmobile program. Emily drives the bookmobile and as she eloquently stated, “brings books and stories to seven rural villages and towns that vary in population from 350–5,000 residents.”

Emily Zollo eloquently summed up her AmeriCorps experience by stating: “Although the best part of my AmeriCorps experience has been meeting with kids at the various stops, learning how they use the services to isolated them to books which help them see a wider world, I have also learned some better ways to work and serve in the community. I feel that service has become a part of me and will be incorporated into my personal life.”

Other community service programs include Learn and Serve America which provides assistance to over one million students from kindergarten through college who participate in community service activities that are aligned with the students’ academic programs. In my home State of Vermont, Learn and Serve is making a difference in a number of elementary and secondary schools, including vocational technical educational centers. Another service program, the National Senior Service Corps, serves nearly fifty-five thousand senior citizens, five and older, who use their talents as Foster Grandparents, serving as mentors to young people with special needs. In addition, the Senior Companions program helps other seniors live independently. Retired and Senior Volunteer Program members provide an array of services for unmet community needs. The senior programs are very essential to rural communities. In Springfield, Vermont, the Windsor County Retired and Senior Volunteer Program provides services to isolated seniors and persons with disabilities.

A key aspect of the National and Community Service Act is the State Commissions. The State Commissions decide which programs are to be funded, recruit volunteers, and evaluate and disseminate information about community and domestic service opportunities. The important role of States was also discussed at the hearing by several witnesses who represented various regions of the country. We heard about the positive impact of organizing service activities in a small rural State from Jane Williams, the executive director of the Vermont Commission on National and Community Service. Under Jane’s leadership, the Vermont commission has become the first to involve 10,000 Vermonters of all ages and backgrounds involved in 31 community service projects. Governor Marc Racicot of Montana gave an excellent presentation regarding the importance of community service in “building unique partnerships between public and private agencies by engaging particularly young people in service to their communities.”

Community service is not a democratic, republican, or independent issue—it’s an ideal—an ideal that is central to the philosophy of America—neighbor helping neighbor. It is in that spirit that I am pleased to be a cosponsor of the National and Community Service Amendments Act of 2000.

Mr. ROCKEFELLER. Mr. President, today Senator Kennedy and a bipartisan coalition are introducing the National and Community Service Amendments Act of 2000 to strengthen this program of community service throughout our country. I am proud to be an original cosponsor of this bill because I know how public service has enriched my life. As elected representatives, we are entrusted with preserving the strong democracy and just society that our founders envisioned. The programs supported by this legislation, such as AmeriCorps, extend the opportunity to young people to do something for others.

While working in the Peace Corps, at an Asian desk, I was motivated to accept the challenge made by President Kennedy and I joined VISTA. Through VISTA, I came to West Virginia and a “coal camp,” a small, struggling town. The life in Emmons was rough. A single mother, life in Emmons was not easy. But after a lot of effort, I was able to both make friends and work to make some kind of difference. We pulled down an abandoned school house in southern West Virginia and hauled the boards back to Emmons, where we built a community center. We brought a mobile health van for women to get Pap smears for the first time. And we waged a long, hard fight to get the school bus to stop close enough so the teenagers did not have to walk too far. Because of the transportation to high school did not exist. Those two years in Emmons, and the experiences gained there, changed me forever. I stayed in West Virginia and chose to make public service my career.

When President Clinton chose to unveil a new domestic civil-service program in 1993, I was proud to stand by him as he announced the creation of AmeriCorps in Princeton, New Jersey. AmeriCorps is an exciting program promoting community service, like VISTA. Under AmeriCorps, members invest their time in community service and earn educational awards that help
finance college or pay back student loans.

Since its inception just a few years ago, AmeriCorps has renewed community service across our nation with a network of programs designed to meet the specific needs of an area. In West Virginia, AmeriCorps has established more than half dozen programs that help children learn how to read, provide them with caring mentors, and promote healthy lifestyles.

In highlighting a few of these programs, I must begin with the AmeriCorps Promise Fellows. These individuals service eighteen West Virginia counties, striving to mobilize communities to provide children with resources critical to their development. In the same way that I helped the community of Emmons build a center where young people could learn and play, AmeriCorps Promise Fellows work to establish safe places and structured activities in their local areas. Another energy Express program provides balanced meals, an environment that abounds with literacy, and the attention of mentors to school-aged children during the summer months. I visited the Energy Express site in Pineville, West Virginia, and read to children there. AmeriCorps programs also aid adult members of the community, as evidenced by the success of Project MOVE in west-central West Virginia that strives to move people from welfare to work. After the first year, the heads of households in twenty families had become employed and had sustained themselves for more than three months.

These three programs are just a sampling of what AmeriCorps does in a rural state like West Virginia. In more urban areas throughout the country, AmeriCorps has programs that address the unique needs of those cities and their populations.

I place an enormous value on public service, and I know that I gained much from my VISTA experience in Emmons. Continuing AmeriCorps, VISTA and our range of community service programs will enhance the lives of Americans, young and old, who join and enrich our communities.

ADDITIONAL COSPONSORS

At the request of Mr. Gorton, the name of the Senator from North Carolina (Mr. Edwards) was added as a cosponsor of S. 708, a bill to improve the administrative efficiency and effectiveness of the Nation’s abuse and neglect courts and the quality and availability of training for judges, attorneys, and volunteers working in such courts, and for other purposes consistent with the Adoption and Safe Families Act of 1997.

At the request of Mr. Craig, the name of the Senator from Oklahoma (Mr. Nickles) was added as a cosponsor of S. 729, a bill to ensure that Congress and the public have the right to participate in the declaration of national monuments on federal land.

At the request of Mr. Mack, the name of the Senator from Montana (Mr. Baucus) was added as a cosponsor of S. 1017, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on the low-income housing credit.

At the request of Mr. Roberts, the name of the Senator from Nebraska (Mr. Kerrey) was added as a cosponsor of S. 1066, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to encourage the use of and research into agricultural best practices to improve the environment, and for other purposes.

At the request of Mr. Daschle, the name of the Senator from New Jersey (Mr. Lautenberg) was added as a cosponsor of S. 1222, a bill to prohibit health insurance and employment discrimination against individuals and their family members on the basis of predictive genetic information or genetic services.

At the request of Mr. L. Chafee, his name was added as a cosponsor of S. 1443, a bill to amend section 10102 of the Elementary and Secondary Education Act of 1965 regarding elementary school and secondary school counseling.

At the request of Mr. Kennedy, the name of the Senator from Hawaii (Mr. Inouye) was added as a cosponsor of S. 1805, a bill to restore food stamp benefits for aliens, to provide States with flexibility in administering the food stamp vehicle allowance, to index the excess shelter expense deduction to inflation, to authorize additional appropriations to purchase and make available additional commodities under the emergency food assistance program, and for other purposes.

At the request of Mrs. Hutchison, the name of the Senator from Utah (Mr. Bennett) was added as a cosponsor of S. 2018, a bill to amend title XVIII of the Social Security Act to revise the State plan for the use of inpatient beds by workers in making payments to PPS hospitals under the Medicare program.

At the request of Mr. Hatch, the name of the Senator from Kentucky (Mr. Bunning) was added as a cosponsor of S. 2045, a bill to amend the Immigration and Nationality Act with respect to H-1B nonimmigrant aliens.

At the request of Mr. Fitzgerald, the name of the Senator from Missouri (Mr. Ashcroft) was added as a cosponsor of S. 2070, a bill to improve safety standards for child restraints in motor vehicles.

At the request of Mr. Gorton, the name of the Senator from Kentucky (Mr. Bunning) was added as a cosponsor of S. 2071, a bill to benefit electricity consumers by promoting the reliability of the bulk-power system.

At the request of Mr. DeWine, the name of the Senator from North Carolina (Mr. Edwards) was added as a cosponsor of S. 2271, a bill to amend the Social Security Act to improve the quality and availability of training for judges, attorneys, and volunteers working in the Nation’s abuse and neglect courts, and for other purposes consistent with the Adoption and Safe Families Act of 1997.

At the request of Mr. DeWine, the name of the Senator from North Carolina (Mr. Edwards) was added as a cosponsor of S. 2272, a bill to improve the administrative efficiency and effectiveness of the Nation’s abuse and neglect courts and for other purposes consistent with the Adoption and Safe Families Act of 1997.

At the request of Mr. Edwards, the name of the Senator from Florida (Mr. Graham) was added as a cosponsor of S. 2299, a bill to amend title XIX of the Social Security Act to continue State Medicaid disproportionate share hospital (DSH) allotments for fiscal year 2001 at the levels for fiscal year 2000.

At the request of Mr. Moynihan, the name of the Senator from Vermont (Mr. Jeffords) was added as a cosponsor of S. 2394, a bill to amend title XVIII of the Social Security Act to stabilize indirect graduate medical education payments.

At the request of Mr. Durbin, the name of the Senator from Massachusetts (Mr. Kerry) was added as a cosponsor of S. 2423, a bill to provide Federal Perkins Loan cancellation for public defenders.

At the request of Mr. Jeffords, the name of the Senator from Virginia (Mr.
At the request of Mr. Collins, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 2528, a bill to provide funds for the purchase of automatic external defibrillators and the training of individuals in advanced cardiac life support.

S. 2586

At the request of Mrs. Feinstein, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2586, a bill to reduce the backlog in the processing of immigration benefit applications and to make improvements to infrastructure necessary for the effective provision of immigration services, and for other purposes.

S. 2609

At the request of Mr. Craig, the names of the Senator from Wyoming (Mr. THOMAS) and the Senator from Michigan (Mr. ABRAHAM) were added as cosponsors of S. 2609, a bill to amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects, and to increase opportunities for recreational hunting, bow hunting, trapping, archery, and fishing, by eliminating chances for waste, fraud, abuse, maladministration, and unauthorized expenditures for administration and implementation of those Acts, and for other purposes.

S. 2612

At the request of Mr. Graham, the name of the Senator from Florida (Mr. MACK) was added as a cosponsor of S. 2612, a bill to combat Ecstasy trafficking, distribution, and abuse in the United States, and for other purposes.

S. 2639

At the request of Mr. Kennedy, the names of the Senator from Louisiana (Mr. BREAUX), the Senator from Nevada (Mr. REID), and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 2639, a bill to amend the Public Health Service Act to provide programs for the treatment of mental illness.

S. 2644

At the request of Mr. Gorton, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 2644, a bill to amend title XVIII of the Social Security Act to expand medicare coverage of certain self-injected biologics.

S. 2645

At the request of Mr. Thompson, the names of the Senator from Mississippi (Mr. LOTT) and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of S. 2645, a bill to provide for the application of certain measures to the People’s Republic of China in respect of its substantial, coercive, or misused controlled goods, services, or technology, and for other purposes.

S. 2688

At the request of Mr. Inouye, the names of the Senator from California (Mrs. BOXER) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 2688, a bill to amend the Native American Languages Act to provide for the support of Native American Language Survival Schools, and for other purposes.

S. 2698

At the request of Mr. Landrieu, the names of the Senator from Louisiana (Mr. BREAUX) and the Senator from Alaska (Mr. MURKOWSKI) were added as cosponsors of S. 2698, a bill to authorize the President to award a gold medal on behalf of Congress to Andrew Jackson Higgins (posthumously), and to the D-Day Museum in recognition of the contributions of Higgins Industries and the more than 30,000 employees of Higgins Industries to the Nation and to world peace during World War II.

S. 2708

At the request of Mr. Moynihan, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 2708, a bill to amend the Internal Revenue Code of 1986 to provide an incentive to ensure that all Americans gain timely and equitable access to the Internet over current and future generations of broadband capability.

S. 2741

At the request of Mr. Feinstei, the names of the Senator from Nebraska (Mr. KERREY) and the Senator from Alaska (Mr. MURKOWSKI) were added as cosponsors of S. 2741, a bill to strengthen the authority of the Federal Government to protect individuals from the expansion and practices in the sale and purchase of social security numbers and social security account numbers, and for other purposes.

S. 2742

At the request of Mr. Johnson, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 2741, a bill to amend the Agricultural Credit Act of 1987 to extend the authority of the Secretary of Agriculture to provide grants for State mediation programs dealing with agricultural issues, and for other purposes.

S. 2750

At the request of Mr. Grams, his name was added as a cosponsor of S. 2742, a bill to amend the Internal Revenue Code of 1986 to increase disclosure for certain political organizations exempt from tax under sections 527 and section 501(c), and for other purposes.

S. CON. RES. 124

At the request of Mr. Murkowski, the names of the Senator from Missouri (Mr. ASHCROFT), the Senator from Kansas (Mr. BROWNBACK), and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of S. Con. Res. 124, a concurrent resolution expressing the sense of the Congress with regard to Iraq’s failure to release prisoners of war from Kuwait and nine other nations in violation of international agreements.

S. RES. 254

At the request of Mr. Campbell, the names of the Senator from Missouri (Mr. ASHCROFT) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. Res. 254, a resolution supporting the goals and ideals of the Olympics.

S. RES. 268

At the request of Mr. Edwards, the names of the Senator from Minnesota (Mr. WELLSTONE) and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of S. Res. 268, a resolution designating July 17 through July 23 as “National Fragile X Awareness Week.”

S. RES. 301

At the request of Mr. Thurmond, the names of the Senator from Nevada (Mr. RENDEZ) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. Res. 301, a resolution designating August 16, 2000, as “National Airborne Day.”

S. RES. 304

At the request of Mr. Biden, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. Res. 304, a resolution expressing the sense of the Senate regarding the development of educational programs on veterans’ contributions to the country and the designation of the week that includes Veterans Day as “National Veterans Awareness Week” for the presentation of such educational programs.

AMENDMENT NO. 3495

At the request of Mr. McCain, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of amendment No. 3495 proposed to S. 2522, an original bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes.
FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2001

FEINGOLD AMENDMENT NO. 3497
(Ordered to lie on the table.)
Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill (S. 2522) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes; as follows:

On page 155, line 25, strike “$25,000,000” and insert “$50,000,000”.

On page 156, line 2, strike “the entire amount” and insert “$50,000,000”.

On page 156, lines 7 and 8, strike “$25,000,000”.

On page 141, lines 9 and 10, strike “$32,000,000” and insert “$102,000,000”.

On page 141, line 25, strike “$25,000,000” and insert “$102,000,000”.

On page 140, between lines 19 and 20, insert the following:

SEC. ___. SUPPORT BY THE RUSSIAN FEDERATION FOR SERBIA.

(a) FINDINGS.—Congress finds that—

(1) General Dragolub Ojdanic, Minister of Defense of the Federal Republic of Yugoslavia (Serbia and Montenegro) and an indicted war criminal, visited Moscow from May 7 through May 12, 2000, as a guest of the Government of the Russian Federation, and extended his visit until the inauguration of President Vladimir Putin, and held talks with Russian Defense Minister Igor Sergeyev and Army Chief of Staff Anatoly Kvaushin;

(2) General Ojdanic was military Chief of Staff of the Federal Republic of Yugoslavia during the Kosovo war and has been indicted by the International Criminal Tribunal for the Former Yugoslavia (ICTY) for crimes against humanity and violations of the laws and customs of war for alleged atrocities against civilians and participants in the war;

(3) international warrants have been issued by the International Criminal Tribunal for the Former Yugoslavia for General Ojdanic’s arrest and extradition to the Hague;

(4) the Government of the Russian Federation, a permanent member of the United Nations Security Council which established the International Criminal Tribunal for the Former Yugoslavia, has an obligation to arrest General Ojdanic and extradite him to the Hague;

(5) on May 16, 2000, Russian Minister of Economics Andrei Shapovalyants announced that his government has provided the Serbian regime of Slobodan Milosevic $102,000,000 in loans to be forgiven, and will sell the Government of Serbia $32,000,000 of oil despite the fact that the international community has imposed economic sanctions against the Government of the Federal Republic of Yugoslavia and the Government of Serbia;

(6) the Government of the Russian Federation is providing the Milosevic regime with substantial relief from being required to make payments on the international community and loans from the International Monetary Fund, and while it is receiving corn and grain as food aid from the United States;

(7) the hospitality provided to General Ojdanic demonstrates the Government of the Russian Federation’s commitment to the indictments brought by the International Criminal Tribunal for the Former Yugoslavia against him and other officials, including Slobodan Milosevic, for alleged atrocities committed during the Kosovo war; and

(8) the relationship between the Government of the Russian Federation and the Governments of the Federal Republic of Yugoslavia and Serbia only encourages the regime of Slobodan Milosevic to foment instability in the Balkans and thereby jeopardizes the safety and security of Russian military and civilian personnel and raises questions about Russia’s commitment to its responsibilities as a member of the North American Treaty Organization-led peacekeeping mission in Kosovo.

(b) ACTIONS.—

(1) Fifteen days after the date of enactment of this Act, the President shall submit a report to Congress detailing all loans, financial assistance, and energy sales the Government of the Russian Federation or entities acting on its behalf have provided since June 1999, and intends to provide to the Government of Serbia or the Government of the Federal Republic of Yugoslavia or any entities under the control of the Governments of Serbia or the Federal Republic of Yugoslavia.

(2) If that report determines that the Government of the Russian Federation or other entities acting on its behalf have provided or intends to provide the governments of Serbia or the Federal Republic of Yugoslavia or any entity under the control of the Governments of Serbia or the Federal Republic of Yugoslavia financial assistance and oil sales, then the following shall apply:

(A) The Secretary of State shall reduce assistance to the Russian Federation, by an amount equal in value to the loans, financial assistance, and energy sales the Government of the Russian Federation has provided and intends to provide to the Governments of Serbia and the Federal Republic of Yugoslavia;

(B)(i) The Secretary of the Treasury shall seize and dispose of Rs. 25 billion it had been provisionally available for the Push Bank for international development activities of the Push Bank.

(ii) The President of the United States shall instruct the United States executive directors of the International Financial Institutions, the Multilateral Development Banks, and other institutional investors and loan agencies to cease accepting any new loans or guarantees, and other forms of assistance by the Export-Import Bank and the Overseas Private Investment Corporation to Russia.

(D) The President of the United States should instruct his representatives to negotiate on Russia’s international debt to oppose the extension of more forgiven, and the rescheduling of that debt, including that being considered under the ‘‘Comprehensive’’ Paris Club negotiations.

HARKIN AMENDMENT NO. 3499
Mr. LEAHY (for Mr. HARKIN) proposed an amendment to the bill, S. 2522, supra; as follows:

On page 142, on line 5 strike: “Provided further, That of the funds made available under this heading, not less than $5,000,000 shall be made available for administration of demobilizing and rehabilitating activities for child soldiers in Colombia”.

LEAHY AMENDMENTS NOS. 3500–3504
Mr. LEAHY proposed five amendments to the bill, S. 2522, supra; as follows:

AMENDMENT NO. 3500
On page 145, line 12, after “(b)” and before “DEFINITIONS”, insert the following:

REPORT.—Beginning 60 days after the date of enactment of this Act, and every 180 days thereafter for the duration of the provision of resources administered under this Act, the Secretary of State shall submit to the appropriate congressional committees a report that contains the following:

(1) A description of the extent to which the Colombian Armed Forces have suspended operations against the guerrillas and paramilitary groups and the names of paramilitary perpetrators who have been brought to justice in Colombia’s civil and criminal courts, including a description of the charges brought and the disposition of such cases.

(2) An assessment of efforts made by the Colombian Armed Forces, National Police, and Attorney General to disband paramilitary groups, including the names of Colombian Armed Forces personnel brought to justice for aiding and abetting paramilitary groups and the names of paramilitary leaders and members who were indicted, arrested, or detained.

(3) A description of the extent to which the Colombian Armed Forces cooperate with civil authorities in investigating and prosecuting gross violations of human rights, and the extent to which such personnel have been brought to justice in Colombia’s civil and criminal courts.

(4) A description of the extent to which the Colombian Armed Forces have suspended operations against the guerrillas and paramilitary groups and the names of paramilitary perpetrators who have been brought to justice in Colombia’s civil and criminal courts.
Mr. McCONNELL (for himself and Mr. LEAHY) proposed two amendments to the bill, S. 2522, supra, as follows:

**AMENDMENT NO. 3507**

At the appropriate place in the bill, insert the following new general provision:

**PROCUREMENT AND FINANCIAL MANAGEMENT REFORM**

Sec. . (a) Of the funds made available under the heading “International Financial Institutions” in this or any prior Foreign Operations, Export Financing, or Related Programs Act, 10 percent of the United States portion or payment to such International Financial Institution shall be withheld by the Secretary of Treasury, until the Secretary certifies that—

(1) the institution is implementing procedures for conducting semi-annual audits by qualified independent auditors for all new lending;

(2) the institution has taken steps to establish an independent fraud and corruption investigative organization or office;

(3) the institution has implemented a program to assess a recipient country’s procurement and financial management capabilities including an analysis of the risks of corruption prior to initiating new lending; and

(4) the institution is taking steps to fund and implement measures to improve transparency and anti-corruption programs and procurement and financial management controls in recipient countries.

(b) REPORT.—The Secretary of the Treasury shall report on March 1, 2001, to the Committees on Appropriations on progress made to fulfill the objectives identified in subsection (a).

**AMENDMENT NO. 3509**

Mr. McCONNELL (for Mr. GREGG) proposed an amendment to the bill, S. 2522, supra, as follows:

**GREGG AMENDMENT NO. 3509**

Mr. McCONNELL (for Mr. GREGG) proposed an amendment to the bill, S. 2522, supra, as follows:

On page 21, at the end of Section (c) insert the following:

**Provided further.** That of the funds made available under this heading for Kosovo, not less than $1,300,000 shall be made available to support the National Albanian American Council’s training program for Kosovar women.”

**SHELBY AMENDMENT NO. 3510**

Mr. McCONNELL (for Mr. SHELBY) proposed an amendment to the bill, S. 2522, supra, as follows:

On page 181, beginning in line 13, strike “Committee on Appropriations” and all that follows through “House of Representatives” and insert “Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and International Relations and the Permanent Select Committee on Intelligence of the House of Representatives.”

**BAUCUS (AND OTHERS) AMENDMENT NO. 3511**

Mr. LEAHY (for Mr. BAUCUS (for himself, Mr. ROBERTS, Mrs. FEINSTEIN, Mr. VANDAM, Mr. BROWNBACK, Mr. HAGEL, Mr. DORGAN, Mrs. MURRAY, and Mr. MURkowski)) proposed an amendment to the bill, S. 2522, supra, as follows:

On page 140, between lines 19 and 20, insert the following:

**SEC. 10. USE OF FUNDS FOR THE UNITED STATES-ASIA ENVIRONMENTAL PARTNERSHIP.**

Notwithstanding any other provision of law that restricts assistance to foreign countries, funds appropriated by this Act or any other Act making appropriations pursuant to part I of the Foreign Assistance Act of 1961 that are made available for the United States-Asia Environmental Partnership may be made available for activities for the People’s Republic of China.

Mr. BAUCUS, Mr. President. I rise today in support of the Baucus-Roberts amendment to include China in the environmental and humanitarian U.S.-Asia Environmental Partnership (USAEP). This program provides an invaluable service to the rapidly developing countries of Asia. Through sharing knowledge and technologies developed to resolve problems with the water, land and sky, the USAEP improves the lives of hundreds of millions of people.

Unfortunately, China has yet to take part in this important program. Our amendment seeks to undo this outdated sanction on Asia’s largest and most environmentally sensitive nation. Let me share a few highlights about the program. First, the USAEP provides trained environmental and commercial specialists that provide business counseling to Asians and Americans. They help to link prospective business partners and identify innovative, cost-effective solutions to sensitive environmental problems.

Making USAEP funds available for U.S.-China Partnerships would benefit our countries. For example, access to funding for partnerships with China would have a tremendous positive effect on many states such as Montana. These funds would open large markets for environmental services that, for all practical purposes, have been closed to business from the United States.

The Chinese need for environmental services is extreme. China requires...
more than $10 billion in annual investment to combat water pollution, air pollution, municipal and industrial waste, agricultural runoff and protection of natural environments. Much of the expertise required to address these problems will have to come from outside of China.

Montana possesses an outstanding environmental industry with the skills and experience to help China address these problems. Despite the fact that Montana companies have exactly the expertise that China needs to address its environmental problems, Montana companies have been unable to enter the Chinese market. The State government and the companies themselves lack the funding required to develop long-term relationships with appropriate Chinese companies or government officials.

China already has extensive environmental cooperation with Canada, Europe and Japan. Environmental Minister Xie Zhenhua has attributed the relative lack of cooperation between U.S. businesses and China to the low level of U.S. government funding for business development and technology transfer.

This lack of funding for has not only limited U.S. access to Chinese markets for environmental services but it has increased the income disparity between large exporting states and rural states like Montana. California and Washington, states that can afford to promote business development, have seen exports to China grow significantly over the past 5 years. Meanwhile, the incomes of Montanans have experienced a steady decline relative to these richer states.

US AID funding to support development of U.S.-Chinese business relationships is vital to the growth of Montana’s environmental industry. Even modest funding for business development could lead to millions of dollars to the Montana economy. Without a doubt, similar opportunities would be available nationwide.

It’s time to do the right thing. The time is ripe for such action, particularly as China prepares to enter the rules-based trading system we know as the World Trade Organizations.

I urge my colleagues to join Senator Roberts and me in this important endeavor. Thank you, Mr. President, I yield the floor.

BROWNBACK AMENDMENT NO. 3512

Mr. MCONNELL (for Mr. BROWNBACK) proposed an amendment to the bill, S. 2522, supra; as follows:

On page 140, between lines 19 and 20, insert the following:

SEC. 1. INCREASED FUNDING FOR ENVIRONMENTAL PROGRAMS.

The provision of the 1978 Foreign Assistance Act (22 U.S.C. 2371) is amended by adding after the existing subsection "(c) Notwithstanding any provision of law that restricts assistance to foreign coun-
tries, funds made available to carry out the provisions of part I of this Act may be fur-
nished for assistance for education programs and for anti-corruption programs, except that this subsection shall not apply to sec-
tion 490(e) or 620A of this Act or any other comparable provision of law.".

LOTT (AND COCHRAN) AMENDMENT NO. 3513

Mr. MCONNELL, for Mr. LOTT (for himself and Mr. COCHRAN), proposed an amendment to the bill, S. 2522, supra; as follows:

At the appropriate place in the bill, insert the following:

Of the funds to be appropriated under this heading, $2,500,000 is available for the Foun-
dation for Environmental Security and Sus-
tainability to support environmental threat assessments with interdisciplinary experts and academics utilizing various tech-
nologies to address issues such as infectious disease, and other environmental indicators and warnings as they pertain to the security of an area.

SHELBY AMENDMENTS NOS. 3514–3515

(Ordered to lie on the table.)

Mr. SHELBY submitted two amend-
ments intended to be proposed by him to the bill, S. 2522, supra; as follows:

AMENDMENT NO. 3514

On page 103, beginning on line 13, strike "Committee on Appropriations" and all that follows through "Reports of Representatives" and insert "Committee on Appropriations and Foreign Relations and the Select Commit-
tee on Intelligence of the Senate and the Committees on Appropriations and Inter-
national Relations and the Permanent Select Committee on Intelligence of the House of Repre-
sentatives".

AMENDMENT NO. 3515

On page 155, between lines 18 and 19, insert the following:

(g) NATIONAL SECURITY EXEMPTION.—The limitation contained in subsection (b)(1) shall not apply with respect to any activity subject to reporting under title V of the Na-
tional Security Act of 1947 (50 U.S.C. 413 et seq.).

LINCOLN AMENDMENT NO. 3516

(Ordered to lie on the table.)

Mrs. LINCOLN submitted an amendment intended to be proposed by her to the bill, S. 2522, supra; as follows:

At the appropriate place, insert the fol-
lowing:

SEC. 2. PERMANENT NORMAL TRADE RELA-
TIONS FOR CHINA.

It is the sense of the Senate that—

(1) consideration of permanent normal trade relations treatment for the People’s Republic of China is extremely important for the continued strength of the United States economy because it allows United States businesses, workers, and farmers an opportun-
ty to participate in the world’s fastest growing economy while ensuring that the United States reaps the benefits contained in the Agreement on Market Access Between the People’s Republic of China and the United States of America that was negoti-
ated last fall in the context of the acces-
sion of the People’s Republic of China to the World Trade Organization;

upon its accession to the World Trade Organization the People’s Republic of China will be subject to the same rules governing international trade as other members of the World Trade Organization; and

(3) it is important for the Senate to maintain the momentum that accompanied pas-
sage by the House of Representatives of leg-
islation granting permanent normal trade relations treatment to the People’s Republic of China, by bringing the legislation to the floor of the Senate for a vote before the July recess.

GORTON AMENDMENT NO. 3517

(Ordered to lie on the table)

Mr. GORTON submitted an amend-
ment intended to be proposed by him to the bill, S. 2522, supra; as follows:

Beginning page 141, line 9, strike "$934,100,000" and all that follows through line 18 on page 155 and insert the following:

"$300,000,000 to remain available until ex-
pended: Provided, That the funds appro-
priated under this heading shall be utilized to the extent practicable to meet the emergency requirements pursuant to section 503 of the Balanced Budget and Emergency Deficit Control Act of 1985: Pro-
vided further, That such amounts shall be made available only after submission to the President that includes designation of the entire amount of the request as an emer-
gency requirement as defined in such Act."

WELLSTONE AMENDMENT NO. 3518

Mr. WELLSTONE proposed an amend-
ment to the bill, S. 2522, supra; as follows:

On page 143, line 9, insert before the period the following: "Ordered further, That, subject to the 2 preceding provisos, of the funds appropriated for military purposes under this heading for the ‘Push into Southern Co-
lombia’, $225,000,000 shall be made available to the Substance Abuse and Mental Health Services Administration for carrying out subpart II of part B of title XIX of the Public Health Services Act (42 U.S.C. 300x-21 et seq.): Ordered further, That amounts made available under this heading for the ‘Push into Southern Co-
lombia’, by bringing the legislation to the floor of the Senate for a vote before the July recess."

GORTON AMENDMENT NO. 3517

Mr. MCONNELL, for Mr. GORTON, proposed an amendment to the bill S. 2522, supra; as follows:

Beginning page 141, line 9, strike "$934,100,000" and all that follows through line 18 on page 155 and insert the following:

"$300,000,000 to remain available until ex-
pended: Provided, That the funds appro-
priated under this heading shall be utilized to the extent practicable to meet the emergency requirements pursuant to section 503 of the Balanced Budget and Emergency Deficit Control Act of 1985: Pro-
vided further, That such amounts shall be made available only after submission to the President that includes designation of the entire amount of the request as an emer-
gency requirement as defined in such Act.”

STEVENS (AND OTHERS) AMENDMENT NO. 3519

(Ordered to lie on the table.)

Mr. MCONNELL, for Mr. STEVENS (for himself, Mr. INOUYE, and Mrs. FEINSTEIN), proposed an amendment to the bill S. 2522, supra; as follows:
On page 38, on line 12 after the word “App-propriations’’ insert the following: “Provided further, That foreign military financing program funds estimated to be outraged for Egypt during the fiscal year 2001 shall be transferred to the interest bearing account for Egypt in the Federal Reserve Bank of New York within 30 days of enactment of this Act or by October 31, 2000, whichever is later: Provided further, that withdrawal from the account shall be made only on authenti-cated instructions from the Defense Finance and Accounting Service: Provided further, That in event the interest being account is closed, the balance of the account shall be transferred promptly to the current appropri-priations account under this heading: Provided further, That none of the interest ac-crue by the account shall be obligated ex-cept as provided through the regular notifi-cation procedures of the Committees on Ap-propriations.

FEINGOLD AMENDMENT NO. 3520
(Ordered to lie on the table.)
Mr. FEINGOLD submitted an amend-ment intended to be proposed by him to the bill, S. 2522, supra, as follows:

On page 17, lines 1 and 2, strike “$220,000,000, to remain available until ex-pended’’ and insert “$245,000,000, to remain available until expended: Provided, That, of the funds appropriated under this heading, $25,000,000 shall be available only for Mozam-bique and Southern Africa: Provided further, That, of the amounts that are appropriated under this Act (other than under his head-ing) and that are available without an ex-emption, $25,000,000 shall be withheld from obliga-tion and expenditure’’:

COVERDELL (AND LEAHY) AMENDMENT NO. 3527
(Ordered to lie on the table.)
Mr. COVERDELL (for himself, Mr. LEAHY, and Mr. HELMS) submitted an amend-ment intended to be proposed by him to the bill, S. 2522, supra, as follows:

At the appropriate place in the bill, insert the following:

SEC. 7. PERU.
(a) SENSE OF THE SENATE.—It is the sense of the Senate that:
(1) The Organization of American States (OAS) Electoral Observer Mission, led by Eduardo Stein, deserves the recognition and gratitude of the United States for having performed an extraordinary service in pro-moting representative democracy in the Americas by working to ensure free and fair elec-tions in Peru and by exposing efforts of the Government of Peru to manipulate the national elections in April and May of 2000 to benefit the president in power,
(2) The Government of Peru failed to estab-lish the conditions for free and fair elec-tions—both for the April 9 election as well as for the May 28 run-off—by not taking effec-tive steps to correct the ‘‘insufficiencies, irregularities, inconsistencies, and insensi-ties’’ documented by the OAS Electoral Ob-servation Mission,
(3) The United States Government should support the efforts of the OAS high-level evalu-a-tion team, and that such mission should base its specific recommendations on the views of civil society in Peru regarding committees by ministers or political parties, the rule of law, the independence and constitutional role of the judiciary and na-tional congress, and freedom of expression and of the press:
(4) In accordance with P.L. 106-186, the United States must review and modify as ap-propriate its political, economic, and mili-tary relations with Peru and work with other democracies in this hemisphere and elsewhere toward a restoration of democracy in Peru.
(b) REVERT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the appro-priate committees of Congress a report evalu-ating the United States anti-narcotics assistance to Peru and the effective-ness of providing such assistance through le-gitimate civil agencies and the appro-priateness of providing this assistance to any military or intelligence units that are known to have violated human rights, suppressed freedom of expression or undermined free and fair elections.
(3) The need to increase support to Peru through independent non-governmental orga-nizations and international organizations to promote the rule of law, separation of powers, political pluralism, and respect for human rights, and to evaluate termination of support for entities that have cooperated with the undemocratic maneuvers of the exec-utive branch and,
(4) The effectiveness of United States pol-icy of suspended loans or other assistance for Peru through international financial in-stitutions (such as the World Bank and Inter-American Development Bank), and an evaluation of terminating support to entities of the Government of Peru that have will-fully violated human rights, suppressed free-dom of expression, or undermined free and fair elections.
(5) The extent to which Peru benefits from the Andean Trade Preferences Act and the ramifications of participation in that program on respect for the rule of law and representative democracy.
(c) DETERMINATION.—Not later than 90 days after the date of this Act, the President shall determine and report to the appropriate committees of Congress whether the Government of Peru has made substantial progress in improving its respect for human rights, the rule of law (including fair trials of accused), the independence and constitutional role of the judiciary and na-tional congress, and freedom of expression and independent journalism.
(d) PROHIBITION.—If the President deter-mines, pursuant to subsection (c) that the Government of Peru has not made substantial progress, no funds appropriated by this Act may be made available for the Government of Peru, and the Secretary of the Treasury shall instruct the United States executive directors to the inter-national financial institutions to use the leverage with Peru States to oppose loans to the Government of Peru, except loans to support basic human needs.
(e) EXCEPTION.—The prohibition in sub-section (d) shall not apply to humanitarian assistance, democracy assistance, anti-narcotics assistance, or assistance to support bi-national peace activities involving Peru and another country.
(f) WAIVER.—The President may waive sub-section (d) for periods not to exceed 90 days
if he certifies to the appropriate committees of Congress that doing so is vital to the na-tional interests of the United States and will promote the respect for human rights and the rule of law in Peru.

LANDRIEU AMENDMENT NO. 3522
(Ordered to lie on the table.)
Mr. LANDRIEU submitted an amend-ment intended to be proposed by him to the bill, S. 2522, supra, as follows:

On page 20, line 8, strike “$635,000,000’’ and insert “$655,000,000’’.
On page 23, between lines 19 and 20, insert the following:
(3) Of the funds appropriated under this heading, $20,000,000 shall be available only to assist with the rehabilitation and remedi-ation of damage done to the Romanian and Bulgarian economies as a result of the Kosovo conflict: Provided, That priority should be given under this subsection to those projects that are associated with the Stability Pact for South Eastern Europe, done at Cologne June 10, 1999 (commonly known as the ‘‘Balkan Stability Pact’’), par-ticularly those projects that encourage bilateral cooperation between the United States and Bulgaria, and that seek to offset the difficulties associated with the closure of the Danube River.

SPECTER AMENDMENT NO. 3523
(Ordered to lie on the table.)
Mr. SPECTER submitted an amend-ment intended to be proposed by him to the bill, S. 2522, supra, as follows:

On page 140, between lines 19 and 20, insert the following:

SEC. 8. UNITED STATES-CUBAN MUTUAL AS-SISTANCE IN THE INTERDICTION OF ILLICIT DRUGS.
(a) FINDINGS.—Congress finds the fol-lowing:
(1) In 1989, the Department of Defense was designated by Congress as the ‘‘lead agency for detection and monitoring of aerial and maritime trafficking’’.
(2) Several United States law enforcement authorities have expressed the need for in-creased cooperation with Cuban authorities in the area of drug interdiction.
(3) At least 30 percent of the illegal drugs that enter the United States are transported through the Caribbean region.
(4) The airspace and territorial waters of Cuba are attractive havens for drug smugg-lers and are vital to the flow of illegal drugs to the United States.

SPECTER AMENDMENT NO. 3523
(Ordered to lie on the table.)
Mr. SPECTER submitted an amend-ment intended to be proposed by him to the bill, S. 2522, supra, as follows:

On page 140, between lines 19 and 20, insert the following:

SEC. 8. UNITED STATES-CUBAN MUTUAL AS-SISTANCE IN THE INTERDICTION OF ILLICIT DRUGS.
(a) FINDINGS.—Congress finds the fol-lowing:
(1) In 1989, the Department of Defense was designated by Congress as the ‘‘lead agency for detection and monitoring of aerial and maritime trafficking’’. 
(2) Several United States law enforcement authorities have expressed the need for in-creased cooperation with Cuban authorities in the area of drug interdiction.
(3) At least 30 percent of the illegal drugs that enter the United States are transported through the Caribbean region.
(4) The airspace and territorial waters of Cuba are attractive havens for drug smugg-lers and are vital to the flow of illegal drugs to the United States.

SPECTER AMENDMENT NO. 3523
(Ordered to lie on the table.)
the United States Coast Guard and by allowing a United States Coast Guard officer to be stationed at the United States Interests Section in Havana, Cuba.

(b) ALLOCATION OF FUNDS.—Of the amount appropriated under the heading “Department of State, International Narcotics Control and Law Enforcement”, up to $1,000,000 shall be available to the Secretary of Defense, on behalf of the United States Coast Guard, the United States Customs Service, and other bodies, to work with the appropriate authorities of the Cuban government to provide for greater cooperation, coordination, and other mutual assistance in the interdiction of illicit drugs being transported over Cuban airspace and waters.

DODD (AND LIEBERMAN) AMENDMENT NO. 3524
(Ordered to lie on the table.)

Mr. DODD (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by them to the bill, S. 2522, supra; as follows:

On page 142, on lines 3-5, strike the words “procurement, refurbishing, and support for ‘UH–1 Huey II helicopters’” and insert in lieu thereof the following: “procurement and support for helicopters determined by the U.S. Department of Defense, in consultation with the Colombian military, to be the most effective aircraft to support missions by elite Colombian counter narcotics battalions in eradicating the expanding cultivation and processing of illicit drugs in remote areas of Colombia.”

DODD AMENDMENTS NOS. 3525–3527
(Ordered to lie on the table.)

Mr. DODD submitted three amendments intended to be proposed by him to the bill, S. 2522, supra; as follows:

AMENDMENT NO. 3525
On page 142, line 4, strike the words “‘UH–1 Huey II”

AMENDMENT NO. 3526
Beginning on page 121, line 15, strike all through line 6, on page 129.

AMENDMENT NO. 3527
On page 28, line 4, strike all after the first comma thru the word “Provided,” on line 7, and insert in lieu thereof the following: “$24,000,000, including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside the United States: Provided. That $24,000,000 of such sums be made available from funds already appropriated by the Act, that are not otherwise earmarked for specific purposes; Provided further.”

INHOFE AMENDMENT NO. 3528
(Ordered to lie on the table.)

Mr. McCONNELL (for Mr. INHOFE) proposed an amendment to the bill, S. 2522, supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE ON UNITED STATES CITIZENS HELD HOSTAGE IN COLOMBIA.

(a) The Senate finds that—

(1) illegal or paramilitary groups in Colombia pose a serious obstacle to U.S. and Colombian counter-narcotics efforts;

(2) abduction of innocent civilians is often used by such groups to gain influence and recognition;

(3) three U.S. citizens, David Mankins, Mark Ritch, and Rick Tenenoff, who were engaged in humanitarian and religious work were abducted by one such group and have been held hostage in Colombia since January 31, 1993;

(4) these 3 men have the distinction of being the longest-held American hostages;

(5) their kidnappers are believed to be members of the FARC narco-guerrilla organization in Colombia;

(6) the families of these American citizens have not had any word about their safety or welfare for 7 years; and

(7) such acts against humanitarian workers are acts of cowardice and are against basic human dignity and are perpetrated by criminals and thus not deserving any form of recognition.

(b) The Senate—

(1) in the strongest possible terms condemns the kidnaping of these men;

(2) appeals to all freedom-loving nations to condemn these actions;

(3) urges members of the European Community to assist in the safe return of these men by working with FARC the objective of the release of all American hostages;

(4) appeals to the United Nations Commission on Human Rights to condemn the kidnaping and to pressure the FARC into resolving this situation; and

(5) calls upon the President to raise the kidnaping of these Americans to all relevant foreign governments and to express his desire to see this tragic situation resolved.

DOMENICI AMENDMENT NO. 3529
(Ordered to lie on the table.)

Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill, S. 2522, supra; as follows:

On page 12, line 14, before the period insert the following: “: Provided further. That the amount appropriated or otherwise made available under this heading may be made available only to the extent an official budget request for $18,500,000, this includes assignment of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.”

KERRY AMENDMENT NO. 3530
(Ordered to lie on the table.)

Mr. KERRY submitted an amendment intended to be proposed by him to the bill, S. 2522, supra; as follows:

On page 197, strike lines 21 through 23 and insert in lieu thereof the following:

(b) None of the funds appropriated by this Act may be made available for activities or programs for the Central Government of Cambodia until the Secretary of State determines and reports to the Committee on Appropriations and the Committee on Foreign Relations that the Government of Cambodia in cooperation with the United Nations, has established the Extraordinary Chambers, in which international judges and prosecutors are working together with Cambodian counterparts for the purpose of indicting and trying Khmer Rouge leaders responsible for genocide and other crimes against humanity during the period 1975 to 1979; and that the Government of Cambodia is providing such assistance as the Extraordinary Chambers may require including the apprehension of those indicted, the protection of witnesses, and the safeguarding of evidence.

BYRD AMENDMENT NO. 3531
(Ordered to lie on the table.)

Mr. BYRD submitted an amendment intended to be proposed by him to the bill, S. 2522, supra; as follows:

SEC. . In addition to amounts provided elsewhere in this Act, $18,500,000 is hereby appropriated to the Department of Defense under the heading, “MILITARY CONSTRUCTION, DEFENSE WIDE” for classified activities related to, and for the conduct of a feasibility study referenced under the heading of “Management of MASINT” in Senate Report 196-279 to accompany S. 2507, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 52(i)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further. That the entire amount provided shall be available to the extent an official budget request for $18,500,000, this includes assignment of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

LEAHY (AND KENNEDY) AMENDMENT NO. 3532
(Ordered to lie on the table.)

Mr. LEAHY (for himself and Mr. KENNEDY) proposed an amendment to the bill S. 2522, supra; as follows:

At the appropriate place in the bill, insert the following new section:

SEC. . INDOCHINESE PAROLEES.

Notwithstanding any other provision of law, any national of Vietnam, Cambodia, or Laos who was paroled into the United States before October 1, 1997 shall be eligible to make an application for adjustment of status pursuant to section 245A of the Act of October 3, 1990, codified as 8 U.S.C. 1255a.

BIDEN AMENDMENTS NOS. 3533–3535
(Ordered to lie on the table.)

Mr. BIDEN submitted three amendments intended to be proposed by him to the bill, S. 2522, supra; as follows:

AMENDMENT NO. 3533
Strike line 8 on page 152 through line 2 on page 154 and insert in lieu thereof the following:

(b) LIMITATION.—Except as provided in paragraph (2), none of the funds appropriated or otherwise made available by this Act or any other Act during fiscal years 1999 and the next four fiscal years (including unobligated balances of prior appropriations) may be available for—

(A) the assignment of any United States military personnel for temporary or permanent duty for support of counter-drug activities of Colombia if that assignment would cause the number of United States military personnel so assigned in Colombia to exceed 250 (excluding military personnel assigned to the United States diplomatic mission in Colombia); and

(B) the employment of any United States individual civilian retained as a contractor
in Colombia if that employment would cause the total number of United States individual civilian contractors employed in Colombia in support of counter-drug activities of Colombia to exceed 350.

(2) REPORTS.—The limitation contained in paragraph (1) shall not apply if—

(A) the President submits a report to Congress requesting that the limitation shall not apply; and
(B) Congress enacts a joint resolution approving the request of the President under subparagraph (A).

(c) The President may waive the limitation in subsection (b)(1)—

(1) for a single period of up to 90 days in the event that the Armed Forces of the United States are involved in hostilities or that imminent involvement by the Armed Forces of the United States is clearly indicated by the circumstances; or

(2) for the purpose of conducting emergency evacuation or search and rescue operations.

(d) REPORTS.—Beginning within 90 days of the date of enactment of this Act, and every 60 days thereafter, the President shall submit a report to Congress that shall include the aggregate number, locations, and lengths of assignment for all United States military personnel, and United States individual civilians employed as contractors, in support of counter-drug activities of Colombia.

(2) REPORTS ON EXPENDITURES.—Not later than June 1, 2001, and June 1 and December 1 of each of the succeeding four fiscal years, the President shall submit a report to Congress setting forth all costs (including incremental costs incurred by the Department of Defense) incurred by Executive agencies during the two previous fiscal quarters for support of Plan Colombia. Each such report shall provide a breakdown of expenditures by Executive agency.

(2) BUDGETARY ESTIMATES AND REPORTS ON SUPPORT FOR PLAN COLOMBIA

BUDGETARY ESTIMATES AND REPORTS ON SUPPORT FOR PLAN COLOMBIA

(a) REPORTS ON SUPPORT FOR PLAN COLOMBIA.—

(1) BUDGET REQUEST.—For each of the next four fiscal years, the President shall include with each budget for a fiscal year submitted to the Congress under section 1105 of title 31, United States Code, information that clearly identifies and justifies, by Executive agency, amounts requested in the budget for appropriation for that fiscal year for support of Plan Colombia.

(2) REPORTS ON EXPENDITURES.—Not later than June 1, 2001, and June 1 and December 1 of each of the succeeding four fiscal years, the President shall submit a report to Congress setting forth all costs (including incremental costs incurred by the Department of Defense) incurred by Executive agencies during the two previous fiscal quarters for support of Plan Colombia. Each such report shall provide a breakdown of expenditures by Executive agency.

(3) AMENDMENT NO. 3538

Strike line 19 on page 151 through line 7 on page 152 and insert in lieu thereof the following:

BUDGETARY ESTIMATES AND REPORTS ON SUPPORT FOR PLAN COLOMBIA

(a) REPORTS ON SUPPORT FOR PLAN COLOMBIA.—

(1) BUDGET REQUEST.—For each of the next four fiscal years, the President shall include with each budget for a fiscal year submitted to the Congress under section 1105 of title 31, United States Code, information that clearly identifies and justifies, by Executive agency, amounts requested in the budget for appropriation for that fiscal year for support of Plan Colombia.

(2) REPORTS ON EXPENDITURES.—Not later than June 1, 2001, and June 1 and December 1 of each of the succeeding four fiscal years, the President shall submit a report to Congress setting forth all costs (including incremental costs incurred by the Department of Defense) incurred by Executive agencies during the two previous fiscal quarters for support of Plan Colombia. Each such report shall provide a breakdown of expenditures by Executive agency.

(3) AMENDMENT NO. 3539

Strike line 19 on page 151 through line 2 on page 154 and insert in lieu thereof the following:

BUDGETARY ESTIMATES AND REPORTS ON SUPPORT FOR PLAN COLOMBIA AND LIMITATIONS ON THE ASSIGNMENT OF UNITED STATES PERSONNEL IN COLOMBIA

(a) REPORTS ON SUPPORT FOR PLAN COLOMBIA.—

(1) BUDGET REQUEST.—For each of the next four fiscal years, the President shall include with each budget for a fiscal year submitted to the Congress under section 1105 of title 31, United States Code, information that clearly identifies and justifies, by Executive agency, amounts requested in the budget for appropriation for that fiscal year for support of Plan Colombia.
On page 154, line 1, insert “United States” after “(A)”.

On page 154, line 3, strike “(e)” and insert “(g)”.

On page 154, line 5, strike “subsection (a)(2)” and insert “subsection (a)(1)(B)”.

On page 154, line 9, strike “subsection (a)(1)” and insert “subsection (a)(a)(1)(A)”.

On page 158, line 12, strike “(f)” and insert “(h)”.

AMENDMENT NO. 3538

Beginning on page 151, strike line 19 and all that follows through line 18 on page 155 and insert the following:

SEC. 6106. LIMITATIONS ON SUPPORT FOR PLAN COLOMBIA AND ON THE ASSIGNMENT OF UNITED STATES PERSONNEL IN COLOMBIA.

(1) LIMITATION.—Except as provided in paragraph (2), none of the funds appropriated or otherwise made available by any Act shall be available for support of Plan Colombia unless and until—

(A) the President submits a report to Congress requesting the availability of such funds; and

(B) Congress enacts a joint resolution approving the request of the President under subparagraph (A).

(2) EXCEPTIONS.—The limitation in paragraph (1) does not apply to—

(A) appropriations made by this Act, the Military Construction Appropriations Act, 2001, or the Department of Defense Appropriations Act, 2001, for the purpose of support of Plan Colombia;

(B) the unobligated balances from any other program used for their originally appropriated purpose to combat drug production and trafficking, foster peace, increase the rule of law, improve human rights, expand economic development, and institute justice reform in the countries covered by Plan Colombia.

(b) LIMITATION ON ASSIGNMENT OF UNITED STATES PERSONNEL IN COLOMBIA.—

(1) LIMITATION.—As provided in paragraph (2), none of the funds appropriated or otherwise made available by this Act or any other Act (including funds described in subsection (c)) may be available for—

(A) the assignment of any United States military personnel for temporary or permanent duty in Colombia in connection with support of Plan Colombia if that assignment would cause the number of United States military personnel so assigned in Colombia to exceed 500; or

(B) the employment of any United States individual civilian retained as a contractor in Colombia if that employment would cause the total number of United States individual civilian contractors employed in Colombia in support of Plan Colombia who are funded by Federal funds to exceed 300.

(2) EXCEPTION.—The limitation contained in paragraph (1) shall not apply if—

(A) the President submits a report to Congress requesting that the limitation not apply; and

(B) Congress enacts a joint resolution approving the request of the President under subparagraph (A).

(c) WAIVER.—The President may waive the limitation in subsection (b)(1) for a single period of up to 90 days in the event that the Armed Forces of the United States are involved in hostilities or that imminent involvement of Armed Forces of the United States in hostilities is clearly indicated by the circumstances.

(d) STATUTORY CONSTRUCTION.—Nothing in this section may be construed to affect the authority of the President to carry out any emergency evacuation of United States citizens or any search or rescue operation for United States military personnel or other United States citizens.

(e) REPORT ON SUPPORT FOR PLAN COLOMBIA.—Not later than June 1, 2001, and not later than June 1 and December 1 of each of the succeeding four fiscal years, the President shall submit a report to Congress setting forth any costs (including incremental costs incurred because of Defense activities) incurred by any department, agency, or other entity of the Executive branch of Government during the two previous fiscal quarters in support of Plan Colombia. Each such report shall provide an itemization of expenditures by each such department, agency, or entity.

(f) MONTHLY REPORTS.—Beginning within 90 days of the date of enactment of this joint resolution, and every 60 days thereafter, the President shall submit a report to Congress that shall include the following:

(1) A comparison to the previous report of the number, locations, activities, and lengths of assignment for all temporary and permanent United States military personnel and United States individual civilians retained as contractors involved in the antinarcotics campaign in Colombia.

(g) CONGRESSIONAL PRIORITY PROCEDURES.—

(1) JOINT RESOLUTIONS DEFINED.—

(A) For purposes of subsection (a)(1)(B), the term “joint resolution” means only a joint resolution introduced not later than 10 days of the date on which the report of the President under subsection (a)(1)(A) is received by Congress, the matter after the resolving clause of which is as follows: “That Congress approves the request of the President for additional funds for Plan Colombia contained in the report submitted by the President under section 6106(a)(1) of the 2000 Emergancy Supplemental Appropriations Act.”.

(B) For purposes of subsection (b)(2)(B), the term “joint resolution” means only a joint resolution introduced not later than 10 days of the date on which the report of the President under subsection (a)(1)(A) is received by Congress, the matter after the resolving clause of which is as follows: “That Congress approves the request of the President for exemption from the limitation applicable to the assignment of personnel in Colombia contained in the report submitted by the President under section 6106(b)(2)(B) of the 2000 Emergency Supplemental Appropriations Act.”.

(2) PROCEDURES.—Except as provided in subparagraph (B), a joint resolution described in paragraph (1)(A) or (1)(B) shall be considered in a House of Congress in accordance with the procedures applicable to joint resolutions under paragraphs (3) through (8) of section 8066(c) of the Department of Defense Appropriations Act, 1985 (as contained in Public Law 98–473; 98 Stat. 1936).

(b) PLAN COLOMBIA DEFINED.—In this section, the term “Plan Colombia” means the plan of the Government of Colombia initiated by the administration of President Pastrana to combat drug production and trafficking, foster peace, increase the rule of law, improve human rights, expand economic development, and institute justice reform.

BROWNBACK AMENDMENT NO. 3539

(Ordained to lie on the table.)

Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill, S. 2522, supra; as follows:

On Page 20, line 2 after the word “Development,” insert the following: “Provided further, That up to $15,000,000 of the funds appropriated under this heading, shall be used, notwithstanding any other provision of law, to provide material assistance to the National Democratic Alliance of Sudan to strengthen its ability to protect civilians from attacks, slave raids, and aerial bombardment by the Sudanese government forces and its militia allies: Provided further, That in the previous proviso, the term ‘material assistance’ includes any non-lethal, non-food aid such as, but not limited to, blankets, medicine, fuel, mobile clinics, water drilling equipment, communications equipment to notify civilians of aerial bombardments, non-military vehicles, tents, and shoes.”

BOXER AMENDMENTS NOS. 3540–3542

(Ordained to lie on the table.)

Mrs. BOXER submitted three amendments intended to be proposed by her to the bill, S. 2522, supra; as follows:

AMENDMENT NO. 3540

At the appropriate place, add the following:

SEC. . . . (a) FINDINGS.—The Senate finds

(1) According to the World Health Organization, in 1999, there were 5.6 million new cases of HIV/AIDS throughout the world, and two-thirds of those (3.4 million) were in sub-Saharan Africa.

(2) Sub-Saharan Africa is the only region in the world where as a minority of those with HIV/AIDS—55 percent—are women.

(3) When women get the disease, they often pass it along to their children, and over 2 million children in sub-Saharan Africa are living with HIV/AIDS.

(4) New investments and treatments hold out promise of making progress against mother-to-child transmission of HIV/AIDS. For example—

(A) a study in Uganda demonstrated that a new drug could prevent almost one-half of the HIV transmissions from mothers to infants, at a fraction of the cost of other treatments; and

(B) a study of South Africa’s population estimated that if all pregnant women in that country took an antiviral medication during labor, as many as 110,000 new cases of HIV/AIDS could be prevented over the next five years in South Africa alone.

(5) The Technical Assistance, Trade Promotion, and Anti-Corruption Act of 2000, as approved by the Senate Foreign Relations Committee on March 23, 2000, ensures that not less than 8.3 percent of USAID’s HIV/AIDS funding is used to combat mother-to-child transmission.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that of the funds provided in this Act, the USAID should place a high priority on efforts, including providing medications, to prevent mother-to-child transmission of HIV/AIDS.

AMENDMENT NO. 3541

At the end, add the following:

TITLE—INTERNATIONAL HEALTH EMERGENCIES

In addition to amounts otherwise appropriated in this Act, $844,800,000 shall be available for necessary expenses to carry out the provisions of Chapters 1 and 10 of part 1 of

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the Foreign Assistance Act of 1961, for global health and related activities. Provided— Provided that of the funds appropriated under this title, not less than $75 million shall be made available for programs to combat HIV/AIDS: Provided further, That amounts made available under this title, not less than $19 million shall be made available for the prevention, treatment, and control of tuberculosis: Provided further, That amounts made available under this title are hereby designated by the Congress to be emergency requirements pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That such amounts shall be made available only after submission to the President that includes designation of the entire amount of the request an emergency requirements as defined in such Act.

On page 158, between lines 18 and 19, insert the following:

PROHIBITION ON USE OF DEPARTMENT OF DEFENSE RESOURCES FOR CERTAIN ACTIVITIES IN COLOMBIA SEC. 6107. (a) SUPPORT FOR COUNTERINSURGENCY OPERATIONS.—Notwithstanding any other provision of law, no funds appropriated or otherwise made available by this Act may be obligated or expended for the use of any personnel, equipment, or other resources of the Department of Defense for the support of any training program involving, with Colombian units that engages in counterinsurgency operations.

(b) LAW ENFORCEMENT ACTIVITIES.—Notwithstanding any other provision of law, no funds appropriated or otherwise made available by this Act may be obligated or expended for the direct participation of a member of the Armed Forces or a civilian employee of the Department of Defense in any law enforcement activities in Colombia, including search, seizure, arrest, or similar activities.

(c) COUNTERDRUG FIELD OPERATIONS.—Notwithstanding any other provision of law, no funds appropriated or otherwise made available by this Act may be obligated or expended to permit a member of the Armed Forces or civilian employee of the Department of Defense to (1) accompany any United States drug enforcement agent, or any law enforcement or military personnel of Colombia with counterdrug enforcement authority, on any counterdrug field operation; or (2) participate in any activity in which counterdrug-related hostilities are imminent.

(d) SENSE OF SENATE.—It is the sense of the Senate that members of the Armed Forces of the United States in Colombia should make every effort to minimize the possibility of confrontation, whether armed or otherwise, with civilians in Colombia.

LANIER AMENDMENT NO. 3543 (Ordered to lie on the table.)

Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill, S. 2522, supra; as follows:

On page 140, between lines 19 and 20, insert the following:

Sec. 591. Section 473A of the Social Security Act (42 U.S.C. 673b) is amended—

(1) in subsection (h)(1), by striking subparagraph (C) and inserting the following:

“(C) shall be increased by not more than $3,500,000,000 for fiscal year 2001 and each succeeding fiscal year.”; and

(2) in subsection (j), by adding at the end the following:

“(3) EXTENSION FOR FISCAL YEAR 2001.—For purposes of making grants under this subheading for fiscal year 2001.

“(A) paragraph (1) shall be applied by substituting ‘1999’ and ‘2000’ for ‘1998’ and ‘1999’ respectively;

“(B) paragraph (2) shall be applied by substituting ‘$25,000,000’ and ‘2001’ for ‘$23,000,000’ and ‘2000’ respectively.”.

FRIST AMENDMENT NO. 3544

Mr. MCKONEL (for Mr. FRIST) proposed an amendment to the bill S. 2522, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. 59. REPORTING REQUIREMENT ON SUDAN.

One hundred and twenty days after the date of enactment of this Act, the President shall submit a report to the appropriate congressional committees—

(1) describing—

(A) the areas of Sudan open to the delivery of humanitarian or other assistance through or from Operation Lifeline Sudan (in this section referred to as ‘‘OLS’’), both in the Northern and Southern sectors;

(B) the extent of actual deliveries of assistance through or from OLS to those areas from January 1997 through the present;

(C) areas of Sudan which cannot or do not receive assistance through or from OLS, and the specific reasons for lack or absence of coverage, including—

(i) denial of access by the government of Sudan on a periodic basis (‘‘flight bans’’), including specific times and duration of denials from January 1997 through the present;

(ii) denial of access by the government of Sudan on an historic basis (‘‘no-go’’ areas) since 1989 and the reason for such denials;

(iii) exclusion of areas from the original agreements which defined the limitations of OLS; and

(iv) a determination by OLS of a lack of need in an area of no coverage;

(v) no request has been made to the government of Sudan for coverage or deliveries to those areas by OLS or any participating organization; and

(vi) any other reason for exclusion from or denial of coverage by OLS;

(D) areas of Sudan which the United States has provided assistance outside of OLS since January 1997, and the amount, extent and nature of that assistance;

(E) areas affected by the withdrawal of international relief organizations, or their sponsors, or both, due to the disagreement over terms of the ‘‘Agreement for Coordination of Humanitarian, Relief and Rehabilitation Activities in the SPLM Administered Areas’’ memorandum of 1999, including specific locations and programs affected; and

(F) containing a comprehensive assessment of the humanitarian needs in areas of Sudan not covered or served by OLS, including but not limited to the Nuba Mountains, Red Sea Hills, and Blue Nile regions.

L. CHAFFEE (AND OTHERS) AMENDMENT NO. 3545

Mr. MCKONEL (for Mr. L. CHAFFEE) proposed an amendment to the bill S. 2522, supra; as follows:

On page 140, between lines 19 and 20, insert the following:

SEC. 9. SENSE OF SENATE ON DEBT RELIEF FOR WORLD’S POOREST COUNTRIES.

(a) FINDINGS.—The Senate makes the following findings:

(1) The burden of external debt has become a major impediment to economic growth and poverty reduction in many of the world’s poorest countries.

(2) Until recently, the United States Government and other official creditors sought to address this problem by rescheduling and in some cases providing limited debt reduction.

(3) Despite such efforts, the cumulative debt of many of the world’s poorest countries continued to grow beyond their capacity to repay.

(4) In 1996, the Group of Seven, the World Bank, and the International Monetary Fund adopted the Heavily Indebted Poor Countries Initiative (HIPC), a commitment by the international community that all multilateral and bilateral creditors, acting in a co-ordinated and concerted fashion, would reduce poor country debt to a sustainable level.

(5) A wide range of organizations and institutions, including leading churches worldwide have endorsed the concept of writing off the debt of the Heavily Indebted Poor Countries.

(6) In 1999, Congress passed and the President signed into law funding for the forgiveness of a portion of the bilateral debt owed by the Heavily Indebted Poor Countries to the United States subject to terms and conditions set forth in Public Law 106-113.

(7) In the supplemental budget request for 2000 and in the President’s 2001 budget request submitted by the President, the President asked for $655,000,000 to fund both bilateral debt owed by the HIPCs to the United States and contributions to the HIPC Trust Fund which would forgive debt owed by the HIPCs to the regional development banks.

(8) Funding for United States participation in the HIPC Trust Fund is subject to authorization by the appropriate committees.

(9) Legislation fully authorizing the President’s fiscal year 2001 budget request for United States participation in the HIPC Trust Fund, and full use of the International Monetary Fund gold earnings, has been reported by the Senate Committee on Foreign Relations, and is currently under review by the Senate Committee on Banking, Housing, and Urban Affairs.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the relevant committees of the Senate should report to the full Senate legislation authorizing comprehensive debt relief for poor countries;

(2) these authorizations of bilateral and multilateral debt relief should be designed to strengthen and expand the private sector, encourage increased trade and investment, support the development of free markets, and promote broad-scale economic growth in beneficiary countries;

(3) these authorizations should also support the adoption of policies to alleviate poverty and to ensure that benefits are shared widely among the population, such as through initiatives to advance education, improve health, promote clean water and environmental protection;

(4) these authorizations should promote debt relief agreements that are designed and implemented in a transparent manner so as to ensure productive allocation of future resources and prevention of waste;
(5) these authorizations should promote 
debt relief that have the broad participation of the citizenry of the debtor country and 
should ensure that country's circumstances are adequately taken into account;
(6) these authorizations should ensure that 
no country should receive the benefits of 
debt relief if that country does not cooperate with the United States on terrorism, 
prohibiting the practice of female genital mutilation, and on efforts or \nspends excessively on its military; and
(7) if the conditions set forth in paragraphs 
(1) through (6) are met in the authorization 
legislation currently pending before the relevant committees, Congress should fully fund bilateral and multilateral debt relief to 
effect the maximum leverage of international funds and the maximum benefit to 
the eligible countries.

REID AMENDMENTS NOS. 3546-3549
Mr. LEAHY (for Mr. REID) proposed four amendments to the bill S. 2522, supra; as follows:

AMENDMENT NO. 3546
On page 140, between lines 19 and 20, insert the following:
SEC. ___ ELIMINATION OF DOWRY DEATHS AND HONOR KILLINGS.
(a) In General.—Of the funds appropriated by this Act under the heading "Department of State, Migration and Refugee Assistance", not more than $1,000,000 may be used for the Secretary of State to meet with representatives from countries that have a high incidence of the practice of dowry deaths or honor killings with a view toward working with the representatives to increase awareness of the practices, to develop strategies to end the practices, and to determine the scope of the problem within the refugee population.
(b) Definitions.—In this section:
(1) DOWRY DEATH.—The term "dowry death" means the killing of a woman because of a dowry dispute.
(2) HONOR KILLING.—The term "honor killing" means the murder of a woman suspected of dishonoring her family.

AMENDMENT NO. 3547
On page 12, line 14, strike "loans." and insert the following: "loans: Provided further, That of the funds appropriated under this heading, not less than $1,000,000 shall be used to develop and integrate, where appropriate, educational programs aimed at eliminating the practice of female genital mutilation.

AMENDMENT NO. 3548
On page 140, between lines 19 and 20, insert the following:
SEC. ___ ELIMINATION OF FEMALE GENITAL MUTILATION.
Of the funds appropriated by this Act under the heading "Department of State, Migration and Refugee Assistance", not more than $1,000,000 may be used for the Secretary of State to—
(1) conduct a study to determine the prevalence of the practice of female genital mutilation, including the existence and enforcement of laws prohibiting the practice; and
(2) include the findings of the study in the Department's Annual Country Reports on Human Rights Practices submitted in 2001; and
(3) also develop recommendations on how the United States can best work to eliminate the practice of female genital mutilation.

AMENDMENT NO. 3549
On page 140, between lines 19 and 20, insert the following:
SEC. ___ ELIMINATION OF FEMALE GENITAL MUTILATION.
The Secretary of State shall conduct a study to determine the prevalence of the practice of female genital mutilation. The Secretary shall include the findings of the study in the Department's Annual Country Reports on Human Rights Practices submitted in 2001. The Secretary shall also develop recommendations on how the United States can best work to eliminate the practice of female genital mutilation.

LAUTENBERG AMENDMENT NO. 3550
Mr. LEAHY (for Mr. LAUTENBERG) proposed an amendment to the bill S. 2522, supra; as follows:

SEC. 591. (a) Congress finds that—
(1) the Heavily Indebted Poor Countries (HIPC) initiative is providing needed relief from crushing debt for the world's poorest countries; and
(2) other developing countries, including Costa Rica, and regional institutions are—
(A) forgiving the debt of countries qualifying for HIPC on the terms set by the Paris Club of lender countries; and
(B) suffering unanticipated losses of assets and revenue.

(1) lender developing countries deserve commendation for their full participation in the HIPC initiative;
(2) the Secretary of State and the Secretary of the Treasury should explore ways to alleviate the losses of debt relief by lender developing countries, including Costa Rica, and regional institutions; and
(3) international financial institutions and other lenders should take account of the participation of developing countries as lenders in debt relief under the HIPC initiative in future lending decisions relating to those countries, including Costa Rica.

L. CHAFEE (AND OTHERS) AMENDMENT NO. 3551
Mr. MCCONNELL (for L. CHAFEE (for himself, Mr. MACK, Mr. SARBANES, Mr. BIDEN, Mr. HAGEL, Mr. WELSTONE, Mr. LIEBERMAN, Ms. LANDRIEU, Mr. DODD, Mr. LAUTENBERG, and Mr. JEFFORDS)) proposed an amendment to the bill S. 2522, supra; as follows:

On page 140, between lines 19 and 20, insert the following:
SEC. ___ SENSE OF SENATE ON DEBT RELIEF FOR WORLD'S POOREST COUNTRIES.
(a) Findings.—The Senate makes the following findings:
(1) The burden of external debt has become a major impediment to economic growth and poverty reduction in many of the world's poorest countries.
(2) Until recently, the United States Government and other official creditors sought to address this problem by rescheduling loans and in some cases providing limited debt reduction.
(3) Despite such efforts, the cumulative debt of many of the world's poorest countries continued to grow beyond their capacity to repay.
(4) In 1998, the Group of Seven, the World Bank, and the International Monetary Fund adopted the Heavily Indebted Poor Countries Initiative (HIPC), a commitment by the
international community that all multilateral aid programs must be integrated and coordinated, that debt relief in the form of arrears owed by the heavily indebted poor countries, or HIPCs, should be forgiven by the United States and contributions to the HIPC Trust Fund which would forgive debt owed by the HIPCs to the regional development banks. (8) Funding for United States participation in the HIPC Trust Fund is subject to authorization by the appropriate committees. (9) Limiting authority on the President’s fiscal year 2001 budget request for United States participation in the HIPC Trust Fund, and full use of the International Monetary Fund’s arrangement, has been reported by the Senate Committee on Foreign Relations, and is currently under review by the Senate Committee on Banking, Housing, and Urban Affairs. (b) SENSE OF THE SENATE.—It is the sense of the Senate that— (1) the relevant committees of the Senate should report to the full Senate legislation authorizing comprehensive debt relief for poor countries; (2) these authorizations of bilateral and multilateral debt relief should be designed to strengthen and expand the private sector, encourage increased trade and investment, support the development of free markets, and promote broad-scale economic growth in beneficiary countries; (3) these authorizations should also support the adoption of policies to alleviate poverty and to ensure that benefits are shared widely among the population, such as through initiatives to advance education, improve sanitation, combat AIDS, provide clean water and environmental protection; (4) these authorizations should promote debt relief agreements that are designed and implemented in a transparent manner so as to ensure productive allocation of future resources and prevention of waste; (5) these authorizations should promote debt relief agreements that have the broad participation of the citizenry of the debtor country and should ensure that country’s circumstances are adequately taken into account; (6) these authorizations should ensure that no country should receive the benefits of debt relief if that country does not cooperate with the United States on terrorism or narcotics enforcement, is a gross violator of human rights of its citizens, or is engaged in narcotics enforcement, is a gross violator of human rights of its citizens, or is engaged in narcotics enforcement, or is a gross violator of human rights of its citizens, or is engaged in narcotics enforcement, uses the voice and vote of the United States to oppose loans, credits, or guarantees to Russia if the Russian Federation delivers any additional SN22 missiles or components to the People’s Republic of China.; (7) if the conditions set forth in paragraphs (1) through (6) are met in the authorization legislation currently pending before the relevant committees, Congress should fully fund bilateral and multilateral debt relief to ensure leverage of international funds and the maximum benefit to the eligible countries.

HELMS AMENDMENT NO. 3552

Mr. MCGOONEL (for Mr. HELMS) proposed an amendment to the bill S. 2522, supra; as follows:

(1) through (6) are met in the authorization legislation currently pending before the relevant committees, Congress should fully fund bilateral and multilateral debt relief to ensure leverage of international funds and the maximum benefit to the eligible countries.

SMITH OF NEW HAMPSHIRE AMENDMENT NO. 3555

Mr. MCGOONEL (for Mr. Smith of New Hampshire) proposed an amendment to the bill S. 2522, supra; as follows:

At the appropriate place, add the following: "SEC. RUSSIAN MISSILE SALES TO CHINA. Of the amounts appropriated under Title IV of this Act, funds shall be made available for the President to direct the executive directors to all international financial institutions to use the voice and vote of the United States to oppose credits, loans, or guarantees to Russia if the Russian Federation delivers any additional SN22 missiles or components to the People’s Republic of China.

EDWARDS AND TORRICELLI AMENDMENT NO. 3556

Mr. LEAHY (for Mr. Edwards and Mr. Torricelli) proposed an amendment to the bill S. 2522, supra; as follows:

At the appropriate place, insert the following:

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC ASSISTANCE PROGRAMS

For an additional amount for ‘‘Economic Development Assistance Programs’, $50,000,000, to remain available until expended, for planning assistance, public works grants, and revolving fund loans to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided, That the entire amount made available under this heading shall be available to the extent that the President submits to Congress an official budget request for a specific dollar amount that includes designation of the entirety of the amount requested as an emergency requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et. seq.); Provided further, That the entire amount made available under this heading is designated by Congress as an emergency requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A).

DEPARTMENT OF AGRICULTURE
RURAL COMMUNITY ADVANCEMENT PROGRAM

For an additional amount for the rural community advancement program under the section 381E of the Consolidated Farm and Rural Development Act of 1990 (7 U.S.C. 1926a(19)): Provided, That the entire amount made available under this heading is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A).)
EDWARDS AMENDMENT NO. 3557
Mr. LEAHY (for Mr. EDWARDS) proposed an amendment to the bill S. 2522, supra, as follows:

At the appropriate place, insert:

For an additional amount for "Community Development Block Grants", as authorized under title I of the Housing and Community Act of 1994, for emergency expenses resulting from Hurricane Floyd, Hurricane Dennis, and Hurricane Irene, and surrounding events, $150,000,000, to remain available until expended for activities reimbursable by the Federal Emergency Management Agency or available through the Small Business Administration: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

KYL (AND DOMENICI) AMENDMENT NO. 3558
Mr. McCONNELL (for Mr. KYL (for himself and Mr. DOMENICI)) proposed two amendments to the bill S. 2522, supra, as follows:

At the appropriate place in the bill, insert the following:

SEC. IMPLEMENTATION OF SECURITY REFORMS AT THE DEPARTMENT OF ENERGY.

(a) FINDINGS—Congress finds that—
(1) On March 18, 1999, President Clinton asked the President’s Foreign Intelligence Advisory Board (PFIB) to undertake an inquiry and issue a report on "the security threat at the Department of Energy’s weapons labs and the adequacy of the measures that have been taken to address it."
(2) In June 1999, the PFIAB issued a report titled "Science at Its Best, Security at Its Worst," which concluded the Department of Energy "represents the best of America's scientific talent and achievement, but it has been responsible for the worst security record on secrecy that the members of this panel have ever encountered."
(3) The PFIAB report stated, "Organizational disarray, managerial neglect, and a culture of complacency both at the laboratories and the labs themselves—conspired to create an espionage scandal waiting to happen."
(4) The PFIAB report further stated, "The Department of Energy is a dysfunctional bureaucracy that has proven it is incapable of reforming itself. ** Reorganization is clearly warranted to resolve the many specific problems with security and counterintelligence in the weapons laboratories, but also to address the lack of accountability that has become endemic throughout the entire Department. ** A real and lasting security and counterintelligence reform at the weapons labs is simply unworkable within DOE's current structure and culture."
(5) The PFIAB report stated, "Specifically, we recommend that the Congress pass and the President sign legislation that: Creates a new, semi-autonomous Agency * * * (to) be the National Nuclear Security Administration: Provided, That the entire monuclear weapons. These thefts of nuclear secrets from national weapons laboratories enabled the PRC to design, develop, and successfully test modern strategic nuclear weapons sooner than otherwise would have been the case. U.S. nuclear secrets give the PRC design information on thermonuclear weapons on a par with our own."
(6) In response to the findings of the Select Committee on U.S. National Security and Military/Commercial Concerns with the People’s Republic of China (PRC) has stolen design information.

(14) On May 26, 1999, Secretary of Energy Bill Richardson stated, "American’s can be reassured: Our nation’s nuclear secrets are, today, safe and secure."
(15) In response to a question from Senator Fitzgerald at a joint hearing of the Committee on Energy and Natural Resources, and the Committee on Homeland Security held in this new agency within an agency, you would be willing to assume full responsibility. ** Secretary Richardson testified that, "I would be willing to assume full responsibility."
(16) The recent security lapses at Los Alamos National Laboratory demonstrates that security and counterintelligence measures continue to be significantly deficient at United States nuclear facilities.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—
(1) The national security of the United States has been significantly harmed due to weak and ineffective security and counterintelligence measures at America’s nuclear facilities.
(2) The National Defense Authorization Act for Fiscal Year 2000, if implemented, will improve security and counterintelligence measures at United States nuclear facilities by establishing clear lines of authority and accountability to enable lasting reforms to be in place.
(3) The President and the Secretary of Energy should faithfully implement the provisions of Public Law 106-65, which established the National Nuclear Security Administration.
(4) The Secretary of Energy should demand improvements in security and counterintelligence measures at America’s nuclear facilities while we have not fulfilled or appointed the National Intelligence Director. **
(5) The Secretary of Energy should drop efforts to dual-hat officers or employees of the Department of Energy to serve concurrently in positions within the National Nuclear Security Administration and the Department of Energy. **
(6) The Secretary of Energy should demand improvements in security and counterintelligence measures at the weapons laboratories, the National Nuclear Security Administration, and the National Nuclear Security Administration.

TORRICELLI (AND EDWARDS) AMENDMENT NO. 3559
Mr. LEAHY (for Mr. TORRICELLI (for himself and Mr. EDWARDS)) proposed an amendment to the bill S. 2522, supra, as follows:

At the appropriate place, insert the following:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
COMMUNITY PLANNING AND DEVELOPMENT COMMUNITY DEVELOPMENT GRANT

For an additional amount for "Community Development Block Grant Programs under title I of the Housing and Community Act of 1974, for emergency expenses resulting from Hurricane Floyd, Hurricane Dennis, and Hurricane Irene, and surrounding events, $250,000,000, to remain available until expended for all activities eligible under title I, except those activities reimbursable by the Federal Emergency Management Agency or available through the Small Business Administration: Provided, That the entire
amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Torricelli (and Edwards) Amendments Nos. 3560–3567

(Ordered to lie on the table.)

Mr. TOTTICELI (for himself and Mr. EDWARDS) submitted eight amendments intended to be proposed by them to the bill, S. 2522, supra, as follows:

AMENDMENT No. 3560

At the appropriate place, insert the following:

DEPARTMENT OF COMMERCE
RURAL COMMUNITY ADVANCEMENT PROGRAM

For an additional amount for the rural community advancement program under section 381E of the Consolidated Farm and Rural Development Act (U.S.C. 901(b)(2)(A)). $7 million, to remain available until expended, to provide grants under the rural community facilities grant program under section 306(a)(19) of that Act (7 U.S.C. 1926(a)(19)); Provided, That the entire amount made available under this heading is designated for Bound Brook, New Jersey as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

AMENDMENT No. 3561

At the appropriate place, insert the following:

DEPARTMENT OF AGRICULTURE
RURAL COMMUNITY ADVANCEMENT PROGRAM

For an additional amount for the rural community advancement program under section 381E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009d), $77 million, to remain available until expended, to provide grants under the rural community facilities grant program under section 306(a)(19) of that Act (7 U.S.C. 1926(a)(19)); Provided, That the entire amount made available under this heading is designated for Trenton, New Jersey; Provided further, That the entire amount made available under this heading shall be available only to Bound Brook, New Jersey.

AMENDMENT No. 3562

At the appropriate place, insert the following:

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for “Economic Development Assistance Programs,” $12 million, to remain available until expended, for planning assistance, public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided, That the entire amount made available under this heading shall be available only to Bound Brook, New Jersey; Provided further, That the entire amount made available under this heading is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

AMENDMENT No. 3563

At the appropriate place, insert the following:

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for “Economic Development Assistance Programs,” $77 million, to remain available until expended, for planning assistance, public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided, That the entire amount made available under this heading shall be available only to Bound Brook, New Jersey; Provided further, That the entire amount made available under this heading is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

AMENDMENT No. 3564

At the appropriate place, insert the following:

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for “Economic Development Assistance Programs,” $5 million, to remain available until expended, for planning assistance, public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided, That the entire amount made available under this heading shall be available only to Bound Brook, New Jersey; Provided further, That the entire amount made available under this heading is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

AMENDMENT No. 3565

At the appropriate place, insert the following:

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for “Economic Development Assistance Programs,” $7 million, to remain available until expended, for planning assistance, public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided, That the entire amount made available under this heading shall be available only to Bound Brook, New Jersey; Provided further, That the entire amount made available under this heading is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

AMENDMENT No. 3566

At the appropriate place, insert the following:

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for “Economic Development Assistance Programs,” $77 million, to remain available until expended, for planning assistance, public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided, That the entire amount made available under this heading shall be available only to Bound Brook, New Jersey; Provided further, That the entire amount made available under this heading is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

AMENDMENT No. 3567

At the appropriate place, insert the following:

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for “Economic Development Assistance Programs,” $3 million, to remain available until expended, for planning assistance, public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided, That the entire amount made available under this heading is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

WELSTON AMENDMENT NO. 3568

(Ordered to lie on the table.)

Mr. WELLSTONE (for himself and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the bill, S. 2522, supra, as follows:

On page 20, line 18, before the period insert the following: “: Provided further, That of the funds appropriated under this heading and made available to support training of local police for the International Police Force (IPF), not less than $250,000 shall be available only to assist law enforcement officials better identify and respond to cases of trafficking in persons.”

On page 24, line 14, before the period insert the following: “: Provided further, That of the funds appropriated under this heading, not less than $2,500,000 shall be available only to meet the health and other assistance needs of victims of trafficking in persons.”

NICKLES AMENDMENT NO. 3569

(Ordered to lie on the table.)

Mr. NICKLES submitted an amendment intended to be proposed by him to the bill, S. 2522, supra, as follows:

On page 142, line 11 after the word “purposes,” insert the following: “: Provided further, That of the funds made available under this heading, not less than $100,000,000 shall be made available by the Department of Justice for counter narcotic activity initiatives specifically policing initiatives to combat methamphetamine production and trafficking and to enhance policing initiatives in drug ‘hot spots’.”

EDWARDS AMENDMENTS Nos. 3570–3581

(Ordered to lie on the table.)
Mr. EDWARDS submitted twelve amendments intended to be proposed by him to the bill, S. 2522, supra; as follows:

AMENDMENT No. 3570
At the appropriate place, insert the following:

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS
For an additional amount for “Economic Development Assistance Programs,” $50 million, to remain available until expended, for planning assistance, public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided, That the entire amount made available under this heading shall be available only to Lenoir County, North Carolina. \(\text{Provided Further, That the entire amount made available under this heading is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).}\)

AMENDMENT No. 3571
At the appropriate place, insert the following:

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS
For an additional amount for “Economic Development Assistance Programs,” $5 million to remain available until expended, for planning assistance, public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided, That the entire amount made available under this heading shall be available only to Nash County, North Carolina. \(\text{Provided Further, That the entire amount made available under this heading is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).}\)

AMENDMENT No. 3572
At the appropriate place, insert the following:

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS
For an additional amount for “Economic Development Assistance Programs,” $3 million to remain available until expended, for planning assistance, public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided, That the entire amount made available under this heading is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

AMENDMENT No. 3573
At the appropriate place, insert the following:

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS
For an additional amount for “Economic Development Assistance Programs,” $1.5 million to remain available until expended, for planning assistance, public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided, That the entire amount made available under this heading shall be available only to Piney Woods, North Carolina. \(\text{Provided Further, That the entire amount made available under this heading is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).}\)

AMENDMENT No. 3574
At the appropriate place, insert the following:

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS
For an additional amount for “Economic Development Assistance Programs,” $3 million, to remain available until expended, for planning assistance, public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided, That the entire amount made available under this heading shall be available only to Tarboro, North Carolina. \(\text{Provided Further, That the entire amount made available under this heading is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).}\)

AMENDMENT No. 3575
At the appropriate place, insert the following:

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS
For an additional amount for “Economic Development Assistance Programs,” $1.5 million to remain available until expended, for planning assistance, public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided, That the entire amount made available under this heading shall be available only to Nash County, North Carolina. \(\text{Provided Further, That the entire amount made available under this heading is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).}\)

AMENDMENT No. 3576
At the appropriate place, insert the following:

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS
For an additional amount for “Economic Development Assistance Programs,” $1.5 million to remain available until expended, for planning assistance, public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided, That the entire amount made available under this heading shall be available only to Greene County, North Carolina. \(\text{Provided Further, That the entire amount made available under this heading is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).}\)

AMENDMENT No. 3577
On page 140, between lines 19 and 20, insert the following:

At the appropriate place, insert the following:

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS
For an additional amount for “Economic Development Assistance Programs,” $2 million to remain available until expended, for planning assistance, public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided, That the entire amount made available under this heading shall be available only to Edgecombe County, North Carolina. \(\text{Provided Further, That the entire amount made available under this heading is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).}\)

AMENDMENT No. 3578
On page 140, between lines 19 and 20, insert the following:

At the appropriate place, insert the following:

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS
For an additional amount for “Economic Development Assistance Programs,” $1.5 million to remain available until expended, for planning assistance, public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided, That the entire amount made available under this heading shall be available only to Columbus County, North Carolina. \(\text{Provided Further, That the entire amount made available under this heading is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).}\)
Duplin County, North Carolina. Provided further, That the entire amount made available under this heading is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

AMENDMENT No. 3580

On page 140, between lines 19 and 20, insert the following:

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS
For an additional amount for "Economic Development Assistance Programs," $1.5 million to remain available until expended, for planning assistance, public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided, That the entire amount made available under this heading is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

AMENDMENT No. 3581
At the appropriate place, insert the following:

CHAPTER 1
DEPARTMENT OF AGRICULTURE
FARM SERVICE AGENCY
SALARIES AND EXPENSES
For an additional amount for "Salaries and Expenses", $77,560,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount made available under this heading is designated by Congress as an emergency requirement as defined in section 381E(d)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009d(d)(1)) for emergency needs resulting from natural disasters, as follows:

AMOUNT
$13,000,000 for section 504 housing repair grants, as authorized by title V of the Housing Act of 1949, to remain available until expended, to address emergency needs resulting from natural disasters, as follows:

For grants and contracts for very low-income housing repair, as authorized by title V of the Housing Act of 1949, for emergency needs resulting from Hurricane Dennis, Floyd, or Irene, $13,000,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

Rental Assistance Program
For additional amount for "Rental Assistance Program" for renewal agreements entered into or renewed pursuant to section 521(a)(2) of the Housing Act of 1949, for emergency needs resulting from Hurricane Dennis, Floyd, or Irene, $13,000,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

Rural Housing Service
RURAL HOUSING INSURANCE FUND PROGRAM

For the additional cost of direct loans, as authorized by title V of the Housing Act of 1949, for emergency needs resulting from Hurricane Dennis, Floyd, or Irene, $13,000,000, to remain available until expended as follows: section 521(a)(2) of the Housing Act of 1949, $15,872,000 from the Rural Housing Insurance Fund to meet the needs resulting from natural disasters, $8,000,000, to remain available until expended, to address emergency needs resulting from natural disasters, as follows:

For grants and contracts pursuant to section 521(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

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ed, is transmitted by the President to the Congress.

COMMERCIAL CREDIT CORPORATION FUND

The Secretary of Agriculture shall reduce the amount of any principal due on a loan made by the Department to a marketing association for the 1999 crop of an agricultural commodity by up to 75 percent if the marketing association suffered losses to the agricultural commodity in a county with respect to which a natural disaster was declared by the Secretary or the President for losses due to Hurricane Dennis, Floyd, or Irene.

If the Secretary assigns a grade quality for the 1999 crop of an agricultural commodity marketed by an association described in the preceding paragraph that is below the base quality of the agricultural commodity, and the reduction in grade quality is the result of damage sustained from Hurricane Dennis, Floyd, or Irene, the Secretary shall compensate the association for losses incurred by the association as a result of the reduction in grade quality.

Up to $81,000,000 of the resources of the Commodity Credit Corporation may be used for the cost of this provision: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS

For an additional cost of water and waste grants, as authorized by 7 U.S.C. 1926(a)(2), to meet the needs resulting from natural disasters, $28,000,000 to remain available until expended; and for an additional amount for community facilities pursuant to section 381E(d)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009d(d)(1)) for emergency needs $15,000,000, to remain available until expended: Provided, That these funds available under this heading may be used to repair and reconstruct essential farm structures and equipment that have been damaged or destroyed, after a finding by the Secretary of Agriculture that: (1) the damage or destruction is the result of a natural disaster declared by the Secretary or the President for losses due to Hurricane Dennis, Floyd, or Irene; and (2) insurance against the damage or destruction was not available to the grantee or the grantee lacked the financial resources to obtain the insurance: Provided further, That this entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.
further, functions for "Salaries and Expenses": be transferred to and merged with appropriation for "Surveys, Investigations, and Research": $1,800,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERA TIONS, RESEARCH, AND FACILITIES

For an additional amount for "Surveys, Investigations, and Research": $1,800,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for "Economic Development Assistance Programs": $25,800,000, to remain available until expended, for planning, public works grants and revolving loan funds for communities affected by Hurricane Floyd and other recent hurricanes and disasters: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for "Operation and maintenance expenses due to hurricanes and other natural disasters": $27,925,000, to remain available until expended: Provided, That the total amount appropriated for a fiscal year shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER 4

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for "Construction": $4,000,000, to remain available until expended, for repair or replace building, equipment, roads, and water control structures damaged by natural disasters: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for "Construction": $4,000,000, to remain available until expended, for repair or replace visitor facilities, equipment, roads and trails, and cultural sites and artifacts at national park units damaged by natural disasters: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for "Surveys, Investigations, and Research": $1,800,000, to remain available until expended, for repair or replace stream monitoring equipment and associated facilities damaged by natural disasters: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER 5

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

HOMESTEAD PARTNERSHIPS PROGRAM

For an additional amount for the HOME investment partnerships program as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (Public Law 96-252) and section 3801 of this Act: Provided, That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

INDEPENDENT AGENCIES

DEPARTMENT OF DEFENSE—CIVIL

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

For an additional amount to conduct a study and report to the Congress on the feasibility of a project to provide flood damage reduction at the floodplain of Princess Anne, Virginia, and South Carolina, $1,500,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

For an increase in the authority to use uncommitted balances available under this heading in appendix E, title I, chapter 2, of Public Law 106–113. In addition to other amounts made available, up to an additional $77,000,000 may be used by the Federal Emergency Management Agency for the purposes included in said chapter: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.
EDWARDS (AND TORRICELLI) AMENDMENT NO. 3582

(Ordered to lie on the table.)

Mr. EDWARDS (for himself and Mr. TORRICELLI) submitted an amendment intended to be proposed by them to the bill, S. 2522, supra; as follows:

SEC. 5. IMPLEMENTATION OF SECURITY REFORM AT THE DEPARTMENT OF ENERGY.

SEC. 5. IMPLEMENTATION OF SECURITY REFORM AT THE DEPARTMENT OF ENERGY.

(a) FINDINGS.—Congress finds that—

(1) On March 9, 1999, Clinton asked the President's Foreign Intelligence Advisory Board (PFIAB) to undertake an inquiry and issue a report on "the security threats at the Department of Energy's weapons labs and the adequacy of the measures that have been taken to address them.");

(2) In June 1999, the PFIAB issued a report titled "Science at its Best, Security at its Worst," which concluded the Department of Energy "represents the best of America's scientific talent and achievements, but it has been responsible for the worst security record on secrecy that the members of this panel have ever encountered.");

(3) The PFIAB report further stated, "The Department of Energy has had a fundamental bureaucratic failure that has proven it incapable of reforming itself. . . . Reorganization is clearly warranted to resolve the many specific problems of counterintelligence in the weapons laboratories, but also to address the lack of accountability that has become endemic throughout the entire Department. . . . Real and lasting security and counterintelligence reform at the weapons labs is simply unworkable within DOE's current structure and culture."

(b) SENSE OF THE SENATE.—It is the Sense of the Senate that—

(1) On March 18, 1999, President Clinton approved by the House of Representatives on September 22, 1999, by a vote of 93 to 5.

(10) President Clinton signed the National Defense Authorization Act for Fiscal Year 2000, Public Law 106–65, on October 5, 1999. President Clinton issued a statement which said, "Until further notice, the Secretary of Energy shall perform all duties and functions of the Under Secretary for Nuclear Security. The Secretary is instructed to guide and direct all personnel of the National Nuclear Security Administration, as if appointed by the President.

(11) On May 3, 2000 the nomination of General John Gordon to head the National Nuclear Security Administration (NNSA) was received by the Senate from the President. On June 14, 2000, General John Gordon was confirmed by the Senate by a vote of 97 to 0.

(12) On May 4, 2000 the PFIAB issued a report stating, "The Department of Energy has had a fundamental bureaucratic failure that has proven it incapable of reforming itself. . . . Reorganization is clearly warranted to resolve the many specific problems of counterintelligence in the weapons laboratories, but also to address the lack of accountability that has become endemic throughout the entire Department. . . . Real and lasting security and counterintelligence reform at the weapons labs is simply unworkable within DOE."

(13) The PFIAB report further stated, "The Department of Energy has had a fundamental bureaucratic failure that has proven it incapable of reforming itself. . . . Reorganization is clearly warranted to resolve the many specific problems of counterintelligence in the weapons laboratories, but also to address the lack of accountability that has become endemic throughout the entire Department. . . . Real and lasting security and counterintelligence reform at the weapons labs is simply unworkable within DOE."

(14) On May 26, 1999, Secretary of Energy Bill Richardson stated, "Americans can be reassured: Our national nuclear secrets are, today, safe and secure."
the National Nuclear Security Administration.

(4) The Secretary of Energy should permit the Administrator of the National Nuclear Security Administration to manage all aspects of United States’ nuclear weapons programs without interference.

(5) The Secretary of Energy should drop efforts to “dual-hat” officers or employees of the Department of Energy to serve concurrently in positions within the National Nuclear Security Administration and the Department of Energy. Such efforts to extensively dual-hat officials are contrary to the intent of Congress when it passed Public Law 106–65.

(6) The Administrator of the National Nuclear Security Administration shall take all appropriate steps to ensure that the protection of sensitive and classified information becomes the highest priority of the National Nuclear Security Administration.

ABRAHAM AMENDMENTS NOS. 3584–3585

(Ordered to lie on the table.)

Mr. ABRAHAM submitted two amendments intended to be proposed by him to the bill, S. 2522, supra; as follows:

AMENDMENT NO. 3584

On page 14, line 4, strike “$15,000,000” and insert “$35,000,000”.

AMENDMENT NO. 3585

On page 14, beginning on line 4, strike “not less than $15,000,000” and all that follows through the period on line 7 and insert the following: “and existing accounts, not less than $250,000,000 should be made available to Lebanon to be used for, among other programs, rebuilding power generation plants, schools, water purification facilities, roads, and general infrastructure projects, with the understanding that the most immediate need is in the South of Lebanon.”.

EDUCATIONAL OPPORTUNITIES ACT

EDWARDS (AND TORRICELLI) AMENDMENT NO. 3586

(Ordered to lie on the table.)

Mr. EDWARDS (for himself and Mr. TORRICELLI) submitted an amendment intended to be proposed by him to the bill, S. 2522, supra; as follows:

At the appropriate place, insert the following:

DEPARTMENT OF AGRICULTURE

RURAL COMMUNITY ADVANCEMENT PROGRAM

For an additional amount for the rural community advancement program under the section 381E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009d), $250,000,000, to remain available until expended, to provide grants under the community facilities grant program under section 306(a)(19) of that Act (7 U.S.C. 2009d(a)(19)); Provided, That the entire amount made available under this heading shall be available only to the extent that the President submits to Congress an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901 et seq.); and

SPECTER AMENDMENT NO. 3588

Mr. SPECTER proposed an amendment to the bill, S. 2522, supra; as follows:

On page 140, between lines 19 and 20, insert the following:

EDWARDS (AND OTHERS) AMENDMENT NO. 3589

Mr. McCONNELL (for Mr. EDWARDS (for himself, Mr. TORRICELLI, Mr. ROBB, and Mr. LAUTENBERG)) proposed an amendment to the bill, S. 2522, supra; as follows:

On page 140, between lines 19 and 20, insert the following:

EMERGENCY FUNDING TO ASSIST COMMUNITIES AFFECTED BY HURRICANE FLOYD, HURRICANE DENNIS, OR HURRICANE IRENE

SEC. 5. (a) Economic Development Assistance.—

(1) In general.—There is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2000, for an additional amount for “Economic Development Assistance Programs”, $125,000,000, to remain available until expended, for planning assistance, public works grants, and revolving loan funds to assist communities affected by Hurricane Floyd, Hurricane Dennis, or Hurricane Irene.

(b) Emergency Designation.—The $125,000,000—

(A) shall be available only to the extent that the President submits to Congress an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)), and

(b) Community Facilities Grants.—

(1) In general.—There is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2000, for an additional amount for the rural community advancement program under title E of the Balanced Budget and Emergency Deficit Control Act of 1985 (7 U.S.C. 901(b)(2)(A)), and

(2) Emergency Designation.—The $125,000,000 is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the recess of the Senate on Wednesday, June 21, 2000. The purpose of this meeting will be to discuss the Commodity Futures Modernization Act of 2000.

THE PRESIDING OFFICER. Without objection, it is so ordered.
9:30 a.m., in open and closed session to receive testimony on security failures at Los Alamos National Laboratory.

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

COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, June 21, 2000, at 9:30 a.m. on the United/US Airways merger.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, June 21, for purposes of conducting a Full Committee business meeting which is scheduled to begin at 9:30 a.m. The purpose of this business meeting is to consider pending calendar business.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, June 21, 2000, at 2:30 p.m. to hold a hearing.

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

COMMITTEE ON THE JUDICIARY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, June 21, 2000, at 2:30 p.m. to hold a hearing.

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

COMMITTEE ON INTELLIGENCE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, June 21, 2000, at 2:30 p.m. to hold a joint closed hearing on intelligence matters with the Committee on Energy and Natural Resources.

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

SUBCOMMITTEE ON FISHERIES, WILDLIFE AND WATER

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Fisheries, Wildlife, and Water be authorized to meet during the session of the Senate on Wednesday, June 21, 2000, at 10 a.m., to receive testimony on S. 1787, the Good Samaritan Abandoned or Inactive Mine Waste Reclamation Act.

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

SUBCOMMITTEE ON WATER AND POWER

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power be authorized to meet during the session of the Senate on Wednesday, June 21 at 2:30 p.m. to conduct a hearing. The subcommittee will receive testimony on S. 1848, a bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Denver Water Reuse project; S. 1761, the Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 1999; S. 2301, a bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Lakehavent water reclamation project for the reclamation and reuse of water; S. 2400, a bill to direct the Secretary of the Interior to convey water from current or future federal water distribution facilities to the Northern Colorado Water Conservancy District; S. 2499, a bill to extend the deadline for commencement of construction of a hydroelectric project in the State of Pennsylvania; S. 2594, and S. a bill to authorize the Secretary of the Interior to contract with Mancos Water Conservancy District to use the Mancos Project facilities for impounding, storage, diverting, and carriage of non-project water for the purpose of irrigation, domestic, municipal, industrial, and other beneficial purposes.

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

PRIVILEGES OF THE FLOOR

Mr. LEAHY. Mr. President, I ask unanimous consent that Ken Moskovitz, a fellow on the staff of Senator Jeffords, be granted the privilege of the floor for the pendency of this measure.

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

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Jill Hickson, a congressional fellow, and Tanja Rinkes and Daniel May, who are interns, have the privilege of the floor today during the consideration of the bill.

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

Mr. REID. Mr. President, I ask unanimous consent that Alisa Nave, a congressional fellow in my office, be entitled to floor privileges.

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

Mr. BIDEN. Mr. President, I ask unanimous consent that Robin Meyer, a fellow in the office of Senator Kennedy, be permitted on the floor during the consideration of action on the foreign operations appropriations bill.

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

Mr. REED. Mr. President, I ask unanimous consent that Jon Lauder, a fellow in the office of Senator Kennedy, be accorded floor privileges during the consideration of the foreign operations appropriations bill.

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

MEASURES READ THE FIRST TIME—H.R. 4601 AND H.R. 3859

Mr. MCCONNELL. Mr. President, I understand the following bills are at the desk, H.R. 4601 and 3859. I ask for the first reading of each of these bills and ask that it be in order to read the titles consecutively.

The PRESIDING OFFICER. The clerk will report the bills by title.

The legislative clerk read as follows:

A bill (H.R. 4601) to provide for reconciliation pursuant to section 213(c) of the concurrent resolution on the budget for fiscal year 2001 to reduce the public debt and to decrease the statutory limit on the public debt.

A bill (H.R. 3859) to amend the Congressional Budget Act of 1974 to protect Social Security and Medicare surpluses through strengthened budgetary enforcement mechanisms.

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

ORDERS FOR THURSDAY, JUNE 22, 2000

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Thursday, June 22. I further ask consent that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period for morning business until 10 a.m., with the time equally divided between Senator Akaka and Majority Leader Lott or his designee.

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

PROGRAM

Mr. MCCONNELL. Mr. President, for the information of all Senators, when the Senate convenes tomorrow, it will be in a period for morning business to be followed by the consideration of the House Labor-HHS appropriations bill as under the previous order; Amendments are expected to be offered and debated throughout the morning. Under a previous order, the amendment debates tonight with regard to foreign operations appropriations bill will be voted on tomorrow at 2 p.m. Any votes ordered relative to the Labor-HHS bill will be stacked to occur at the end of the series of votes
in relation to the foreign operations appropriations bill. Therefore, Senators may expect votes into the evening.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. McCONNELL. 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 8:14 p.m., adjourned until Thursday, June 22, 2000, at 9:30 a.m.
The House met at 9 a.m.

The Speaker: The Reverend Dr. Nelson Price, Roswell Street Baptist Church, Marietta, Georgia, offered the following prayer:

Mr. Speaker, to you and your colleagues, it is a privilege to pray in your presence as I do often in your absence. Dear Lord, with a firm belief that our Nation was given birth because of Your concurring aid, we come again to ask Your aid.

Renew within us the fervor and faith of our founders that we might truly be "one Nation under God."

Rekindle the ardor and the awe of our predecessors that we may avoid a state of spiritual impoverishment and shrunken moral aspiration.

We praise You for the bounty of the land and Your blessings on the people. In gratitude we bow before You imploring You to give wisdom that superseded knowledge to those who govern here. In Your Holy Name I ask it. 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 1, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The Speaker. Will the gentleman from Massachusetts (Mr. Moakley) come forward and lead the House in the Pledge of Allegiance?

Mr. Moakley 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 gentleman from Georgia (Mr. Barr) will be recognized for 1 minute. All other 1-minutes will be postponed until the end of the day.

WELCOMING REV. REVEREND DR. NELSON PRICE

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

Mr. BARR of Georgia. Mr. Speaker, it is a wonderful pleasure and true honor along with my colleague JOHNNY ISAKSON of the Sixth District to welcome Reverend Nelson Price to this House and to the presidency of your church today. We also extend a welcome on behalf of the House of Representatives to his lovely wife Trudy who is with him here today.

Reverend Price has been the pastor at Roswell Street Baptist Church, as the Speaker indicated, for close to 35 years. During those 35 years, he has ministered to countless thousands of God's children, both in his parish, visitors to his parish, citizens of his community, citizens of this land and indeed citizens around the world.

His voice truly, Mr. Speaker, is one of those voices that President Reagan spoke about in his second inaugural address of 1985 when he spoke of the American sound. The American sound that in the words of President Reagan echoed out across the prairies, across the mountains as the settlers moved west, as our Nation prospered, as our Nation fought wars during the lonely hours of Presidents seeking to retain the Union and preserve the Union, that American sound, as President Reagan admonished all of us in 1985, is always waiting to be passed on as a torch to a new generation so that it continues to echo for freedom, truth, honor and dignity and the belief and a recognition that our Nation truly was founded by the hand of God and to whom we have a special responsibility.

We heard a continuation of that American sound today in the words of Reverend Nelson Price. As Nelson Price prepares to retire from the active ministry at the end of this year in November after 35 years as the pastor of Roswell Street Baptist Church and its some 9,000 members, I know that I speak for all Members of this body and for the Speaker in wishing him well and Godspeed.

WITHDRAWING APPROVAL OF UNITED STATES FROM AGREEMENT ESTABLISHING WORLD TRADE ORGANIZATION

Mr. REYNOLDS of Oregon. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 528 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 528

Resolved. That upon the adoption of this resolution it shall be in order to consider in the House the following resolution: H.J. Res. 90 withdrawing the approval of the United States from the Agreement establishing the World Trade Organization. The joint resolution shall be considered as read for amendment. The joint resolution shall be debatable for two hours of debate equally divided among and controlled by the chairman and ranking minority member of the Committee on Ways and Means, Representative Paul of Texas, and Representative DeFazio of Oregon or their designees. Pursuant to section 152 of the Trade Act of 1974 and section 125 of the Uruguay Round Agreements Act, the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion.

The Speaker. The gentleman from New York (Mr. Reynolds) is recognized for 1 hour.

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

Mr. Speaker, on Monday the Committee on Rules met and granted a closed rule for H.J. Res. 90, a bill to withdraw the approval of the United States from the agreement establishing the World Trade Organization. The rule provides for 2 hours of general debate equally divided and controlled by the chairman and the ranking member of the Committee on Ways and Means, the gentleman from Texas (Mr. Paul) and the gentleman from Oregon (Mr. DeFazio).

Mr. Speaker, 6 years ago this body passed legislation known as the Uruguay Round Trade Agreements. The legislation established the World Trade Organization, or WTO, which replaced the General Agreement on Tariffs and Trade, or GATT, with a more comprehensive and workable trade agreement.

In "Democracy in America," Alexis DeTocqueville wrote that "in democracies, nothing is more great or more brilliant than commerce." In our great democracy, this United States is the world leader in the global marketplace, affecting the lives and quality of life of millions of American workers, farmers and businesses who depend on open and stable world markets. The United States is the world's leading exporter and importer, trading over $2 trillion worth of goods and services each year in the international marketplace.

While the underlying measure would not necessarily provide for the President to withdraw from the WTO, it would call the United States global future into question. Without a solid defeat of this measure, Congress will send the wrong message to the other 135 member countries. U.S. participation and strong leadership in the WTO is an...
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integral part of the success of the stable trade environment the organization is creating.

Mr. Speaker, the Committee on Ways and Means reported this bill unfavorably on June 12. The committee reasoned that continued U.S. participation in the global trading system is vital to America's long-term economic and strategic interests, continued prosperity and strengthening the rule of law around the world. In reporting the bill unfavorably, the committee reinforced a fundamental fact that this is a Nation of leadership, not of isolationism.

The WTO provides a forum to lower tariffs and other barriers to international trade. This is not the time for the U.S. to move away from the global economy by sending the wrong message to its trading partners. Additionally, through the World Trade Organization, member countries have established multilateral rules for trade that provide a stable environment for businesses and farmers who export their products. The WTO plays a vital role in enforcement and resolution of trade disputes. In fact, the WTO has been much more effective than its predecessor, GATT, in providing timely resolutions to global trade disputes. Finally, the WTO provides a forum for ongoing negotiations to reduce trade barriers and advance global trade.

Mr. Speaker, the fact is that U.S. exports have increased in the last 5 years under WTO. Our growth in international trade stimulates greater capital investment, higher productivity, technological innovation and more American jobs. American goods, crafted and innovated by the skill and labor of America's workers, are second to none. But our success in selling those goods and services around the globe is assured only through free and open markets. The WTO continues to advance and create those freer and more open markets. We must keep our commitment to our workers and our businesses by allowing the U.S. to continue to be a leader in the global marketplace. Through that leadership and our success, our economy will continue to grow and more jobs will be created. Even more important, we will demonstrate our continued faith in the quality and the productivity of American workers.

Mr. Speaker, I urge my colleagues to support the rule and oppose the underlying bill.

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

Mr. MOAKLEY. Mr. Speaker, I thank my good friend the gentleman from New York (Mr. REYNOLDS) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this rule but in opposition to H.J. Res. 90, the resolution that it makes in order. This rule provides 2 hours of general debate and the time is divided equally between the proponents, the chair and ranking member of the Committee on Ways and Means, and the opponents, the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Texas (Mr. PAUL). This rule is necessary, Mr. Speaker, because of a provision in the Uruguay Round Agreements Act that authorized the President to accept the United States' membership in the World Trade Organization. Sections 124 and 125 of this act require that the President every 5 years report to the Congress on United States participation in the World Trade Organization.

The purpose of this report, according to the Committee on Ways and Means, is to provide an opportunity for Congress to evaluate the transition of the GATT to the WTO, and also to assess periodically whether continued membership in this organization is in the best interest of the United States. After receipt of this report, Mr. Speaker, any Member of Congress may introduce a joint resolution to withdraw congressional approval of the agreement that establishes the WTO. That resolution is on a fast track which requires committee action within 45 days and up to 20 hours of floor consideration within 90 days unless a rule establishing debate is enacted prior to that time. This is the rule that we are working on.

Mr. Speaker, I do not support withdrawal of the United States from the World Trade Organization. The World Trade Organization and its predecessor, the General Agreement on Tariffs and Trade, or GATT, have opened many foreign markets for U.S. goods and services around the globe, particularly in the Uruguay Round Agreement. Mr. Speaker, I have expressed opposition to the WTO's opening of its membership to countries such as China, I believe it would be a mistake for the United States to leave this organization and to isolate itself from the world's other industrial nations.

I think most would agree that overall the benefits of the WTO outweigh the costs. However, having said that, there is much room for improvement in the way the WTO operates. The 5-year report by the President to Congress serves to highlight areas where improvements could be made. A significant portion of our current booming economy is due to increased trade abroad through the rules of the WTO and GATT. But that organization needs to be about more than just trade and tariffs.

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It needs to expand its thinking and its priorities and its rulemaking to the quality of life for those populations it has attempted to serve. The WTO policy needs to focus on improving working conditions, not simply global trade but increased worker protection, increased environmental protection, and respect for human rights.

Mr. Speaker, these issues need to be part of any meaningful trade discussions or negotiations, and any rules regarding these areas need to be vigorously enforced.

One of the most important changes would be to lift the veil of secrecy under which the WTO functions. This organization operates almost entirely behind closed doors, and such a policy has only served to heighten the mistrust of those who already question the WTO. This mistrust can be minimized only, only if there is an opening of the agenda and opening of the minds of the membership on the WTO.

There is an urgent need for public access to the current makeup of the World Trade Organization and particularly the total absence of representatives from labor, the total absence of representatives from the environment, and total absence from people representing human rights groups and from any other WTO advisory groups.

These entities should be given more access to this organization as it develops its policies and rules that ultimately impact in all of these areas. Enforcement of actions that have been negotiated by the members of the World Trade Organization must be tightened.

The creation of the World Trade Organization was, in part, an effort by the GATT to legally bind member governments to GATT's rules. American trade negotiators have been successful in winning trade disputes and other violations, but, unfortunately, the enforcement to correct those transgressions has not been satisfactory. Agreements that have been reached must be enforced for all involved parties.

Whether we like it or not, Mr. Speaker, the world is changing. We truly are moving towards a global economy. The World Trade Organization currently has a membership of 135 nations, with another 32 who seek to join this organization.

I think it would be very detrimental for the United States to pull out of the World Trade Organization at this time. But that does not mean that we should turn our backs on those people and those issues that desperately need to be part of the World Trade Organization's agenda. We can probably do more than any nation to see that these critical but overlooked matters become top priorities with our trading partners.

Mr. Speaker, let us pass the rule, but defeat H.J. Res. 90.

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

Mr. REYNOLDS. Mr. Speaker, I yield as much time as he may consume to
the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules, who is not only an expert, but also holds authority on trade issues in the WTO.

Mr. DREIER. Mr. Speaker, that is kind of a frightening introduction, and I hope it did not offend the gentleman from Texas (Mr. PAUL) here.

Mr. Speaker, let me thank my friend for yielding me the time; and I rise, first of all, to compliment my friend, the gentleman from Texas (Mr. PAUL). The gentleman clearly shares my view that we need to do everything that we possibly can to diminish barriers that allow for the free flow of goods and services throughout the world. In fact, the gentleman and I were discussing this issue yesterday, and we both agreed that we very much want to diminish the barriers.

I wish that there were not a single tariff that existed in the world, because we all know that a tariff is a tax; and we, as Republicans, were born to cut taxes.

If you go back to 1947 and look at the establishment of the General Agreement on Tariffs and Trade, it came following the Second World War, and we all know that protectionism played a role in exacerbating both the Great Depression and, I believe and most economists agree, establishing the hand of Adolph Hitler.

Following the defeat of Nazism in the mid-1940s, we saw world leaders come together and establish the GATT. They had one simple goal they put forward: What was it? To decrease tariff barriers. So with that as a goal, the GATT worked for years and years and years, decades in an attempt to bring down those barriers through a wide range of agreements. And so I urge support of the rule that my friend from New York pointed out very well in his statement, we today have the World Trade Organization.

Mr. Speaker, 5 years ago it was established; and it was established again with the continuation of that goal of trying to decrease tariff barriers. There are not 135 nations that belong to the World Trade Organization, and I am not going to say that there are not problems within the WTO. And I know that my friend from Houston will clearly point those out; but I am one who has concluded that we cannot let the perfect be the enemy of the good, because clearly the goal of the WTO is to cut taxes, to decrease those tariffs.

I think that it is the right thing to do. I am very pleased to have my friend from South Boston, the distinguished ranking minority member of the Committee on Rules (Mr. MOAKLEY) join in support of continuation of the WTO; and in his statement, he correctly pointed out, that when this was established 5 years ago, there was a provision in the implementing legislation that said that we could have a resolution that would allow us to have the debate which we are going to have today dealing with the question of whether or not the United States should maintain its membership in the WTO.

Mr. Speaker, it is very clear to me that if we look at the past 5 years, since we saw the WTO established, it has been an overwhelming success; and I think that the wisest thing for us to do is to point to the economy of the United States of America and the economy of the world.

Today we have the lowest unemployment rate, the strongest economic growth, low inflation. We have very positive economic signs. I believe that we would allow a 100% increase in tariffs, but in large part due to the fact that we have worked to try to diminish those barriers. We very much want to find opportunities for the United States to gain access to new markets around the world. The charter of the United Nations, and certainly by God, not to the World Trade Organization that has ruled against us every single year, from Venezuelan oil to Chinese trinkets.

This is not a matter of trade. This is not a matter of exclusion. This is a matter of American sovereignty. And by God, I think some common sense should infuse itself into the Congress of the United States who is acting like world citizens who took an oath to the United Nations.

Mr. REYNOLDS. Mr. Speaker, I yield 6 minutes to the gentleman from Texas (Mr. PAUL).

Mr. PAUL. Mr. Speaker, I thank the gentleman for yielding time.

Mr. Speaker, it is true that I believe in low tariffs, because it means low taxes. When we had that problem facing us at the time of the constitutional convention, we were able to correct that problem in one sentence, no tariff barriers between the States, and it has been very successful. That is not what we are talking about here today.

We are talking about a very complex treaty, an illegal treaty, an unconstitutional treaty. This is the size of the agreement. This has nothing to do with trying to reduce taxes. As a matter of fact, when this was passed in 1994, the thought was and the statement was made on the House floor that it would lower taxes; and that I would support.

The truth is, there was an offset for every tax that was lower. Even with NAFTA, one gentleman told me that he immediately benefitted from NAFTA, because the tariff barriers were lowered. But do you know what happened, there was a reclassification of his product, and his tax went back on because he was a little guy, but the big guys got the benefits.
So there is something very unfair about the system. It is an unconstitutional approach to managing trade. We cannot transfer the power to manage trade from the Congress to anyone. The Constitution is explicit. “Congress shall have the power to regulate foreign commerce.” We cannot transfer that authority. Transferring that authority to the WTO is like the President transferring his authority as Commander in Chief to the Speaker of the House.

We cannot do that, and we cannot give up our responsibilities here in the House and relinquish it through a very complex treaty arrangement. Now, even if we had passed this as a treaty, it would not be legal, because we cannot amend the Constitution with a treaty, and that is essentially what is happening here.

What is happening here is the people have lost control and they know it, and that is why the people are speaking out. They are frustrated with us, and they are going to the streets. That is a bad sign. That is a bad sign that we are not representing people.

The WTO represents the special interests not the people. Why is it that the chairman of the board of Chiquita banana decided in the last 3 years to give $1.6 million to the politicians? Because he will have access to the U.S. Trade Commissioner. Now, it is not us who will vote, but it will be the non-elected officials at the WTO who will fight the battles in an unelected international bureaucracy, the WTO, which acts in secrecy.

There is something wrong with that. We only have a chance every 5 years to debate the WTO. The original bill allowed for 20 hours of debate. That is how important the issue was thought to be. Realizing how difficult that would be and the odds against that happening, I was quite willing to agree to 2 hours of debate. But that really is not enough, because this is a much more important issue than that.

I know the opposition, those who believe in international managed trade through the World Trade Organization, would not like to have this debate at all, because I think deep down inside they know there is something wrong with it. I think that they do not want to hear the opposition.

I am absolutely convinced that truth is on our side, that we will win the debate, disregarding the vote. But what is being done is a bad sign. We have a greater responsibility here than just to count the votes. We have a responsibility to try our best to follow the law of the land, which is the Constitution; and quite clearly we do not have the authority to transfer this power to unelected bureaucrats at the WTO.

The WTO has ruled against us, stating that the Foreign Corporation tax sales credit is illegal; and we have promised by October 1 to rescind this tax benefit, and unfortunately we will. I would like to note that from the Committee on Ways and Means when this is going to happen, how we are going to do it, because it is going to be a $4 billion increase on our taxes. This will be passed on to the people. At the same time the European Community is preparing to file a case against the U.S. in the WTO to put a tax on international sales.

In Europe there is a tax on international sales. If you buy software over the Internet, you are charged a sales tax. The Europeans said they will absolutely not reduce that tax. In America we do not have that tax, which is wonderful. So for the Europeans, what would the logical thing be? If you can transfer value over the Internet, they buy their software from us. That is good. Since they refuse to lower their taxes, they are going to the WTO to get a ruling. Well, maybe they will rule against us. They will now call it a tax subsidy. What will we do? We are obligated, we are obligated under the rules, to accommodate and change our laws. We have made that promise. Some will say, Oh, no, we will not, we will not. We are not representing the people. We do not have to do it. What happens? Then the complaining nations go to the WTO who then manages a trade war. They permit it. This results in a continual, perpetual trade war managed by the WTO, something we need to seriously challenge.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. DeFAZIO).

Mr. DeFAZIO. Mr. Speaker, I thank the gentleman for yielding the time.

This debate is going to be constrained today in the House. It is being held at an unusually early hour, with little notice to Members, except at 11 o’clock last night. Our debate itself is constrained by this rule to 2 hours, although the legislation which passed this body, a lame duck Congress, I might add, without any amendments allowed, was to have up to 20 hours of debate.

This should be an important debate, with the United States running this year probably a $300 billion-plus trade deficit, something that we cannot do forever without dire consequences. Although the gentleman from California spoke eloquently earlier about how wonderful it is to import things. Of course, if you import more than you export, you are losing jobs and you are importing the foreign resources, and the U.S. is running up a tab at a record rate, $300 billion a year, probably $80 billion with China this year.

We are helping to finance their military expansion and other things that the dictators are doing over there with our addiction to their extraordinarily cheap exports. But there are problems that come with those cheap exports, in addition to the loss of U.S. jobs.

But what particularly concerns me here today is the fact that the debate is constrained; it is at an early hour. The original adoption of the legislation that bound the U.S. to the WTO was passed in a lame duck Congress, when the Democrats had just lost the House of Representatives, and it was brought up under extraordinary procedures that allowed no amendment.

Luckily, that law has not been renewed, the so-called fast track legislation, allowing a President to negotiate an incredibly complex agreement and then bring it to Congress and say oh, you can’t change anything, because if you change it that is the end of it and the U.S. will be an isolationist. That is what we are going to hear again today, you are either for an isolationist or its tax laws, a $4 billion-a-year subsidy for engagement with the rest of the world and for trading with the rest of the world, but just not under these rules, not under the secretive WTO organization, not under an organization that resolves disputes between parties in secret tribunals.

Now, when I first brought this up during the original deliberations under GATT to then Mickey Kantor, the President’s special Trade Representative, I said, You know, how can the U.S. bind itself to an organization that will resolve disputes in secret tribunals with no conflict of interest rules, to intervenors, not public scrutiny? How can the U.S. bind itself to that, and they can overturn our laws? He said Oh, you don’t understand. They can’t overturn our laws. All they can do is fine us in perpetuity if we want to keep our laws.

I said, Oh, that is an interesting and subtle distinction. But that is the way it works. And there a list of U.S. laws, thus far ones most people apparently do not care a lot about, Marine Mammal Protection Act, Endangered Species Act, Clean Air Act.

But now there is one on the radar screen. They want us to change our tax laws, $4 billion-a-year subsidy. Now the Europeans have won the decision against the United States that would mandate that the United States change its tax laws, a $4 billion-a-year subsidy to the largest corporations in America.

Now people are getting a little bit excited about this process, Marine Mammal Act, you know, sea turtles, you know, Endangered Species Act, Clean Air Act. It did not register on the radar screen downtown with the Clinton administration. It would be different if we had a Democratic administration, I guess. But when it is a tax break for foreign corporations, now they are very concerned.

Of course, the U.S. has had some victories. The U.S. banana growers, wait a minute, we do not grow bananas in the United States. Well, a large political
Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, as a new Democrat, I want to talk about internationalism. Many of us who have been critical of some aspects of the World Trade Organization and in particular have been critical of an international economic policy which consists entirely of freeing restraints on capital and paying no attention to the problems it can call for worker rights and for environmental problems, we have been accused sometimes of not caring enough about poor people overseas.

Well, I think it is time to focus on the question of who is trying to alleviate poverty overseas in its fullest, because, without question, the single most important thing that this Congress will consider, dealing with poverty overseas, grinding, abject, life-threatening poverty, is international debt relief.

Last year the House Committee on Banking and Financial Services, on which I serve in a bipartisan way, brought forward legislation that created a framework within which the United States could grant debt relief to the poorest countries in the world, countries, in some cases, that had been run by thugs and crooks who had indebted their countries, and these are now countries where people are going without the basic necessities of life because of the need to make debt payments. So a very impressive coalition of religious and charitable and welfare-oriented and private sector groups have come together to press for international debt relief.

Unfortunately, the Committee on Appropriations last year grudgingly voted only some of the money that was necessary. This year we were hoping that we could, within the legislative authorization that is already there, get enough money to complete debt relief, debt relief that is being urged by the Pope, by every major religious organization, by every group internationally that cares about alleviation of poverty and fights hunger.

What have we gotten from the major party? Basically, not very much. The appropriations process is going forward, and so far the result has been an unwillingness to vote the funds for debt relief.

So we ought to be clear. We have people among us, and I am not saying I have not heard from the business community, from all the internationalists, who wanted the World Trade Organization, who wanted permanent trade with China, I have not heard from them. So I have to ask the question, do we have people for whom internationalism and concern for others means a chance to make some money?

Now, making money is a good thing. It helps the people who make it and it helps the rest of us. But when people are internationalists only because they are looking for a chance to increase their profit margins by trade with China and who would care about debt relief for desperately poor people in Africa and Asia and elsewhere is denied, I have to say that my guess is we are talking about self-interest, rather than internationalism and concern for the poor. Self-interest is not a bad thing. What is bad here is not the actual motive, but the pretense.

So I would hope that in the spirit of internationalism, I would hope that this spirit of internationalism turns out to be more than a license to make some money in China. I would hope that the spirit of internationalism does not turn out to be an understanding of the attractiveness of low-wage, non-environmental, no-OHSA type activities as a place to invest. I would hope it would show as a genuine concern for sharing the vast resources of this country and other wealthy countries with poor people. But so far that is not what is happening. So far, the Subcommittee on Foreign Operations and essentially voted virtually nothing. I think 20 percent of what was needed for debt relief.

Now, this is poverty alleviation. This is a case of people who are desperately hungry, children who do not have food or medical care, people who do not have shelter; and if the majority party is not moving forward, what little revenue these people are able to get will be extracted for debt payments, debts contracted in many cases by thugs working with irresponsible financial institutions.

So we will have a test over the next month of internationalism. Right now we have a very incomplete internationalism. The rest of the world, poor countries as a venue in which to make money, then we are all for it. And as I said, I think in and of itself making money is a good thing. But when a request for relieving these people of debts, which are grinding them into poverty, debts which are dysfunctional in their impact on these economies, debts contracted in many cases by thugs working with irresponsible financial institutions, every international-oriented organization, every group concerned with health care and child welfare and food says our highest priority is debt relief, and the majority party responds by saying, Oh, sorry, not this year, then internationalism does not look very good.

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Speaker, I thank my good friend from Massachusetts for yielding me time.

Mr. Speaker, as a new Democrat, I rise in strong support of fair trade, not unfettered free trade, and I also rise in support of the rule, but against the underlying bill.

As a fair trader, as a new Democrat who believes that the trade deficit that we seem to build month by month by month is becoming a bigger and bigger problem, but also as a Member of Congress who believes that we need to pry open and penetrate new markets overseas so that we can export products, not jobs, we need a working, viable, reformed, modernized WTO.

Now, the gentleman from Oregon (Mr. DeFazio), my good friend, said we need dramatic change in the WTO. I agree. I agree with that statement. I think where we differ is that I believe we need dramatic and fundamental change in the WTO to emphasize human rights, to emphasize labor law, to enforce and implement the trade laws that we in the United States have on the books to protect our jobs in the Midwest and throughout the country, but we do not want to blow up the WTO, and that is what this vote is about. We do not want to mow it down, we want to modernize it. We want to improve it, not remove it.

So I believe that the WTO needs to do a much better job of enforcing the trade laws that we have, whether that be the 1995 South Korean automobile trade law that I do not think is well enforced from an
American perspective. The WTO needs to do a much better job of implementing trade laws, of insisting on the rule of law and transparency in trade. However, Mr. Speaker, when we had the debate for the last 4 or 5 years about the United Nations, most of us said with respect to the United Nations, let us change the bureaucracy and get rid of some of it; let us change what we contribute; we contribute too much today to the United Nations. They do some wonderful things to help the poor, for food relief; and, as Kofi Annan said, one in five people, one in five people in the world live on less than $1 per day. One in five people do not have access to safe drinking water. We need the United Nations, but we need to reform it.

With the WTO, we need a working, viable, modernized, revolutionized, reformed WTO; but this vote would remove the WTO. So let us work together to get dramatic change. Let us work together to put more emphasis on labor and human rights, on enforcement and implementation. Let us pass the rule, and let us defeat this underlying bill.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, as we enter the 21st century, we see that the American dream is still alive. America is still a place where an honest day’s work can get one an honest day’s pay. But we see that it is beginning to be challenged. It is being challenged because America is giving up its sovereignty to foreign bureaucrats, because we are losing control over our own laws. It is being challenged because America is giving up its democratic principles to a secret multinational trade organization that does its work behind closed doors. It is being challenged by workers in other nations who cannot enjoy the same freedoms and benefits American workers receive.

Foreign workers who work for pennies a day, foreign workers who work in dangerous and hazardous conditions, foreign workers who work without health benefits, foreign workers who are forced to live in dirty environments, breath dirty air and drink dirty water, foreign workers who cannot organize and speak out for fair wages and fair benefits. Foreign workers who, because of such conditions and through no fault of their own, turn out cheap products and dump them in the United States of America.

It is unfair for American workers to compete with foreign workers on an unfair playing field. It is also unfair for foreign workers to have to work every day in such miserable conditions.

In this current form of global economy, where labor and environmental safeguards are not in place, where the majority of the World Trade Organization members continue to stall and delay and fight against real reform, all workers continue to suffer while corporate profits skyrocket.

Remember that the American dream is just not for Americans; it is also something that is sought by many people around this world. It is a hope for a better life for workers and their families. Unfortunately, for many in this world, it will be a hope that will never become a reality.

A number of my colleagues here in this body have urged the WTO to establish real reform and put labor and environmental safeguards into place. So far, that has fallen upon deaf ears. That is why I plan to vote for H.J. Res. 90. In this current form of WTO only ensures economic prosperity for the elite multinationalists and leaves millions and millions of workers behind.

We need to send a signal to the WTO that if they do not get serious about reform, we will push even harder. We have only begun the fight.

Mr. Speaker, I believe we need real reform of WTO. We need real reform that will bring the American dream to everyone, so workers around the world can have a real hope of achieving happiness.

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

Mr. Speaker, I urge my colleagues to support the rule and oppose the underlying bill.
The WTO system is fundamentally American-based rules of the road for commerce that limit discriminatory trade barriers and damaging sanctions. Because of the strength of U.S. leadership since World War II, our trading partners have been willing to accept the structure of fair trade rules and principles.

Congress has been heavily involved in the development of these rules and principles since the establishment of the GATT in 1947. At the same time, the WTO cannot prevent the United States from establishing whatever level of food, safety, or environmental protection on imports that we see fit to impose. The WTO system of fair play only requires that we apply the same standards to both foreign and domestic producers.

Since its inception in 1995, the WTO has functioned effectively, aiding our efforts to increase job-creating U.S. exports. The best engine for our impressive economic growth has been expanding international trade under the oversight of the WTO.

Since 1995, exports have risen by $235 billion. When we increase exports, in particular, we are increasing the number of high-wage high-tech jobs in cities and towns across America. There is absolutely no better strategy for improving living standards than to try away trade barriers and grow foreign markets for U.S. products. Nearly 12 million high-wage American jobs depend directly on our ability to export under predictable rules. Rules without a mechanism for enforcement would not mean much. The WTO dispute settlement system succeeds in encouraging the resolution of hundreds of trade conflicts through amicable consultations. In the 27 cases where the U.S. filed a formal challenge to foreign practices, we prevailed in 25. Our victories have won millions of dollars in increased sales for U.S. firms and workers.

In establishing the WTO dispute settlement system, Congress insisted on a mechanism with moral authority, but with no power to compel a change in our laws or regulations. Any decision to comply with a WTO panel is solely an internal decision of the United States. In the difficult WTO case against U.S. Foreign Sales Corporations that we are struggling with now, neither the European Union nor the WTO can impose any course of action on the United States.
nondiscrimination, and due process. This is not a perfect organization by any stretch, but to pull out now would mean reverting to a dark time 60 years ago when international trade was governed by political whim and a dangerous absence of rules and fair practices.

I urge a no vote on H.J. Res. 90.

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

Mr. LEVIN. Mr. Speaker, I ask unanimous consent to allow a nonmember of the Committee on Ways and Means to control the balance of the time yielded to me until I am able to return to the Chamber.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There is no objection.

Mr. LEVIN. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. CARDIN), a distinguished member of the Committee on Ways and Means.

Mr. CARDIN. Mr. Speaker, first let me thank the gentleman from Michigan (Mr. LEVIN) for yielding me this time.

Mr. Speaker, it would be irresponsible for us to support this resolution and to withdraw from international trade community, and I certainly oppose this resolution. But let me point out, I think we can do a better job in this body in monitoring our participation in the World Trade Organization.

Let me just point out a couple points if I might. First, we could improve our antisurcharge provisions in our own trade laws, our antidumping and countervailing duty provisions in our section 201 relief.

Last year, we had a surge of steel, cheap and subsidized steel into the United States which costs us many jobs around our country. We could have done a better job. In fact, we did a better job with the recently negotiated agreement with China. We have a better provision in our current law. The gentleman from Michigan (Mr. LEVIN) was instrumental in incorporating that into statute in the legislation that we approved the permanent NTR. So we could do a better job with all of our trading partners in protecting our industries from illegally imported subsidized products.

Secondly, we could do a better job on the review process. A 5-year review without much preparation and advance is not the way we should be reviewing our participation with the WTO.

Today, Mr. Speaker, I filed legislation, and I would like my colleagues to review it and hopefully join me in supporting, that incorporates the suggestions of Senator Dole and supported by the USTR that would set up a commission composed of five Federal appellate judges to review the WTO dispute settlement reports and to make a report to Congress. This Commission would, if they found that the WTO exceeded its authority, affected our rights under the Uruguay Rounds, acted arbitrarily or deprived us of the applicable standards, if that happened, and it has happened that the WTO has made, in the view of legal experts, decisions that do not hold with the precedent and the laws and the obligations under the WTO and Uruguay Rounds, they would make that report to Congress.

Any one of us could file a joint resolution requesting the President to negotiate dispute resolutions within the WTO that address these concerns. If there were three such adverse rulings in a 5-year period, any one of us could file a joint resolution of disapproval of participation in the WTO.

Mr. Speaker, I think that is a more effective means of dealing with the review than voting on this every 5 years, when it would be irresponsible to vote in favor of it. If we did that, I think we are showing the WTO that we are watching their decision making very closely. We are saying that if their decisions will be in compliance with the international standards and the obligations that every Nation with the WTO has agreed to. It would be a more effective review process for us to decide whether we want to continue in the WTO.

I urge my colleagues to support that approach and to reject this resolution.

Today the House will consider H.J. Res. 90, a resolution to withdraw Congressional approval of the Agreement establishing the World Trade Organization (WTO), I voted against this measure in the Ways and Means Committee, and I urge you to join me in voting against this resolution today on the floor. The United States' role as the clear leader in advancing the cause of free and fair trade remains central to the WTO.

At the same time, there are serious problems in the operations and deliberations of the WTO that we should seek to address. Toward that end, I ask today that you join as a co-sponsor on legislation I have prepared which would create a WTO Dispute Settlement Review Commission.

The need for this legislation is clear. Over the past several years, we have witnessed too many instances in which unfounded interpretations of international trade law have led to decisions that have harmed U.S. workers and industries. Specific cases involving lead bars, Korean DRAM's, and Japanese film all raised serious issues regarding the processes and conclusions of WTO actions.

We need to provide a process by which these decisions can be reviewed by an impartial, nonpartisan panel that has the responsibility to inform the Congress and the American people of its findings.

In 1994 the United States Trade Representative (USTR) wrote to then-Senator Bob Dole to propose the establishment of a WTO Dispute Settlement Review Commission. The bill I am introducing would revive a proposal made by Senator Dole to create a mechanism to provide that WTO decisions are carefully reviewed to assure the fair and sensible application of the rules of international trade.

The Commission would consist of five federal appellate judges, and would review all final and adopted WTO dispute settlement reports. The Commission would review adverse WTO findings, using the following set of four criteria to determine whether the WTO panel: (1) demonstrably exceeded its authority or its terms of reference; (2) added to the obligations, or diminished the rights, of the United States under the Uruguay Round; (3) acted arbitrarily or capriciously, engaged in misconduct, or demonstrably departed from established panel or appellate procedure in the applicable Uruguay Round Agreement; and (4) deviated from the applicable standard of review, including in antidumping cases, set forth in the 1994 GATT agreement.

The Commission would issue its determination within 120 days after the report is adopted by the USTR, and the Senate may direct the USTR to prepare a report to Congress, and I urge you to join me in voting against this measure in the Ways and Means Committee.

If there are three affirmative determinations in any five-year period, any Member of each House would be able to introduce a joint resolution calling on the President to negotiate new dispute settlement rules that would address and correct the problem identified by the Commission. The resolution would be privileged and considered under expedited committee and floor procedures.

While we may disagree on the appropriate remedy for responding to an adverse WTO panel decision, we all agree WTO panel decisions must treat American economic interests fairly. The Review Commission would raise the visibility of important WTO decisions that have a profound effect on the economy of the United States. I hope that the Commission would also reinvigorate the Congressional oversight role regarding trade policy, and encourage Members of Congress to seriously re-examine any proposals.

Mr. PAUL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we have the opportunity to vote to get out of the WTO. We joined the WTO in 1994 in a lame-duck session hurried up because it was fearful that the new Members would not capitate and go along with joining the WTO. The WTO was voted by the House and the Senate as an agreement, and yet it is clearly a treaty. It involves 135 countries. It is a treaty. It has been illegally implemented, and we are now obligated to follow the rules of the WTO.

This is the size of the agreement that we signed and voted on in 1994. Now, if that is not an entangling alliance, I do not know what could be. It is virtually impossible to go through this and understand exactly what we have agreed to. But this is it, and this is what we are voting on today. If my colleagues vote against the resolution, they are rubber stamping this. That is what they are doing.
Some argue that, yes, indeed the WTO is not quite perfect. But we need it. We need the WTO to manage this trade. But at the same time, we have no options. We cannot change the WTO. This is our only opportunity to vote and dissent on what is happening.

The people of this country are being galvanized in opposition to this. They never thought the GATT, GATT did not have the same authority as WTO. But now the WTO is being found to be very offensive to a lot of people around this country.

It is said that the WTO has no control over our sovereignty. That is like saying the U.N. has no control of our sovereignty. Yet what body in the world directs our foreign policy? Where do we send troops around the world? Why do we put our troops under U.N. command? To march into Kosovo and Somalia? From the United Nations. The WTO is the same.

It is the same sort of thing. It is incrementalism. People say we can always oppose it. That is sort of like saying in 1913, The income tax is not all that bad; it is only 1 percent placed on the rich. We don’t have to worry about it. But before we know it, it is out of control. There is incrementalism here to be concerned about.

To the issue of whether or not we are obligated to follow the WTO rules, Congressional Research Service on August 25, 1999, did a study on the WTO. Their interpretation is this: “As a member of the WTO, the United States does commit to act in accordance with the rules of the multilateral body. It is legally obligated to ensure national laws do not conflict with WTO rules.”

That is why we will be very soon changing our tax laws to go along with what the WTO tells us to do. In an article recently written by D. Augostino, he says, “On June 5, WTO Director General Michael Moore emphasized the obedience to WTO rulings as not optional. Quote, the dispute settlement mechanism is unique in the international architecture. WTO member governments bind themselves to the outcome from panels and if necessary the appellate body. That is why the WTO has attracted so much attention from all sorts of groups who wish to use this mechanism to advance their interests.”

Indeed, this is a treaty that we are obligated to follow. It is an illegal treaty because it was never ratified by the Senate. Even if it had been, it is not legal because you cannot transfer authority to an outside body. It is the U.S. Congress the same that the authority to regulate foreign commerce. Nobody else. We will change our tax law and obey the WTO. And just recently, the European Union has complained to us because we do not tax sales on the Internet, and they are going to the WTO to demand that we change that. What does the WTO do? They punish us with punitive sanctions, with tariffs. It is a managed trade war operated by the WTO and done in secrecy, without us having any say about it because it is out of our hands. It is a political event now. You have to have access to the U.S. Trade Representative for your case to be heard. This allows the big money, the big corporations to be heard and the little guy gets ignored.

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

Mr. DEFAZIO. Mr. Speaker, I yield myself 2 minutes. We have heard already that this organization only has moral authority, no power to change U.S. laws, they cannot impose any action. That is not true. It is patently not true. If the secret tribunal with no conflict-of-interest rules which does not allow intervenors other than the nation states involved, no interest groups, no one else whose laws or interests might be in jeopardy loses a decision, then the complainant nation can impose penalties on you if you do not change your law.

So we are saying, there is no power to change our laws. We can pay to keep them. If we had wanted to continue to protect sea turtles, we could have paid the foreign shrimpers who want to kill sea turtles at the same time they catch shrimp. We could have paid off Venezuela because they wanted to import dirty gasolene if we did not want to allow it to be imported. But no, we changed our laws.

Now, for anybody to say that they do not have leverage, that they cannot make us change our laws is patently untrue unless you are adding the little proviso, U.S. taxpayers can pay for our laws. Well, that is not right.

There are other problems with this. The gentleman from Maryland talked about how we need to improve the anti-dumping provisions. The antidumping provisions are on the ECIC hit list. The European Economic Community has chosen a number of areas of U.S. laws they are going to appeal in the WTO to try and get binding penalties against the U.S. unless we repeal those laws.

They include the restraint of foreign investment in or ownership of businesses relating to national security. National security. So the Chinese could come in and buy up Lockheed Martin. The 1916 anti-U.S. dumping act is in the successor, the GATT, the GATT did not have the same authority. The U.S. Congress is going to go after Buy America provisions. They say those are WTO illegal. Finally, the small business set-aside. It is outrageous the things that are being ceded under this agreement.

Mr. CRANE. Mr. Speaker, I yield myself such time as I may consume.

The distinguished gentleman from Texas (Mr. PAUL) quoted from a Congressional Research Service report and he indicated the U.S. sovereignty was imperiled through membership in WTO.

As a member of the WTO the United States does commit to act in accordance with the rules of the multilateral body. It is legally obligated to ensure national laws do not conflict with WTO rules.

Not quoted, however, in this quote from Congressional Research Service is the remainder of what was contained in that which states:

However, the WTO cannot force members to adhere to their obligations. The United States and any other WTO member may act in any way that does not violate any of the WTO rules. The WTO even recognizes certain allowable exceptions such as national security.

That is a direct quote from the Congressional Research Service World Trade Organization background and issues, August 25, 1999. Membership in the WTO is not a surrender of U.S. sovereignty but its wise exercise.

Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Speaker, I appreciate the gentleman yielding me this time, and I appreciate his leadership on this issue.

I rise in strong opposition to this resolution. Supporters of it would have us believe that the United States would be better off if we withdrew from the World Trade Organization, but I believe the truth could be found in the truth. Political leaders and statesmen who created the WTO and its predecessor, the GATT, did so for good reasons. They had lived through some of the darkest days in the history of the world, famine, poverty, war that dominated the lives of millions of people around the world.

Protectionism and economic stagnation put millions of Americans out of work. Factories closed, homes were lost, families were destroyed. They witnessed the havoc which trade wars and military wars and the protectionism that comes from trade wars can bring. And they vowed not to let it happen again. So they created an organization whose sole purpose was to open up closed markets, promote economic growth, provide a forum for the peaceful resolution of trade disputes. This was the GATT, the predecessor to the WTO. If it didn’t work, we lost World War II, the world has experienced unprecedented economic growth. Millions of people around the world have been pulled from economic poverty.
But the system certainly was not perfect. So, we tried to correct some of the defects of the past by creating the WTO which would further liberalize trade and provide for an even stronger dispute settlement procedure. Again, I believe the system has worked, especially for the United States.

In the first year of implementation, U.S. exports rose 14.4 percent, seven times greater than the GDP growth in that same year. When fully implemented, it is estimated that the agreement establishing the WTO will add somewhere between 125 and $250 billion each year to the GDP of this country.

I agree that it is still not perfect; it is an evolving institution. But what is it supporters of this resolution disapprove of? Tariff cuts? Opening export markets? Peaceful dispute resolution? Economic growth? Full employment? And if this is what they disapprove of, what exactly is the alternative that they propose? It is easy to criticize, it is easy to point fingers, to lambaste, but what is the proposed alternative? I have yet to hear anyone that can prove to me that there is a better way than to proceed with the WTO.

We will be hearing a lot today about how our antidumping laws are the cornerstone of U.S. trade policy, critical to our economic growth, that they are responsible for the prosperity we experience today. I say baloney to that. Our antidumping laws are more often than not little more than special interest protectionism for select U.S. industries, protectionism that costs every single American.

Take a look at the recent editorial in the Washington Post, not exactly a conservative newspaper, entitled “Steel’s Deal.” It says:

“The theory of antidumping cases is that foreign producers are flooding our markets, allowing firms to make huge profits for the home firm and selling at a loss of Americans. Even where this is the case, it is not obviously bad. Cheaper steel helps the U.S. carmakers and other manufacturers that buy the stuff, and these firms employ far more American workers than do U.S. steelmakers.”

Mr. Speaker, I could not have said it better. The WTO may not be perfect, but it is the best that we have. I urge a “no” vote on this resolution.

Mr. Speaker, I yield to the Washington Post editorial in its entirety:

STEEL’S DEAL

Sometimes the administration sings anthems to free trade. But last week, faced with a study documenting the steel industry’s efforts to hobble foreign competition, the Commerce Department felt obliged to defend protectionist policies. Rather than concede the obvious facts, a department official pleaded that the U.S. market is relatively open and complained that the study was “totally ridiculous and absurd” because it was paid for by foreign steel makers.

It is tariffs and quotas that once excluded foreign steel are mostly gone, thanks to international trade deals. But the new battle has shifted to anti-dumping suits. Whenever foreign U.S. makers allege that steel is being “dumped” on the U.S. market at prices lower than it would fetch in its country of origin. If the U.S. side can convince a court that its business is damaged by such dumping, the Commerce Department imposes punitive tariffs on the dumpers. The steel industry uses this device so aggressively that aggregate dumping duties on steel imports from Japan are subject to anti-dumping tariffs or investigations. As of last December, steel accounted for 103 of 250 import investigations in effect across the economy.

The theory of anti-dumping cases is that foreigners are protecting their markets, allowing firms to make huge profits at home and sell at a loss of Americans. Even where this is the case, it is not obviously bad. Cheaper steel helps the U.S. carmakers and other manufacturers that buy the stuff, and these firms employ far more American workers than do U.S. steelmakers.”

Mr. Speaker, I yield my time to the gentleman from Arizona (Mr. PAUL). The WTO does not endanger American anti-dumping laws. Period. The way the Uruguay Round was structured, our anti-dumping laws can persevere and we can pursue them.

Mr. Speaker, I think to vote yes on this sends the wrong message. It is the message of retreat. It is the message of withdrawal. A no vote, if shaped correctly, is tantamount to huge victories. Where it has strengths, we can work at it. That is why I believe there needs to be a no vote.

Let me just say a word about some of the arguments that are used, for example, sea turtles and the Venezuela ruling. What the World Trade Organization said in those cases was the U.S. has to apply the same laws to others as we apply to ourselves. That is not a liberal proposition.

Let me comment briefly on what the gentleman from Arizona said. The WTO does not endanger American anti-dumping laws. Period. The way the Uruguay Round was structured, our anti-dumping laws can persevere and we can pursue them.

Mr. PAUL. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from Texas (Mr. PAUL) has 25 minutes remaining.

Mr. PAUL. Mr. Speaker, I yield myself 15 seconds. They are not under Organization’s rule themselves.

The WTO provides a rule-based foundation for growing international trade. There is no alternative but to have some kind of a global rule-based system. The alternative is anarchy, and that is not in the interest of the U.S. as the largest world trader. The World Trade Organization has also provided a means for us to attack non tariff barriers in addition to the traditional barriers to trade, tariffs, etcetera.

It is far better to continue to press Japan in terms of their non tariff barriers. We have made some progress through the WTO in certain areas. It has addressed the new technologies as they evolve in the world.

But there are other ways that the WTO has not adapted to change. Now its ruling is the finding. That means that the procedures have to be more open than they are. We have to eliminate the secret procedures. We should be in there and this administration has been in there fighting for those changes.

Also, more and more globalization includes the evolving economies. That means there are new issues, issues of labor, of worker rights, labor market issues, issues of the environment. The World Trade Organization needs to address these issues. With the help and support of some of us, the administration has been endeavoring to do that.

So, in a word, it seems to me this is the question: If you vote yes, what are you saying? You cannot be saying reform. You cannot reform an organization that you say withdraw from. What you need to do is to get in there and to work at it. That is why I believe there needs to be a no vote.

Mr. Speaker, I think to vote yes on this sends the wrong message. It is the message of retreat. It is the message of withdrawal. A no vote, if shaped correctly, is tantamount to huge victories. Where it has strengths, we can work at it. That is why I believe there needs to be a no vote.

Mr. PAUL. Mr. Speaker, I yield myself 15 seconds.

They are not under Organization’s rule themselves.
Mr. DeFazio. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. George Miller).

Mr. George Miller of California. Mr. Speaker, I thank gentleman for yielding me the time.

Mr. Speaker, although, I do not think that withdrawing from WTO is the best course of action right now. The organization must be dramatically reformed to continue to enjoy U.S. support.

In addition to incorporating labor rights and environmental protection, the WTO needs to become far more transparent to operate in full public view. Dispute settlement proceedings need to be opened to the public. Civil society needs to be allowed into the process. Developing countries need to be able to fully participate.

But lack of transparency is not just a problem in the WTO. It is a problem in the U.S. relationship with the WTO. Trade policy in this country operated behind closed doors, only a few special interests making decisions for the entire country.

Most of the advisory committees that guide the President of the United States on trade policy are made up solely of industry representatives. The meetings are closed to the public. The process is not transparent. It is not democratic, and it is not right.

The recent court decision said that two Forest Industry Sector Advisory Committees need to include environmental representatives. That is what the court says in terms of the public's right to know. This is progress, but it is not enough.

There are still too many committees on tobacco, on chemicals, on all aspects of trade, that are comprised only of industry representatives. And even in a few instances where labor or the environment is actually represented, it is simply a token effort.

Labor, human rights, environmental, and the public need an equal seat at the table. Before the U.S. decides to challenge another country's health or environmental standards as a barrier to trade, we need an open and transparent process. That means before the U.S. lobbies against the EU plan to implement a WTO-panel decision concerning cleaner burning gasoline. And reality is the issue before the WTO was discrimination against U.S. refiners, not the level of environmental protection.

The regulations allowed U.S. refiners three ways in which to meet the standards while giving foreign refiners only one, a clear case of discrimination.

In short, this discrimination gave an opportunity to the WTO to conduct a transparent hearing in front of the WTO panel to hear the case on its merits and to make a determination on the grounds of this discrimination and what the panel determined, is free to regulate in order to obtain whatever air quality it wishes. We just cannot have that kind of discrimination between the two.

Mr. Speaker, I yield 2 minutes to our distinguished colleague, the gentleman from Pennsylvania (Mr. English).

Mr. English. Mr. Speaker, I thank the chairman of the Subcommittee on Trade, and I rise to strongly oppose this resolution. The WTO is the cornerstone of an international trading system that we have belonged to and helped shape since the late 1940s.

This is an essential part of our strategic, long-term trade, and open trade. The WTO is essential to maintaining a rules-based trading framework that is critical to the little guy in international trade, not just us, and to the small company, participating in international markets.

I am listening to the debate here, and there is no question that the WTO needs reform. We need to improve transparency and its decision making. We need to address the weak and arbitrary dispute settlement process that I have been critical of, but these facts are not the case for the WTO. The WTO is not critical of the WTO for our withdrawal, any more than a disagreement with a little guy in international trade, not just us, but to the small company, participating in international markets.

We are the greatest economy on earth, and we cannot turn our back on the rest of the world where 75 percent of the world economy is. We need to play in that arena. And the only way we can do it and shape world trade is by participating in the WTO. I have no doubt that some of our trade competitors would like to see us withdraw from the WTO and create a windfall for them and a clear field for their policies.

If we are in favor of fair and open trade, if we are in favor of involving consumers and the public in a trading system, and if we will continue to improve our quality of life and our economy, it is critical that we engage. I have no doubt in the future if we fail to address a need for reform in
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the WTO, that there will be a legitimate case for reassessing our involvement, that case is not been made today. Vote down this resolution.

Mr. DAVIS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. Mr. Speaker, I want to thank the gentleman for yielding me the time, and I want to also sincerely thank the gentleman from Texas (Mr. PAUL) for bringing this resolution to the floor. I, for one, with the greatest reluctance will oppose it. Because as advertised, WTO was to solve many of our problems. It was to be good for America. It was to be good for U.S. workers.

We have heard remarks on the floor today about how our exports have gone up over the last 5 years. What has gone up 120 percent over the last 5 years is our trade deficit. Before the WTO was implemented, our trade deficit was $150 billion. This last year, 1999, it has increased to $330 billion. We have heard that the WTO has put money into the American economy.

I am concerned about putting money in the pockets of American workers. And from my perspective, that has not happened. In constant 1982 dollars, the average American for that average one hour’s worth of work, not stock options, not benefits, not executive compensation, one hour’s worth of work is making a nickel less 18 years later, so I do not know whose pocket these profits and these renewed incomes are going into.

There has been no progress over the last 5 years, as far as improving international environmental standards. There has been no progress over the last 5 years as far as improving labor rights.

And most recently, there has been an abject failure by the President of the United States and this administration to use the WTO as advertised. It is my understanding that quantitative limitations on the import or export of resources or products across borders is violative of international trade law. As we debate this moment, OPEC nations are meeting in Europe fixing the production of oil, and it is causing a crisis for the taxpayers in this country and the President has not filed a complaint under the WTO.

Mr. PAUL. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, let me remind those who would like to reform the WTO that we are helpless, Congress cannot do that. We need a unanimous consent vote from the WTO members. So that is not going to happen. Even the committee describes what we are talking about as a system of fair trade administered by the WTO. Fair trade, fine, we are all for fair trade, but who decides the WTO? That is not fair to the American citizens.

Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in support of the Paul amendment, and some will see that as unnecessary, and they say work with the WTO, and it will only get better. But what we have seen under the WTO is a tax on our environment, our health and safety standards, and we continue to have steel dumping here in the United States.

I am concerned about our American sovereignty. Our democratic form of government is threatened by trade agreements like NAFTA, Permanent Normal Trade Relations with China, and WTO, that allows claims to be made against America’s markets. It allows claims to be made against, our natural resources without regard to laws to protect the health, safety, welfare and environment of our great Nation like our fresh water resources.

Mr. Speaker, I have raised the fresh water resources in the sale of the version of Great Lakes water and our natural resources when we have debated NAFTA, when we debated WTO, and when we talked about trade with China. But the fact remains, once these trade agreements are passed, WTO kicks in and the U.S. sovereignty is kicked out. Take the FO Corporation from Richmond, Virginia, that wanted to put MMT in Canadian gasoline. It is a gas additive. Canada said, no, we want to protect our environment. We want to protect the health and safety of our people. We do not want this stuff in our gas. They went and they filed suit.

What happened? Canadian government has to put the gas additive in, and now, in Canadian gas, we find MMT. Well, let us just take the reverse, now we have a British Columbia company trying to put MTBE, another gas additive, here in the United States. We banned MTBE in California, because of our environment. We are banning MTBE in the Committee on Commerce in which I sit because of a threat to the health and safety of the American people.

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But they go to WTO to get them to allow them to sell it in the United States. So the British Columbia firm will now be selling MTBE in the United States. If not, they want $360 million. That is what WTO gives us, a forum, where if they cannot get our resources, then we have to pay them. Then, after we pay them, not only do they get their gas additives, they have to put it in our gas.

Who is going to stand up for our environment? Who are the people making decisions with the WTO that affect your health, safety and welfare? Who is going to be the one to stand up for our water resources when the NOVA group wants to ship it or when the Columbia River is being diverted, both on the Canadian and the U.S. side, because they want the fresh water resources because of droughts in this country? Who is going to stand up?

Who is elected to this WTO? No one here in this Congress knows. We have no say in it. I believe that these organizations are subject to attack on our environment, our sovereignty, our natural resources, and we as Americans have no say in it.

So before we lose all of our control over our sovereignty, before we lose all of our control over our natural resources, before we lose all of our control over our environment, the health and safety of our people, we as elected representatives should say enough of WTO. Let us get out of it while we still can.

Mr. DeFAZIO. Mr. Speaker, I yield 2½ minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, I thank my friend for yielding me time.

Mr. Speaker, in 1994, supporters of free trade and globalization painted a very positive picture of how the Uruguay Round and GATT would influence and shape the U.S. and the global economy. They declared it would not erode U.S. sovereignty or undermine environmental health or food safety policy. It would, they promised, improve labor standards worldwide.

Five years into its implementation, though, it has become clear that these promises have failed to materialize. Instead, we have suffered through global financial instability, massive ballooning of the U.S. trade deficit, and ever-increasing income inequality in the United States, and especially in the developing world.

As we have engaged with developing countries in trade investment, democratic countries in the developing world are losing ground to more authoritarian countries. Democratic countries, such as India and Taiwan, are losing ground to more totalitarian nations, such as Indonesia, where the people are not free and the workers do as they are told.

In the post-Cold War decade, the share of developing country exports to the U.S. for democratic nations fell from 53 percent a dozen years ago to 34 percent today. In manufacturing goods, developing democracies’ share of developing country exports fell from 56 percent to 35 percent. Companies are relocating their manufacturing bases from democratic countries to more authoritarian regimes, where the workers are docile and obedient and where unions and human rights are suppressed.

As developing nations make progress towards democracy, as they increase worker rights, as they create regulations to protect food safety and protect
the environment, the American business community punishes them by pulling their trade and investment in favor of totalitarian countries and totalitarian governments, such as China and Indonesia.

The WTO has clearly undermined health, safety and environmental standards, human rights and democratic accountability. One of the most tangible examples is the WTO’s refusal to permit poor nations to gain access to low-priced pharmaceuticals, which puts essential medicines out of the reach of hundreds of millions of people in poor nations. Hundreds of millions of people continue to suffer from diseases that are treatable.

Some governments have sought to use policy tools, including compulsory licensing and parallel imports, to make drugs more available to the public. Compulsory licensing and parallel imports are permissible under WTO rules on intellectual property. Nonetheless, the U.S. Government has threatened to impose unilateral trade sanctions and the U.S. has used WTO as a hammer for the American pharmaceutical industry.

Mr. Speaker, until such time as the administration really does do an honest assessment of the WTO, the WTO remains a tool for multinational corporations and should not receive our support.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. COMBEST), the chairman of the Committee on Agriculture.

Mr. COMBEST. Mr. Speaker, I rise in very strong opposition to this resolution. As the chairman of the Committee on Agriculture, I know how essential exports are to farmers and ranchers across the United States; but more importantly, the U.S. farmers and ranchers recognize the importance of trade to their own success.

Withdrawing from the WTO would have the effect of isolating American producers from the rest of the world. For an industry that exports 30 percent of its production, a resolution such as this would have a devastating impact. If the House supports this resolution, the effect will be that the United States will be applying economic sanctions to the world. We who feel the effect of economic sanctions first, it is the American farmer and rancher.

There are three things that can happen when agricultural sanctions go into effect, and they are all bad: exports go down, prices go down, and farmers and ranchers lose their share of the world market.

The 1980 grain embargo on the Soviet Union is one of the examples of the effect of sanctions on U.S. agriculture. Our wheat sales were lost, while France, Canada, Australia and Argentina sold wheat to the former Soviet Union. H.J. Res. 90 can have the same or more devastating impact on American agriculture. U.S. farmers and ranchers provide more than is necessary to the United States; and, therefore, exports are vital to the prosperity of the American farmer and rancher.

The WTO is not a perfect organization, and Congressional oversight is essential and needed. Nevertheless, it is superior to previous organizations, and American agriculture recognizes this. Negotiations to further improve access to markets around the world and eliminate export subsidies are now going on. Since the end of World War II, eight rounds of negotiations have reduced the average bound tariff on industrial goods from 40 percent to 4 percent. Meanwhile, bound agricultural tariffs remain at an average of about 50 percent. Agriculture is to catch up. It is essential to keep the U.S. a part of the negotiating process to convince our trading partners to talk about further reforms in agriculture. U.S. membership in the WTO is necessary to continue this progress.

I urge my colleagues to reject H.J. Res. 90 for the future of American agriculture.

Mr. DAVIS of Florida. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. Pelosi).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in opposition to H.J. Resolution 90, and, in doing so, associate myself with those who support the resolution.

Indeed, the WTO is in need of significant reform. Workers’ rights and environmental protection are competitiveness issues and should play a stronger role in the WTO. However, I do believe we need to move closer to an international trade which can create a more stable climate for U.S. workers, farmers, and businesses who seek to export their products abroad.

The global economy is here to stay. Nowhere is that more evident than in my district in San Francisco. Mr. Speaker, which was built on trade in the days when the clipper ships sailed the oceans and today is one of the gateways to Asia.

This debate today provides an opportunity for us to get beyond the outdated, outmoded, free traders versus protectionist characterization, which I believe does a disservice to the trade issue. A new vision is needed of a more democratic way to deal with the new challenges posed by the global economy.

The old way of the WTO, of conducting trade negotiations behind closed doors, must end, and the people must be allowed to participate. We must demand transparency in the WTO. We must insist that the administration give as much weight to workers and the environment as it does to corporate America. We must enforce all of these concerns with equal vigor. We must see anyone who does not see the connection between commerce and the environment is on the wrong side of the future. We must all work together to have a WTO organization that is an agent for progress and not of exploitation. We must make it work for the American worker.

President Clinton himself has said, “If the global market is to survive, it must work for working families.” We must apply that standard to the WTO.

In terms of transparency, very specifically, Mr. Speaker, we must insist that the WTO bring trade advisory committees to broader public concerns, notify the public before challenging other countries environmental or health and labor standards, and give the EPA a stronger role in settling trade and environmental policy.

Mr. Speaker, I myself am voting against this, but I understand and appreciate the concerns expressed by those who support it who all work together to change the WTO.

Mr. PAUL. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I would like to respond to the gentleman from Texas. This is not an issue of trade. This is an issue of who gets to manage and decide whether it is fair trade or not. It is the issue of power, whether it is by the environmental bureaucrats or by the U.S. Congress. The one thing this arrangement, the little farmer has very little say. He cannot get into the WTO and make a complaint. The great meat packers of the country may well.

Mr. Speaker, I yield 4 minutes to the gentleman from Washington (Mr. METCALF).

Mr. METCALF. Mr. Speaker, the U.S. membership in WTO violates our Constitution. Article I, section 8, clause 3 of the Constitution delegates to Congress the sole authority to “regulate commerce with foreign nations.” Our membership in WTO transfers authority to regulate trade to a foreign body. It removes it from our elected representatives, this Congress.

This Congress does not have the authority to set aside such constitutional requirements. In its 1998 decision regarding the line item veto, the Supreme Court ruled that Congress cannot divest itself of duties delegated to it by the Constitution, unless the Constitution is amended.

The U.S. Constitution has not been amended to allow an international organization like the WTO to regulate American trade policies. Therefore, Congress cannot divest itself of the duty to regulate commerce with foreign nations.

I believe the WTO is an entirely non-legitimate international organization. Many of its member states do not represent the people of their country. They represent the single will of the sovereign of their country. The American Congress gets its legitimacy from...
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Mr. Speaker, 95 laws in California have been identified as WTO-illegal, according to the Georgetown University Institute for Law and Enforcement. These laws are facing legal challenges to their laws under NAFTA. California’s ban of a poisonous chemical, methyl tertiary butyl ether, MTBE, is being challenged, and Mississippi is being sued for violating NAFTA. The government wants the WTO to include NAFTA-like investor protections in the future, further undermining local and State governments.

Three key WTO and NAFTA investment chapter principles caused problems for State and local lawmakers. They are national treatment, expropriation and fair treatment. The principles include national treatment, this is when a State favors a local corporation. It says it is discriminating against foreign corporations. So we cannot promote local businesses over foreign businesses. I mean, wake up, America.

Second, general treatment. This principle prohibits State governments from regulating business by applying what is called the least restrictive trade standard. This standard can be used against State laws promoting recycling, minority business development and so on.

The third principle is expropriation which makes the State governments liable for paying damages if a corporation persuades a jury or the WTO Settlement Dispute Panel that a State law has caused a foreign business losses in even potential profits.

Now, these principles do not come from the U.S. Constitution, but from international trade agreements, which represents a loss in the ability of State governments to pass laws in the public interest.

Mr. Speaker, we need to stand up for America and American interests. Voting yes, vote yes proudly on H.J. Resolution 90. Remove this Nation from the unconstitutional jurisdiction of the WTO.

Mr. DeFAZIO. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, it has been said on this floor that you cannot reform an organization you withdraw from. Well, we forget so soon. The very ground we are standing upon to engage in this debate is the result of America’s Founding Fathers and Mothers who decided to withdraw from the control of England, England was in need of reform. That is why we broke with them 224 years ago.

Remember the words, “We the people of the United States, in order to form a more perfect union,” ordained a Constitution which established representative government and put the Congress of the United States in charge of trade, and does not give Congress the right to cede that to an international body which attacks American interests.

The World Trade Organization imposes obligations on State and local governments which limit their ability to promote the local economy, promote employment, protect consumers, and establish environmental standards. The WTO attacks laws which give preference to companies bidding for State business if they employ State residents and use locally made products. It attacks laws that offer tax exemptions to companies to create jobs. It attacks laws that promote investment in recycled material. It attacks laws that impose bical requirements or preferences for State procurement.

The United States gains nothing from withdrawal from the WTO. We would lose access to the WTO dispute settlement mechanism, and face new barriers to our exports. The U.S. would have no leverage at all in setting agendas for future trade and investment agreements having unilaterally surrendered our seat at the table through withdrawal from the WTO.

The end result of H.J. Res. 90 is hundreds of thousands of lost American jobs and hundreds of millions of dollars of lost American exports for no discernible benefit. Since the creation of the WTO, our exports of goods and services have increased over $250 billion. Though estimates vary, implementation of the current WTO agreement is estimated to boost U.S. gross domestic product by a minimum of $27 billion per year.

While there are legitimate concerns about some of the WTO operations, the WTO system, certainly they can be and are being improved. Replacing this successful rule of law-based system of trade fairness which has directly benefited the United States with some undefined form of trade anarchy that discriminates against American competitiveness is simply reckless.

Mr. Speaker, to withdraw from the WTO system is, in fact, both reckless and counterproductive. It is significantly harmful to our short-term and long-term economic and national security. Accordingly, I urge strong support for the WTO, our involvement in it, and opposition to H.J. Res. 90.

I would say to the distinguished gentleman from Washington, we are not challenging sovereignty, this is not unconstitutional; there are significant scholars that suggest it is.

The Uruguay Round Agreements Act, which legislatively approved the United States’ membership in the World Trade Organization (WTO), requires that the United States Trade Representative submit to Congress an annual report which includes a thorough analysis of the effects of the WTO Agreement on the interests of the United States, the costs and benefits to the United States of its participation in the WTO, and the value of continued participation of the United States in the WTO. As the most recent Report to Congress clearly states, “The WTO is a crucial vehicle for maximizing the advantages from, and managing our interests in, a global economy. To ensure that Americans receive fair treatment in the global economy, the U.S. has negotiated a framework of clear, transparent rules that: prohibit discrimination against American products; safeguard Americans against unfair trade; and afford commercial predictability. As the world’s largest exporter and importer, we need such a system more than any other country.”

Indeed, the consequences of withdrawing from the WTO would be so severe as to be
Commerce estimates that exports currently represent approximately 12 percent of the entire United States Gross Domestic Product (GDP). Overall trade represents one-third of our entire economy. Clearly, the strength of the U.S. economy today is due in very substantial measure to our ability to competitively sell U.S. goods and services abroad.

If the United States were to withdraw from the WTO, as directed by H.J. Res. 90, then foreign countries would be free to impose whatever trade barriers they want on U.S. exports. For example, U.S. agricultural exports would face prohibitive tariffs and be allocated tiny import quotas, if any at all. Contrast this to the present situation within the 136-member WTO system which has offered important market access, bringing down barriers to the best can forceable commitments to reduce barriers, limited the use of export subsidies and established science-based rules for any import restrictions pertaining to animal or plant health and safety. This Member reminds his colleagues that a low-reaching agricultural trade benefits the United States recently negotiated with China—the reduction of meat tariffs from 45 percent to just 12 percent and the elimination of quotas on soybeans—were within the context of China’s accession to the WTO.

A key benefit of participation in the WTO is America’s access to its multilateral dispute settlement process. A new study released this month by the General Accounting Office (GAO) shows that the U.S. has won or resolved disputes 92 percent of all cases in its favor—that is 23 of 25 times since the dispute settlement system was created in 1995. In three-quarters of the 25 cases filed by the U.S., other WTO members agreed to remove their trade barriers, rather than face an adverse judgment, leading to millions of dollars in increased U.S. exports. For example, one of the cases of the U.S. recently negotiated with Korea’s discriminatory standards for food imports. As a result, this market is now open to $87 million in U.S. chilled beef and $79 million in pork exports.

As a defendant in 17 WTO cases, the U.S. has prevailed or been able to resolve the case without an adverse WTO ruling in 11 of 17 cases. The outcome of all of these cases had limited or no commercial effect.

On balance, the WTO settlement dispute process has proven to be a powerful instrument to bring down barriers to American exports. House Joint Resolution 90 would eliminate American access to this successful dispute resolution mechanism leaving us with only very limited and largely ineffective bilateral defenses.

Contrary to the misleading arguments of protectionists in the United States, the WTO has certainly not made America poorer. In fact, during the last five years living standards have been rising for all Americans, low- and high-income workers alike. More than 80 percent of the American workforce are in occupations that pay above the median wage. Many of these jobs are in the high-technology export sector. Yet, for example, if the U.S. were to withdraw from the WTO, the U.S. economy would no longer enjoy the benefit of the WTO Information Technology Agreement, which reduces tariffs to zero for American high-technology exports to 54 countries. These export opportunities would be lost to our European and Japanese competitors at disastrous expense to American jobs here at home.

The WTO has not eroded America’s manufacturing base. Manufacturing in America today is thriving. It is true that this base is constantly evolving as we gain comparative advantage in some sectors and lose it in others. However, since 1992, studies show that the manufacturing output of the U.S. has risen by 42%, all against a backdrop of record imports.

United States participation in the WTO most assuredly does not have a negative effect on the U.S. trade deficit. It is, indeed, quite the reverse, as China—America’s largest trade partner—has successfully resolved more than 27 cases that we have initiated in the dispute resolution system.

Mr. Speaker, the Clinton-Gore years have not been prosperous for our country. One of the best ways to combat this is by pursuing international markets. The WTO’s rule-based approach to settling disputes will limit costly, inefficient trade retaliations, and international strife. But in today’s information-based economy, it is critical that the U.S. be able to preserve our place as the world’s technology leader by protecting our intellectual property.

While I think the WTO has moved trade policy many steps forward, there are reforms that I would like to see. The WTO should increase the transparency of its operations and take into account the impact of its actions on workers and the environment. It should disclose more information, preferably on line. Were the WTO’s operations more open to the public, I believe many of its critics’ concerns could be resolved.

Mr. Speaker, I urge my colleagues to vote down this resolution.

Mr. PAUL. Mr. Speaker, I yield myself 15 seconds.

The Financial Times does support the WTO, but this is what they said after NTR was passed. ''Already, many Washington trade lawyers are smacking their lips at the thought of the fees to be earned from bringing dispute cases in the WTO against Chinese trade practices. Says one, what will China be like in the WTO? It is going to be hell on wheels.’’

Mr. Speaker, I yield 2 minutes to the gentlewoman from Georgia (Ms. McKinney).

Ms. MCKINNEY. Mr. Speaker, the World Trade Organization is in need of serious reform. Interestingly, while Western economists are proclaiming that foreign investment and trade have been a blessing for the world’s poor, we hear quite a different message coming from the poor themselves.

The recent meeting of developing countries from Asia, Africa, and Latin America known as the G–15 saw host Hosni Mubarak say that despite assurances early on that globalization would lead to an improvement in living standards, instead, imbalance in the world economy is increasing instead of decreasing. In fact, in 1999, 45 percent of the world’s income went to the 12 percent of the world’s people who live in rich, industrial nations. The three richest Americans own more than the world’s 20 poorest countries.

Mr. Speaker, developing countries were sold a bill of goods, but so were American workers. When the WTO, have forced workers throughout the world into a deadly game of chicken. The WTO should protect basic social services and prioritize human
Mr. Speaker, I stand today in opposition to House Joint Resolution 90, the proposal to withdraw from the World Trade Organization (WTO). The WTO represents the current system of rules and regulations that govern trade (WTO). The WTO represents the current system of rules and regulations that govern trade. It is my understanding that Japan has established a government agency specifically for the purpose of pursuing WTO litigation against the United States, signaling a willingness to continue to challenge U.S. trade laws.

A recent WTO case filed by Japan challenges the antidumping duties that resulted from the hot-rolled steel import case filed at the height of the 1998 steel import crisis. We must counter the disturbing trend of other nations challenging U.S. trade laws. The U.S. trade laws are consistent with the WTO rules and are necessary to ensure that domestic producers and manufacturers are able to compete on a level playing field. Not even the most productive U.S. industry can or should have to compete against dumped or subsidized imports.

Second, there must be greater transparency in the dispute settlement process. The dispute settlement panel proceedings are conducted in almost complete secrecy. We must open up the closed-door atmosphere that is present today at the WTO.

Finally, dispute settlement panels are now made up primarily of diplomats, bureaucrats and academics, who may not be trained to serve in a judicial capacity. Yet they are sitting on panels that are reviewing laws passed by legislatures and agreements negotiated between governments. It seems appropriate that panels should include more judicially-trained experts to ensure due process for the parties involved.

Rather than withdrawing from the system we have in place, let's work to improve it so that we have a rules-based trading system that benefits U.S. industry, U.S. jobs, and the American public generally. I hope that in the process, we will get action on some of these reforms that are sorely needed in terms of our membership in WTO.

Mr. Speaker, I rise today in opposition to House Joint Resolution 90, the proposal to withdraw from the World Trade Organization (WTO). The WTO represents the current system of rules and regulations that govern trade between most nations.

We do have a chance in ensuring the effectiveness of the WTO because it has helped to eliminate trade barriers and improve market access for U.S. goods, services, and foreign markets. But this does not mean there is not room for improvement within the WTO.

Several areas for improvement come to mind. First, we must ensure that the WTO dispute settlement system is used to work out genuine trade disputes and does not become a forum for other nations to challenge U.S. trade laws. It is my understanding that Japan has established a government agency specifically for the purpose of pursuing WTO litigation against the United States, signaling a willingness to continue to challenge U.S. trade laws.

Second, we must counter the disturbing trend of other nations challenging U.S. trade laws. Our laws are consistent with WTO rules, and not even the most productive U.S. industry can or should have to compete against dumped or subsidized imports.

Thirdly, there must be greater transparency in the dispute settlement process. The dispute settlement proceedings are conducted in almost complete secrecy. We must open up the closed-door atmosphere that is present today at the WTO.

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Rather than withdrawing from the system we have in place, let's work to improve it so that we have a rules-based trading system that benefits U.S. industry and the American public.

Mr. Speaker, I rise today in opposition to House Joint Resolution 90, the proposal to withdraw from the World Trade Organization (WTO). The WTO represents the current system of rules and regulations that govern trade between most nations.

We do have a chance in ensuring the effectiveness of the WTO because it has helped to eliminate trade barriers and improve market access for U.S. goods, services, and foreign markets. But this does not mean there is not room for improvement within the WTO.

Several areas for improvement come to mind. First, we must ensure that the WTO dispute settlement system is used to work out genuine trade disputes and does not become a forum for other nations to challenge U.S. trade laws. It is my understanding that Japan has established a government agency specifically for the purpose of pursuing WTO litigation against the United States, signaling a willingness to continue to challenge U.S. trade laws.
Mr. Speaker, the WTO is a majestic authority that will in the long run ill
serve the interests of the American people.

Now we recognize that this is not about whether there should be or should not be trade. That is a nonsen-
sical argument. America is the world’s largest market, and there will always be countries clamoring for commerce with the American people.

The question is, how will we trade and what will be the procedure that we trade with these countries? The ques-
tion is if we, through our democratic processes and bilateral agreements neg-
gotiated by our elected officials, people elected by the people of the United States, will be setting the ground rules for this trade, or whether it be con-
trolled by international boards, com-
missions, and committees of the WTO.

Let us admit, yes, Third World coun-
tries and developing countries will probably have more open markets to American and multinational corpora-
tions if this WTO goes through and the others go away. The lumber, let me point out, is minuscule. We are talking about trade with a bunch of countries like Rwanda or like tiny countries in Latin America, Paraguay, as compared to large developing coun-
tries.

We are going to trade, give up our rights here in this country to deter-
mine our own economic destiny, to open up the markets of these tiny little countries? That is ridiculous. So there is an economic down side if we do not go through with WTO, yes. It is a mini-

dal down side. But the potential down side in terms of the loss of the ability of the American people to control their own destiny is staggering.

Predictably, World Trade Organization, and the rest of the decision-mak-
ing apparatus of the WTO will within a decade or two be dominated by the same crooks and despots who now con-
trol so much of the world. Third World countries that refuse to open up their markets, and bribery and corruption will come with this centralization of power. There is no doubt about that.

If we try to predict that is not going to happen, give me a break. Idealistic
globalism is today the greatest threat to freedom and liberty in this country, for the people of this country. We should not be transferring power and authority to an unelected, appointed international bureaucracy. That is what the WTO is all about.

Can one foresee a country like Commu-

nist China bribing WTO commis-

sioners in the future? How about multi-
national corporations bribing the WTO? Can we try to influence decisions that dramatically impact the standard of living of the American people, without any protec-
tion of our own elected officials? We can bet on it. We can also bet that they are going to try to just do that, and that we will not have anything that we can do about it. Yet, we will have little recourse in this whole situation except to quit.

I oppose PNTR with Communist
China now because it is a dictatorial system that will mandate that every despotic regime in the world be treated equally with democratic societies. The WTO plan is a blueprint for bolstering tyrannical regimes throughout the world. We will not have any leverage over these despots, or it will not make hon-
est people out of corrupt officials who end up with power.

Please, I ask Members to support this resolution. Do not sacrifice American liberty on the altar of globalism.

Mr. DEFAZIO. Mr. Speaker, I yield 3½ minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, it is very interesting that Member after Member who opposed this resolution will get up on the floor and agree that the WTO is making decisions that destroy the environ-
ment, endangering the health and safety of the peoples of the world, and give money on both sides of the aisle, who is well-connected politically, simply are doing the business of multi-
national corporations of the world in the interests of making more profits.

I know a lot about the WTO. I have followed them intimately for the last 3 years. I have watched what they have done and they have done the job of small farmers in the eastern Carib-
bean to earn a living from producing and selling bananas to the European Union. Why do they do that? One man, Carl Linder from Chiquita Bananas, whom I respect, was a trade unrep-
resentative, took the case to the WTO, and selling our products there.

Essentially no one here advocating trade, as managed through the WTO, supports me in my efforts to open the Cuban markets to our farm products. There’s a lot of talk regarding free trade and open markets but little action.

The support by the WTO advocates is for international managed trade along with sub-
sidies to their corporate allies.

Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. Rohr-

baecher).

Mr. ROHRABACHER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, the WTO is a majestic dream that predictably will become Americans’ worst nightmare. The lure of more open trade with hundreds of coun-
tries is being used as a disguise for an awesome transfer of power and au-

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Further, let us talk about the trade-related intellectual properties or the TRIPS agreement that provides another example of a WTO policy that benefits wealthy and powerful special interests.

The TRIPS agreement gives patent rights over plants and medicines that come from many countries to wealthy corporations, the soybean in east Asia, which is patented by a subdivision of Monsanto Chemical; the mustard seed that was developed by the people of India has also been patented by Monsanto. We could go on and on and tell Members why we must get out of the WTO.

I think reasonable minds will agree that the WTO simply is substituting for the responsibilities that we should be exercising as elected representatives.

We have elected representatives in democracies around the world, and criminal justice systems in democracies that are supposed to give people the ability to negotiate disputes. Yet, we have decided to give up our rights, and there is no transparency. They make all of these decisions in secret. They make these decisions in secret. We do not know who they are.

We are beginning to find out that the multinational corporations have inserted their people, have gotten them appointed so that they are making decisions to protect them and their ability to make money on the backs of poor people, on the backs of small nations, on the backs of Americans who do not even know who these people are and how they are making these decisions.

Mr. Speaker, I ask support for this resolution. It makes good sense.

Mr. CRANE. Mr. Speaker, I yield 3 minutes to our distinguished colleague, the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in strong opposition to this resolution to withdraw from the WTO. The WTO is critical to the United States’ interests. It has been instrumental in opening foreign markets to our goods and in promoting U.S. values throughout the world.

The U.S. is the world’s largest exporter, and it is not just multinational corporations that export, it is small businesses, and medium-sized businesses. In fact most of the jobs associated with exports are associated with small- and medium-sized businesses. It is a job creator, a high-paying job creator, in the towns and cities throughout America.

But because we are the world’s largest exporter, we benefit tremendously from the WTO’s dispute settlement process. In fact, of the 27 cases that have been brought for dispute resolution, the U.S. has prevailed in 25 of those cases.

Let me make another point about being part of a rules-based system. We have had testimony before the Committee on Ways and Means by human rights advocates that wanted us to bring China into the WTO, for example protect intellectual property rights—that is, our ideas—then it will be easier to get that government to also recognize that it must respect the religious commitment of their people, too, the human rights of their people.

Mr. Speaker, spreading a rules-based system to govern economic activity is the first and critical step to developing a rules-based political system worldwide that respects human rights.

We cannot walk from the WTO because our economic growth will be substantially determined by our ability to sell U.S. goods and services abroad. Removing ourselves from a multilateral rules-based institution will only undermine the tremendous growth the U.S. has achieved through the expansion of world trade, and imperil our goods, subjecting them to trade barriers by other countries.

I urge opposition to this resolution. In the long run, we must be strong and capable competitors if our people are to have high-paying jobs. We cannot afford not to be able to compete, and we cannot afford not to be able to spread the concept of rules-based law-based systems, both for our economic well-being and for our human rights commitments.

Mr. Davis of Florida. Mr. Speaker, I yield 2½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman’s courtesy in yielding me this time.

Mr. Speaker, I rise in strong opposition to the resolution before us today. The gentleman from Oregon (Mr. DEFAZIO) often speaks of the flat-Earth society that emerges here on the floor of the House from time to time. I fear that we have some Members here today bringing that philosophy forward who feel that our will is unilateral on other Nations around the world or that we can just go our separate way in the matter of international trade or commerce or that somehow we are in danger of being taken over by a faceless team of sinister international bureaucrats. All of that is pure and simple hogwash.

We are in a very powerful position today. As has been documented time and time again on the floor of this House, we are in the cabal seat. We win the preponderance of the cases that are brought before the WTO. We do not have to go along with something that strikes us on its face as being unfair and unequivocal against the environment.

In the final analysis, this Congress has the power, the sovereign power, to, on the floor, turn anything that we think is wrong. But in the meantime, we have a strong interest in making sure that we have an international system.

The United States was the institution that prompted the evolution of the WTO. We benefit the most because we are the largest exporting Nation in this world. I agree it is true the WTO is an imperfect organization, like the United Nations, like God forbid this Congress that continues to treat the citizens of the District of Columbia like members of a colony.

Do not talk to me about somehow the WTO is imperfect. We are holding up the WTO because of lack of transparency in this Congress, lack of responsiveness to the will of the people of the United States. But we are all here slugging it out trying to do our best to move it forward. That is what we should be doing here with the WTO.

Withdrawing from the League of Nations did not make Europe safer prior to World War II. Staying in the WTO, exercising our leadership is going to hasten the day when it provides the type of transparency that we want, the type of leadership. But for heaven’s sakes reject this resolution.

Mr. PAUL. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. NORWOOD).

Mr. NORWOOD. Mr. Speaker, I thank the gentleman from Texas (Mr. PAUL) for yielding me the time.

Mr. Speaker, I rise to support the resolution of the gentleman from Texas (Mr. PAUL) to remove the United States from the WTO, and I hope others in this body will agree with us on that.

One of my friends and a man I respect greatly, the gentleman from Texas (Mr. COBBS), the distinguished chairman of the Committee on Agriculture, said a minute ago that, if we remove ourselves from the WTO, the farmers and the ranchers will lose their shirts. Well, we are in the WTO, and the farmers and ranchers are losing their shirts. There is no reason for me to expect, under the present rules of the WTO, that that is going to get a bit better for them without reform.

It has been odd to me that so many distinguished Members of this body have stood up and said, well, we have to stay in the WTO, but it certainly does need changing, it certainly does need reform. But we just need to stay in there so we can change it or reform it. Well, I do not understand that. It requires unanimous consent to make any changes inside the WTO today.

If our leaders in the WTO simply want to try to improve our situation for our cotton farmers and they take it
to the WTO, I can assure my colleagues that China is going to be there to veto that. If our representatives in the WTO want to improve our situation for our wheat farmers, I can assure my colleagues that France, a nation that subsidizes its wheat in order for prices to be low and competitive, is going to be sitting in the WTO to absolutely veto that.

What I would like to do is, some of these very distinguished Members who want to stay in the WTO, and every one of them almost have come up and said we must reform it, well I am going to stay on the floor and listen to the rest of the debate. I would be very pleased if some of them would get up and explain to me how we are going to reform the WTO. I do not believe it can be done without a great threat and/or removing ourselves from the WTO. I do not believe it can be done without a great threat and/or removing ourselves from the WTO.

We need to work within an organization; I do not disagree with that. We want world trade; I do not disagree with that. But we need to be in an organization where we, indeed, have a little more say so about what happens to the trade in America.

Mr. DeFAZIO. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I am puzzled by some of the earlier remarks by the gentleman from Oregon, and the gentleman from Illinois. They say, well, we do not have to go along. In fact, we can overturn anything we think is wrong. We reserve our sovereignty. All we have to do is pay for it.

Well, what kind of logic is that? If we want to have clean air laws that discriminate against dirty foreign gasoline, we can have them if we want to pay penalties levied against any and all U.S. products exported abroad. There does not have to be any relationship. We can have consumer protection laws. We can have a Buy America. We can purchase any U.S. law we want. All we have to do is pay for it.

This is an absurdity on its face. My colleagues are right, constitutionally, we certainly could not give them the right to reach in and overturn our laws, but what we have done is tended to seek tribunals before the WTO with no conflict of interest rules, no intervenors, no outside scrutiny, the authority to have foreign Nations have the right to levy fines against any and all U.S. products with no relationship to the complaint. We lose on clean air; they can go after big jet liners.

Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Speaker, before I start, let me commend the gentleman from Texas (Mr. PAUL) for bringing this to the floor and for the work of the gentleman from Oregon (Mr. DeFAZIO) for his work on arguing this issue before us today.

Mr. Speaker, a very gifted man once wrote that "no extraordinary power should be lodged in any one individual." That man was Thomas Paine. It was over 200 years ago, a time when Antigone as we have seen and as we have heard on this floor, has sent America and the world hurdling into a global economy. We are told it is an economy where market forces must be allowed to reign, an economy where the law of supply and demand take precedence even over the laws of a free people.

Who will settle these conflicts whose outcome, whose very outcome will shape this new global economy? One single visitor from the World Trade Organization. It is an organization that operates in virtual secrecy. An organization that operates without the participation of consumers, of workers, of farmers, of people of faith, or any other representatives of the communities that its decisions affect. Yet, it is an organization whose choices can effectively nullify even the hardest-won laws governing worker safety, product safety, the environment, and worker rights.

The WTO has already forced changes in the United States laws affecting everything from formulation of gasoline to the labeling of canned tuna. There are literally over 100 pending decisions out there that could affect decisions and laws that one's State legislatures, one's county commissioners, one's city governments have written into law.

It is an extraordinary power for an organization that is extraordinarily unaccountable. And what the demonstrations in Seattle last fall were all about, what the demonstrations in Brix silia, where 100,000 people came, were all about, It was the privatization of the public policy process. That is what is going on.

While citizens stood out in the rain in Seattle, corporate interest enjoyed an open-door access to WTO officials. At one point, listen to this, the corporate host of the Seattle ministerial were even selling opportunities to dine with the visiting trade ministers, dine, that is, if one can come up with $250,000. If one has got a quarter of a million dollars, one gets to dine with the people who are inside the room. If one contributed $150,000, one could still come to dinner, one just could not bring as many guests.

Mr. Speaker, I am convinced that we have to build this idea of an international trade organization. Of course we need to trade. The gentleman from Oregon is absolutely right. Of course we need relations with our allies and friends and even some of those who are not our allies and friends around the world. But we need to build an international organization that is not able to interfere with the laws of our country, our States, and our cities.

The fact is that WTO rulings could override the decisions of a town council, a county commission to buy only American-made products. Is there anybody here who wants to do away with that? I have seen the votes on the board. They are overwhelming on Buy America. They are almost 400 to 5 or 400 to 6.

We do not want a WTO that takes a walk on the questions of human rights.

What we have to do is to build a World Trade Organization that is as committed to promoting human rights and human dignity as it is to promoting the interest of large corporations. A WTO where consumers and workers and farmers and people who care about the environment are not spectators, but are participants. We want a WTO where working families are not trapped on the outside looking in, where all of us have a seat at the table.

But until there is a commitment to begin that process, and it is a process, and it will not be happening overnight, and it is going to happen eventually, until there is a commitment to do that, I have no choice but to vote yes on the gentleman's resolution. I thank him for bringing us to this opportunity today.

Mr. CRANE. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter to me from the Emergency Committee for American Trade and also a letter to the gentleman from Texas (Mr. ARCHER), our distinguished chairman of Ways and Means, from the U.S. Alliance for Trade Expansion. Both letters are in very strong opposition to H.J. Res. 90. The one to the gentleman (Mr. ARCHER) contains 4 pages of single-spaced type.

Mr. DeFAZIO. Mr. Speaker, I do not object if the gentleman from Illinois (Mr. CRANE) contains the letters, but if he reads them, I will say he has to claim time. Mr. CRANE. Mr. Speaker, I did not hear the gentleman from Oregon (Mr. DeFAZIO). Mr. DeFAZIO. Mr. Speaker, the point I am making is, if he is using the time to read the letters, that is one thing. If he is making a unanimous consent and he is not using his time, I will object to reading the letters.

Mr. CRANE. Mr. Speaker, I am not reading the letter.

The SPEAKER pro tempore (Mr. GILLMOR). The unanimous consent request does come out of the time of the gentleman from Illinois (Mr. CRANE).

Mr. CRANE. Mr. Speaker, the letter to the gentleman from Texas (Chairman ARCHER) contains four pages of two-column names of businesses and associations that also very strongly object to H.J. Res. 90.
The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRANE. Mr. Speaker, I include the letters I referred to for the RECORD as follows:


Hon. PHILIP M. CRANE, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing, as Chairman of the Emergency Committee for American Trade, to urge you to vote against H.J. Res. 90, withdrawing congressional approval of the agreement establishing the World Trade Organization (WTO). Withdrawal of U.S. support for the WTO would undermine the tremendous growth and prosperity that the United States has achieved through the expansion of world trade enabled by the WTO and the multilateral trading system.

With 40 percent of the world’s population and four-fifths of the world’s economy located outside U.S. borders, we cannot sustain economic growth here at home unless we have access to trade opportunities in the world’s markets. As documented in ECAT’s 1998 groundbreaking study, Global Investments, American Returns, and its “1999 Update,” world economic expansion and integration have enabled American companies with global operations to make important contributions to the U.S. economy and standard of living. In the past two decades, American companies without global operations pay their workers 5 to 15 percent less than those of purely domestic firms. For the past two decades, American companies with global operations have accounted for over half of all U.S. research and development and over half of all U.S. exports. They also have undertaken the majority of total U.S. investment in physical capital in the manufacturing sector. In addition, American companies without global operations pay their workers 5 to 15 percent less than American companies with global operations.

While American companies have sought opportunities in global markets, they have nearly three-fourths of their total employment in the United States. These American companies have provided an important source of new business opportunities in the United States, as the have purchased from U.S. suppliers over 90 percent of their intermediate inputs for their products, totaling $3 trillion in 1997. The foreign affiliates of American companies also have created significant new markets for U.S. companies, as foreign affiliates account for over 40 percent of U.S. exports. In addition, over 70 percent of the income from the foreign affiliates of American companies is repatriated, thereby promoting greater U.S. economic growth.

The trade liberalization shaped by the WTO and its GATT predecessor has been the major engine of the global economic growth that is so vital to our prosperity as a nation. Since the founding of the multilateral trading system at the end of World War II, the world economy has seen six-fold greater income growth than in the previous century. Global income growth is expected to more than double the average rate of growth in the United States, to ensure strong enforcement of U.S. rights and to prevent a threat to enforcement mechanisms now available to the United States from the operation of the WTO over the last five years. ECAT member companies urge you to vote against H.J. Res. 90.

Sincerely,

ERNST S. MIECK, Chairman, Cargill, Incorporated, and Chairman, Emergency Committee for American Trade.


Hon. BILL ARCHER, House of Representatives, Washington, DC.

DEAR REPRESENTATIVE ARCHER: On March 2, 2000, the President, pursuant to Sections 124–125 of the Uruguay Round Agreement Act (URAA), submitted the 1998 Trade Policy Annual Report to Congress which included an expanded assessment of the operation and effects of U.S. membership in the World Trade Organization (WTO). Under the law, any Member of either House could introduce a joint resolution that calls on the U.S. to withdraw from the WTO. We are writing to urge you to oppose H.J. Res. 90, introduced by Representative Ron Paul (R–TX), which calls on the United States to withdraw from the World Trade Organization.

Removing ourselves from the rules-based trading system would have disastrous consequences for the American economy, jeopardizing both the longest economic expansion in U.S. history and continued U.S. global economic leadership. The consequences include:

Agriculture: The WTO Agreement on Agriculture required countries, for the first time, to remove export subsidies, eliminate internal support mechanisms, and establish new science-based rules for measures restricting imports on the basis of human, animal, or plant health and safety. If the U.S. withdrew, American farmers could be excluded from these benefits. Moreover, American farmers would not benefit from further negotiations already launched at the WTO to reduce trade-distorting export subsidies overseas. One-third of American farm production is sold overseas. These exports support approximately 750,000 American jobs.

Intelectual Property Rights (IPR): The enforcement mechanisms now available to the U.S. under the WTO’s Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs) are critical to American holders of patents, trademarks, and copyrights. Total foreign sales of copyright industries amounted to an estimated $45.8 billion in 1993. TRIPs implementation has produced the most significant progress in protecting the intellectual property of American patents in developing countries. We should not make the world safe for pirated American software, pharmaceuticals, and other high technology products.

Manufacturing: With $527 billion in exports in 1998, the U.S. is far by the largest exporter of patents; to request compensation or to retaliate.

Maintaining strong U.S. support and leadership in the WTO will ensure full enforcement and implementation of existing WTO agreements, and to carry on the work of the WTO “built-in” agenda, including the negotiations on agriculture. It is essential that the United States sustain its effort to continue trade liberalization in agriculture and services through the ongoing negotiations already underway to expand liberalization negotiations to include other areas, such as industrial tariffs, trade facilitation, and transparency in government procurement, and to successfully complete the sectoral accelerated tariff liberalization and information technology ITA II negotiations. For example, any withdrawal would undermine the benefits to the United States from China’s WTO accession along with the U.S. and other WTO members from the free flow of capital, reduced exchange rate volatility, and a more stable international monetary system.

With 100 percent of the world’s population and the world’s economic growth inextricably tied to the health of the WTO, it is essential that the United States sustain its effort to continue trade liberalization internationally. The U.S. support for the WTO would undermine the tremendous growth and prosperity that the United States has achieved through the expansion of world trade enabled by the WTO and the multilateral trading system.

For the United States, this global economic growth has meant that the U.S. economy grew from $7 trillion in 1992 to over $9 trillion last year. U.S. unemployment levels are now at their lowest point in 30 years, and U.S. property real estate values in two decades. The WTO has helped to ensure that this growth is sustained even in times of economic instability as evidenced by the fact that U.S. exports of goods and services, even with the disruption of the Asian financial crisis, have grown by 55 percent since 1992 to a record total of nearly $959 billion last year. WTO membership has grown since 1996 from 90 members to 136 members in April of this year, with 30 other countries applying for membership. As a result, the WTO is becoming a truly important tool in which WTO disciplines have become a key element not only in developed nations, but also in emerging economies in Central and Eastern Europe, Asia, Africa, and the Middle East. Achieving China’s entry into the WTO and its integration into the rules-based world trading system is vital to this process and will also help to propel the largest emerging economy in the world, develop its economy in accordance with WTO rules. China’s WTO accession along with the U.S. and other WTO members in the region, such as Indonesia, to help to ensure that the U.S. farmers, manufacturers, and service providers will reap the full benefits of the historic U.S.-China bilateral WTO accession agreement.

The United States also has benefited from the strong WTO dispute settlement process put in place as a result of the Uruguay Round Agreement. The United States has used the WTO dispute settlement process to ensure strong enforcement of U.S. rights and to prevent a threat to enforcement mechanisms now available to the United States from the operation of the WTO over the last five years. ECAT member companies urge you to vote against H.J. Res. 90.

Sincerely,

ERNST S. MIECK, Chairman, Cargill, Incorporated, and Chairman, Emergency Committee for American Trade.
of manufactured products in the world—17 percent or more of the nearest competitor. Manufactured products account for 62 percent of all U.S. exports and 72 percent of all U.S. imports. Under the Information Technology Agreement (ITA), 52 countries that represent 95 percent of trade in high-tech products eliminated tariffs in a rapidly-expanding $600 billion global market that is critical to U.S. growth. Given these statistics, it should be no surprise that a rules-based international trading system—one that opens markets and protects against abusive trade practices—is more important than ever to American manufacturers.

Retailing: The U.S. retailing sector employs nearly one-fifth of the American workforce, and contributes greatly to the high U.S. standard of living by providing consumers with the wide variety of products they demand at affordable prices. Tariffs are essentially import taxes that, if re-introduced as a result of a U.S. pullout, could add 30 percent or more to the price of consumer products. As Federal Reserve Chairman Alan Greenspan has noted on several occasions, imports have also served as a great inflation-tamer in a period of rapid economic growth, and contribute substantially to our rising standard of living.

Services: The WTO General Agreement on Trade in Services (GATS) established a rules-based trading system for services. The WTO rules safeguard American service exports, which were $260 billion in 1998 and resulted in a surplus of $79.4 billion. The Basic Telecommunications Agreement represents 91 percent of the total domestic and international revenue of $600 billion generated in this sector annually. The Financial Services Agreement represents 95 percent of the international trade in banking, insurance, securities and financial information. Negotiations to further liberalize world-wide trade in services—including the delivery of services via electronic commerce—began in January 2000.

It’s not just the economy that is at stake, but our national security as well. The rules-based trading system that has developed since the end of World War II stands in sharp contrast to the outsourcing of trade barriers that the world saw in the 1930s. These policies sent trade flows into a long downward spiral that culminated in the virtual collapse of international commerce, depression and, finally, war. The bitter lessons of the first half of the 20th century provide a map of what roads not to go down in dealing with an integrated world economy—economic nationalism, isolationism and protectionism.

The WTO is by no means perfect. We, along with other groups, have advocated a range of measures to improve the functioning of the system. At the same time, it is indisputable that the rules-based trading system has been a positive force shaping the world since the end of World War II. It has played an essential role in the transformation of the American economy since the mid-1980s, driven in no small measure by the competition faced here and abroad. Concerning the alleviation of poverty, trade is a key element in any strategy worth mentioning in the developing world.

U.S. membership in the World Trade Organization deserves the support of all Americans. We urge you to oppose H.R. Res. 90, which calls on the United States to withdraw from the World Trade Organization.

Sincerely,

3M
ABB, Inc.
ACE-INA Insurance

ACPA
Aerospace Industries Association of America
AFMA, formerly the American Film Marketing Association
Agriculture Ocean Transportation Coalition
Air Tractor, Inc.
Aitken Irwin Lewin Berlin Vrooman & Cohn, LLP
Alcan Aluminum Corporation
Aluminum Association
America Online, Inc.
American Apparel Manufacturers Association
American Assn of Exporters and Importers
American Bus Council of the Gulf Countries
American Business Conference
American Bus Council of the Gulf Countries
American Chamber of Commerce in Germany
American Chamber of Commerce in Slovakia
American Council of Life Insurance
American Crop Protection Association
American Electronics Association
American Express Company
American Farm Bureau Federation
American Forest & Paper Association
American Institute for International Steel
American Insurance Association
American International Group
American Int’l Automobile Dealers Assn
American Iron and Steel Institute
American Petroleum Institute
American Plastics Council
American River International Ltd
American Textile Manufacturers Institute
American Wireless Producers Association
Amway Corporation
Andersen Consulting
APCO Associates Inc.
ARCO
Armstrong World Industries, Inc.
Associated Industries of Massachusetts
Associated Industries of Missouri
Association of Int’l Automobile Manufacturers
AT&T Corp.
Atlas Electric Devices Company
Austin Nichols & Company, Inc.
Automotive Trade Policy Council
Avon Products, Inc.
Bank of America
BASF Corporation
Bechtel Corporation
Beeftrusts
Bethlehem Steel Corporation
Biotechnology Industry Organization
BMW (US) Holding Corporation
Boeing Company
Brenton Woods Committee, The
Brown & Williamson Tobacco Corporation
Business Roundtable, The
C & M International
California, Council for International Trade
Cargill Incorporated
Caribbean/Latin America Action
caterpillar Inc.
Cato Institute
Celanese Corporation
Champion International Corporation
Chase Manhattan
Chase Manhattan
Chemical Manufacturers Association
Chicago Tribune
Chilean-American Chamber of Commerce
Chubb Corporation, The
CIGNA
Citigroup
Citizens Against Government Waste
CNSH Global Inc.
Coalition of New England Companies for Trade
And let us get back to debate on the specific types of reforms we need to undertake, and let us pursue our right in the World Trade Organization to lead an effort for a two-thirds vote, to pursue more openness and the other types of reforms we have debated today. And let us use our time on the floor more wisely. Let us debate how we can expand the benefits of trade for everybody, how we can expand the winners circle, how we can begin to open up the benefits of trade for more small- and medium-sized businesses, so that they too can enjoy the benefits of trade.

And let us get back to debate on what we can do to be an important partner with our States and our local governments to fund the types of job training and education programs that American workers need today to succeed and survive in this global economy. There are tax credits available;
there are programs we know that can work, that can create partnerships between employers and employees so more people can succeed in this global economy. That is the debate we ought to be having today. We ought to defeat this resolution and we ought to get back to work.

Mr. PAUL. Mr. Speaker, I yield myself 1 minute.

Let me say to the gentleman that reforms are not permissible. The Congress cannot reform the WTO. Only they can reform themselves. But they work in secret, and they have to have a unanimous vote. Our vote is equal to the country of Sudan. So do not expect it to ever be reformed. The only way we can voice our objection is with this resolution. And there will never be another chance to talk about the WTO for a long time.

Let me state that the Congress is required to state a constitutional justification for any legislation. The Committee on Ways and Means amazingly used article I, section 8 to justify their position. And let me state their constitutional justification. It says, "The Congress shall have power to lay and collect taxes, duties, imposts and excises." But the Constitution says the Congress. But what we are doing is allowing the WTO to dictate to us.

Even those on the Committee on Ways and Means said that they endorse this system of "fair trade administered by the WTO". Who is going to decide what is fair? The WTO does. And they tell us what to do.

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

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. Doggett).

Mr. DOGGETT. I thank the gentleman for yielding me this time. I certainly oppose our withdrawal from participation in the World Trade Organization, but I share many of the concerns that have been voiced here today concerning the way the WTO operates.

When a dispute arises in the WTO, perhaps over another nation's claim that an environmental law represents a discriminatory barrier to international commerce, the WTO tribunal acts in a somewhat star chamber-type proceeding. The complaint itself may be sealed. The hearings are closed. The briefs are confidential. If there are outside concerned parties that would file an amicus brief, if a United States court were involved, they are denied the right to reflect broader policy considerations that might arise from the dispute resolution. And conflict of interest procedures are lacking.

I do not think, given that circumstance, that there can be any reason to consider why conspiracy theorists and why many people, who simply have a reasonable and legitimate concern about the environment and human rights, are very suspicious about the way that the WTO operates.

An additional area of the decision-processes of the WTO concerning trade policy, though not relating directly to dispute resolution, also fails both to provide openness and adequately to involve nongovernmental organizations or other international organizations across the country, for example, the World Health Organization. WTO reports are not being released immediately too much information is being classified out of public view.

I do not believe that this administration has done enough to open up the processes of the WTO, nor has the international business community worked vigorously enough to open up the processes. The propensity of the WTO bureaucracy and many of our trade negotiators has been to consume with secrecy presents much of the problem that we have here today.

Despite that wrongful secrecy, it should be noted that many of those who are basically opposed to more international trade have misstated or greatly exaggerated the consequences of WTO decisions. Of the 140 issues that have been brought before the WTO, only about 10 have involved health or environmental concerns, and these have not produced the adverse consequences claimed by some WTO opponents.

I believe we need a trade policy that addresses environment and health concerns as much more central concerns. Have a sustained push for real reform of the WTO, but we must not follow a course of economic isolationism. That latter course would only reduce our economic growth, increase consumer prices, and reduce opportunities for more good high paying jobs in Central Texas and across the country.

Mr. LEVIN. Mr. Speaker, may I ask how much time is remaining on the four sides, please.

The SPEAKER pro tempore (Mr. GILMOR). The gentleman from Michigan (Mr. LEVIN) has 8 1⁄4 minutes remaining; the gentleman from Texas (Mr. PAUL) has 5 1⁄4 minutes remaining; the gentleman from Oregon (Mr. DEFAZIO) has 9 1⁄4 minutes remaining; and the gentleman from Illinois (Mr. CRANE) has 3 minutes remaining.

Mr. LEVIN. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. NEAL), a member of the Committee on Ways and Means.

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman from Michigan for yielding me this time.

I agree with all those who have said it is important for the future of America and for our economy to continue to participate in the World Trade Organization. I believe that the more that we are able to open the world's doors to traders from the United States, the better off we will be.

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I would posit that actually the WTO is working very much the way its principal authors intended, and its principal purpose was to enable multinational corporations who want to be unfettered from the restrictions of consumer rights, labor rights, environmental rights and protections.

The WTO does have a few standards. It prohibits slave and prison labor. It does not prohibit child labor, bonded child labor. On the environment, it does allow cases to be brought on the issue of the environment. A case can be brought against any nation’s environmental laws as not being the least trade restrictive, but there is no mechanism to bring a case for having a lack of environmental laws or a lack of enforcement of environmental laws, if they exist.

And that, of course, consumers. Consumers are not part of the equation here, except the buying power they might present. This organization does not allow nations to have the precautionary principle upon which most of our consumer protections and environmental laws are based. It sets new standards that they say are scientifically based and higher than the precautionary principle.

We have to prove a substance is harmful before we can prohibit it. Thalidomide would have had to be imported into the United States, under the WTO rules, until it was proven that it was causing horrible birth defects. It was a guess by a person at the FDA that kept it out of this country. They did not have a scientific basis. They were applying the U.S. precautionary principle. They saved tens of thousands of babies from being horribly deformed in this country. But under the WTO we could not do that because we could not prove it before the fact.

Now, I would posit that this is working exactly as intended. People who are well intentioned have stood here and called it a star chamber process and said it needs reform. And I think others who are a little less well intentioned are up here saying, oh, of course, it needs reform. We will go back to the organization. We will go to the members and ask them to reform.

We will go to some of the members of the WTO, as we ask them to put forward reform proposals. I think we are going to ask Cuba to put forward reform proposals. Well, no, maybe not Cuba. How about Myanmar, that great bastion of human rights abuse. No, I do not think Myanmar is going to put them forward. Well, maybe Pakistan. How about the OPEC countries, who are constraining trade to drive up gasoline prices in the United States?

I have asked the U.S. to file a complaint against the United States Trade Representative says, oh, no, we cannot do that. Well, I am not sure why we cannot do it. I think they are violating rules of the WTO. Or maybe we just cannot do it because the WTO is really designed to protect corporate multinational interests and the profits of gasoline companies and the oil companies, which are up 400 to 500 percent. People in the Midwest are paying up to almost $3 a gallon, and we cannot do anything about that in the WTO; but we can stick it to the environment. We cannot protect things we believe in, except the multinational corporations.

Mr. CRANE. Mr. Speaker, I yield myself such time as I may consume.

In 1990, before the WTO, trade protection cost U.S. consumers approximately $70 billion per year. Trade barriers hit the lowest income consumers the hardest because they have to spend a greater share of their paychecks on the everyday products most affected by hidden import taxes. I am referring to such things as clothes, shoes, and many food products.

According to the U.S. Trade Representative, the market access opportunities culminating in the Uruguay Round are a "gift to the global". It is important for us to understand that we have more at risk than any country in terms of the opportunities that a consistent set of rules that help to guide international trade provide us.

I also would make a strong case that, for those of us who are very interested in seeing how we can advance issues related to human rights, how we can advance issues that can elevate labor and environmental standards, is that the WTO has the potential to be one of the most effective vehicles in order to achieve that outcome.

Because if we ever looked to see what would be the impact of this legislation passing today, it would, basically, leave us without an effective mechanism by which we can exert its influence among a world body. And so, that is why I think it is important for us to certainly vote against this measure today and dedicate ourselves to continue to have the United States provide the leadership through the WTO to advance the issues of labor and environmental standards.

This will make good sense in terms of ensuring that U.S. workers have the economic opportunities the global market provides and, also, to maximize the influence of the United States in developing countries.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. Holt).

Mr. Holt. Mr. Speaker, I rise in opposition to this bill to call for removal from the World Trade Organization. Quite simply, the reason for the WTO is that organized, rule-based trading is more reliable and more beneficial to all than unregulated exchanges. This is what we were talking about just a few weeks back when we are talking about permanent normal trade relations with China.

Mr. DOOLEY of California. Mr. Speaker, as our world’s economy makes the transition from an industrial to a knowledge economy to one that is increasingly information based, we find more and more that geography is going to become less important. We are going to find that national borders are no longer going to be barriers to the flow of information, to the flow of commerce, and to the flow of new ideas.

What is important for us to understand, as globalization takes hold, is that we have these international bodies that can develop the rules of the road that can ensure that we can have a level of certainty in terms of how international laws related to trade can be effectively and equitably implemented.

There is no country that has more at risk in this endeavor as the United States, with our country only having 4 percent of the world’s population, 96 percent of the world’s population outside our borders, when we look at the fact that we consume 25 percent of all the world’s GDP. It is important for us to understand that we have more at risk than any country in terms of the opportunities that a consistent set of rules that help to guide international trade provide us.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. Dooley).
I think the argument follows that, of course, what is good for trading goods is also relevant to other things we hold dear. And certainly, I admit that. But we are never allowed to debate this issue on the floor. When we passed it, it was an up or down vote on this huge volume that no one had read. Now we are told we get 2 hours out of the 20 hours we were supposed to have to debate the issue. Again, up or down vote, no time to send their concerns.

Well, I would suggest that many of the dozens and dozens of Members who have come to the floor and said there are problems with this, we need to change it, should vote present if they cannot vote no to send their concerns.

Mr. Speaker, I yield 2½ minutes to the gentlewoman from Ohio (Ms. KAPTUR). Ms. KAPTUR. Mr. Speaker, I thank the gentleman for yielding me the time, and I rise in support of the resolution to withdraw the United States from the World Trade Organization.

It had not been my intent to do that today, since I do believe in a world trading regime with strict, enforceable provisions, including not just capitalists' rights but laborers' rights, environmental protection, and the standards of democracy building that all of us would hope we could aspire to.

But today I rise in protest, my vote against the gentleman's protest vote. Because in Ottawa, Ohio, right next door to where I live, Netherlands-based Philips Components also has announced that it will move 1,500 more area jobs to Mexico.

The firm is going to take the production lines that exist at this Ottawa plant and transfer it to Mexico over a 3-year period starting now. Work will be moved on making the 25- and 27-inch picture tubes. And the spokesman for Phillips, which is based somewhere in the Netherlands, no one seems to be able to find, we cannot even get a phone call returned, we get a recording when we call the firm in Ohio, a spokesman for Phillips declined to give any specifics on the Mexican facility, even what goods these goods will be moved to or what the factory is making now.

Yesterday's announcement had been dreaded in this Putnam County, Ohio, community. Now, David Thompson, the Plumbers' spokesman, said the company maintained that moving production to Mexico was the best alternative for the long-term health of the business, so any counter-proposal for the company to stay had to come from Local 1654, the International Brotherhood of Electrical Workers.

But as the newspaper reports this morning, when John Benjamin of that local contacted company representatives several times trying to find what areas they felt needed to be addressed in the contract, they received no response.

So today my vote against the U.S. involvement in WTO is a protest vote, and it is standing with the workers of our country who have no rights in this regime.

I have tried to get the head of another group of workers in Ohio whose jobs had been moved to China to come and meet with these workers to help these 1,500 people adjust to the world that they are about to face now, and the leader from the other company said he was going through a divorce because life has been so hard for them. They have lost over 2,000 jobs to China.

I stand in protest to this regime, which turns its back on the working people of our country. It is absolutely wrong. I rise in support of this resolution.

Mr. CRANE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to remind our colleagues that we are the biggest export nation on the face of this Earth. Every billion dollars in increased U.S. exports translates into roughly 15,000 to 20,000 new jobs here in the United States. And those new jobs that are trade-related jobs pay on average 17 percent more than jobs simply for domestic consumption.

In other words, trade is one of the biggest benefits economically this country has experienced, we are at a point because we have been at full employment for almost 5 years now where we are importing skilled labor, thousands of skilled workers, because of the shortage of workers we have in this country. And there has been some suggestion by the gentleman from New York (Mr. SWEENEY) that there may be 6 million illegal immigrants working in the United States that are filling those empty slots because we have no opportunities for any increased jobs. We are short of labor in this country, just like we are short of virtually everything else.

Let me read a Statement of Administration Policy here for the RECORD:

Though its origins date back more than 50 years, the WTO continues to be a critical forum for the United States to (1) assert and advance U.S. interests in the global economy; (2) lower trade barriers and promote new opportunity for American workers, firms, and farmers; (3) advance the rule of law; (4) promote economic stability and peace by giving nations stronger stakes in one another’s prosperity and stability.

If the United States did not participate in the WTO, we would (1) expose ourselves to discrimination by virtually all other major trading nations; (2) weaken our ability to get other countries to abide by trade commitments; (3) threaten U.S. competitiveness and living standards; (4) create uncertainty and risk in the U.S. and world economy.

U.S. participation and leadership in the WTO is critical at this time. There are more than 100 nations, including some in transition, seeking to join the WTO, as well as a number of developing countries that are working to meet their WTO obligations. With withdrawal of congressional support for the multilateral system would send precisely the wrong message to these countries."

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

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. BENTSEN). Mr. BENTSEN. Mr. Speaker, I rise in opposition to this resolution.
Mr. Speaker, I want to say to the gentlewoman from Ohio (Ms. KAPTUR), I totally agree with her statement and she has every right to be angry. [Mr. CRANE] not do a very good job at all in this country of helping those who lose from trade, even though I strongly believe that the majority of Americans benefit from trade and I concur with what the gentleman just said. She has every right to be angry.

But this prescription being proposed, withdrawing from the WTO, would not do one thing to help those workers in Ohio or any other workers; and, in fact, it would probably make their lot worse.

What the gentleman, my dear colleague from Texas (Mr. PAUL) is proposing, would lead us down the road towards the unacceptable costs of the American worker and the American consumer. It would not solve the legitimate concerns that some of the proponents of this resolution have. It would make matters much worse for all Americans.

I hope the whole House will reject this unwise resolution.

Mr. Speaker, I rise in opposition to H.J. Res. 90, a resolution to withdraw Congressional approval of the agreement establishing the World Trade Organization (WTO). I want to point out that the Ways and Means Committee reported this resolution adversely by a unanimous roll call vote of 35 to 0.

U.S. membership in the WTO is clearly in our national interest. The multi-lateral rules-based trading system of the WTO, which was first established in 1947 as part of the General Agreement on Tariffs and Trade (GATT), has been vital to global economic growth, peace and stability. In its five-year existence, the WTO has helped create a more stable climate for U.S. businesses, improved market access for industrial goods, agricultural products and services worldwide, promoted the protection and enforcement of intellectual property rights, and provided an effective means for settling trade disputes. More than any other member, the U.S. has benefited from the dispute resolution mechanism, winning 23 of the 25 actions it has brought against other WTO members.

It is important to note that while WTO dispute settlement process is binding, compliance with WTO panel recommendations is voluntary. The WTO has no authority to force a member country to change its domestic laws or policies and therefore poses absolutely no threat to enforcement of U.S. health, safety, or environmental standards. In cases in which a WTO member chooses not to bring itself into conformity with a panel decision, the affected WTO member countries have the right to request compensation or to retaliate.

The trade liberalization shaped by the WTO and its GATT predecessor has been the major engine of global economic growth and is vital to our continued economic prosperity. Since the founding of the multilateral trading system at the end of World War II, the world economy has grown six-fold, per capita income worldwide has tripled and hundreds of thousands of families around the world have risen from poverty. For the U.S., this global growth has generated an increase in GNP from $7 trillion in 1992 to $9 trillion in the last year. The WTO has helped to ensure that this growth is sustained even in times of economic instability as evidenced by the growth of U.S. exports of goods and services, even with the disruption of the Asian financial crisis, have grown by 55 percent since 1992 to a record total of nearly $959 billion last year.

During the first five years of the WTO, the U.S. economy generated 1.4 million new jobs. Almost 10 percent of all U.S. jobs—nearly 12 million—now depend on our ability to export goods abroad. Membership in the WTO also yields concrete benefits to Texas workers and families. Since the WTO was created, U.S. exports have grown by $235 billion, creating thousands of jobs for Texas workers. Texas is the second largest exporting state in the U.S., totaling more than $78 billion in exports in 1998. Texas and the U.S. would lose these benefits if it withdraws from the WTO and member countries could, and likely would, erect a host of protective barriers to U.S. goods and services, preventing U.S. access to their markets altogether. Given that international trade now accounts for nearly one-third of U.S. gross domestic product and one-fourth of U.S. income, Texas and the U.S. simply cannot afford to lose access to these markets.

The WTO is not a perfect organization. While I will vote against this resolution, I believe we should open up the WTO to greater public view and public input. Recent events have shown us that where trade has increased and had greater impact on people's lives, there has been a greater desire for knowledge about the WTO and the development of international trade rules. Opening the process, by allowing public submissions to dispute settlement panels and opening panel proceedings to public view will go a long way toward making Americans more comfortable with WTO recommendations.

Trade now represents nearly one-third of our economy. Leaving U.S. exports and imports with no effective framework is costly and counterproductive. Withdrawal of U.S. support for the WTO would undermine the tremendous growth and prosperity that the U.S. has achieved through the expansion of world trade—an expansion enabled by the WTO and the multilateral trading system.

Mr. Speaker, I urge my colleagues to support the growth of international trade and institutional reform and urge a "no" vote on this resolution.

[From the Blade, Toledo, OH, June 21, 2000] SHIPT OF PHILIPS JOBS OFFICIALY SCHEDULED OTTAWA, OH.—Netherlands-based Philips Components has made it official: It will move 90 percent of its television-tube production from the North American Free Trade Agreement country to a facility it bought in north-central Mexico, leaving 1,500 area workers without jobs.

The Ann Arbor-based division of Royal Philips Electronics announced yesterday that production lines from the Ottawa plant will be transferred in phases to Mexico over a three-year period, starting in the last six months of 2001, and concluding in April, 2004. In April, the company said it planned for the transfer to start next spring.

The equipment to be moved from the Ottawa plant will join more than 200 new production lines in an existing factory. Work to be moved from Ohio to Mexico is production of 25-inch and 27-inch picture tubes. A spokesperson for Philips said details regarding any specifics on the Mexican facility, even what city it is in or what the factory makes now.

The Ottawa plant will retain 250 to 300 employees to make 42-inch picture tubes. Yesterday’s announcement, although expected, has been dredged in this Putnam County town.

"It’s definitely a hit. But we had tried to run this community like a business, so we’ve been planning for it and we’ll survive," said John Williams, municipal director of the village of Ottawa.

The company said in April and reiterated yesterday that the move to Mexico is part of its strategy to improve the efficiency and cost-effectiveness of its manufacturing operations because retail prices in the North American market have declined.

David Thompson, a Philips spokesman, said the company maintained that moving production to Mexico was the best alternative for the long-term business, so any counterproposal needed to come from Local 1654 of the International Brotherhood of Electric Workers.

"It needed to take a look at significant cost-savings in production... and the union never came back with a counterproposal, so we finalized our plans," said Mr. Thompson. John Benjamin, president of Local 1654, said union officials contacted company representatives several times trying to find what areas they felt needed to be addressed, either in the contract or otherwise, and received no response.

"We’ve seen it at other facilities where workers have given up stuff to secure their future and it didn’t work," said Mr. Benjamin, a 34-year employee of the plant.

The current contract expires Sept. 27 and Mr. Benjamin said he has contacted the company about dates to start renegotiating a contract.

"We’ve got to have something in place for people until they find other work," he said. He declined to reveal what type of severance package or retraining help the union might be seeking.

Since the announcement two months ago, the Ottawa plant has lost about 3 percent of its workforce, prompting the company to offer incentives for workers to stay. Mr. Benjamin said he has contacted the company about dates to start renegotiating a contract.

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Mr. DeFazio. Mr. Speaker, I yield myself the balance of my time.

The gentleman from Illinois just quoted Thomas Jefferson about exports and 15 to 20,000 jobs per $1 billion. Apparently that is true. But unfortunately one cannot just use one side of the equation. One has to get to the net. The net is what last year a $371 billion trade deficit which by math would mean 4,065,000 jobs were lost. We are heading toward more than $300 billion this year, and the administration itself admits with the accession of China our trade deficit with China and PNTR will grow dramatically. So you cannot just use the side of the equation that goes to your argument. It goes both ways.

We are running a huge and growing trade deficit because American workers could not compete with bonded child labor, with people who work in unsafe conditions, with people who work in factories where they dump the toxic waste out the back door. No, that is not what the U.S. represents. That is not what we want to drive the rest of the world to, and it is not what we should be driving our Nation to. We should be demanding more. This organization was set up basically so it could not be changed. You are going to get Cuba and China and Myanmar and those other great bastions of democracy, workers rights, environmental protections to go along with improvements in the WTO? I think not. But it is working quite well for their oppressive regimes as well as it is working for the giant multinational corporations. It is working as designed.

Every once in a while, once every 5 years we will be allowed 2 hours on the floor of the House, if we are still here, to stand up and debate this issue, but we will never see a resolution demanding improvements on the floor of this House, even though dozens of Members have come here and said, it is wrong, it has got to be fixed, we cannot be in this organization unless they fix the dispute resolution, unless they protect the environment, unless they protect workers.

If Members really believe that and they cannot bring themselves to vote for the resolution then at least cast a protest vote for reform by voting “present.”

Mr. Paul. Mr. Speaker, I yield myself the balance of my time.

“Peace, commerce and honest friendship with all nations, entangling alliances with none, I deem one of the essential principles of our government and consequently one of those which ought to shape its administration.”

Thomas Jefferson.

Thomas Jefferson, I am sure, would be aghast at this WTO trade agreement. It is out of the hands of the Congress. It is put into the hands of unelected bureaucrats at the WTO. I would venture to guess even the Hamiltonians would be along with what we do with trade today. I ask pro-trade. I have voted consistently to trade with other nations, with lowering tariffs. But I do not support managed trade by international bureaucrats. I do not support subjugation, corporations in this country like the WTO because they have political clout with it. They like it because they have an edge on their competitors. They can tie their competitors up in court. And they can do it so nobody has access. One has to be a monied interest to have influence at the World Trade Organization.

Earlier today I predicted that we would win this debate. There is no doubt in my mind that we and the American people have won this debate. We will not win the votes, but we will do well. But we have won the debate because we speak for the truth and we speak for the American people and we speak for the American people. That is why we have won this debate. It is true there are a lot of complaints about the WTO from those who endorse it. I think the suggestion from the gentleman from Oregon is a good suggestion. Those who are uncomfortable with the WTO and they do not want to rubber-stamp it, and they do not think it is quite appropriate to vote “yes” on this resolution, vote “present.” Send a message. They deserve to hear the message. We have no other way of speaking out. Every 5 years, we get a chance to get out of the WTO—that’s it.

We cannot control the WTO. None of us here in Congress has anything to say. You have to have a unanimous vote with WTO to change policy. Our vote is equal to all the 134 other countries; and, therefore, we have very little to say here in the U.S. Congress.

Mr. Levin. Mr. Speaker, I yield myself the balance of my time.

Let me say there is another reason why we expect chaos in the economy and in trade. It has to do with the trade agreement itself. It is not at record highs. The current account deficit hit another record yesterday. It is 4.5 percent of the GDP, and it is significant. But unfortunately the WTO can do nothing about that because that is a currency problem. It too causes chaos. Yet there will be an attempt by the WTO to share the problem of imbalances. Just think of how NAFTA came to the rescue of the Mexican peso immediately after NAFTA was approved; a $50 billion rescue for the politicians and the bankers who loaned money to Mexico.

Quite frankly, I have a suspicion that when the Chinese currency fails, that will be one of the things that we will do. There will be a trade war. They are in the family of countries, so therefore we will bail out their currency. That is what I suspect will happen. Why else would the Chinese put up with the nonsense that we pass out about what we are going to do, investigate them and tell them how to write their laws? They have no intention of doing that. I think they are anxious to be with WTO because they may well see a need for their currency to be supported by our currency, which would be a tax on the American people.

This is a sovereignty issue. We do not have the authority in the U.S. House of Representatives to give our authority to the President. We do not have the authority and we should never permit the President to issue these executive orders the way he does, but this is going one step further. We have delivered this sovereignty power to an unelected bunch of bureaucrats at the WTO.

Mr. Levin. Mr. Speaker, I yield myself the balance of my time.

The WTO has its roots in the decision of this country and others after the Second World War not to make the mistakes that we made after the First World War, and that was for this country to engage, to take a leadership position, to craft international institutions to respond to problems, to challenges, and to opportunities. Trade is not win-win. There are losers as well as winners. But we have been 25 years to make sense out of that dynamic, to try to make sure that in our country we come out ahead and not fall behind in terms of the international scene.

They say send a message. It is the wrong message. It is the message of withdrawal. It is a message to tear down. It is much harder to build, and it is easy to tear down. Do not tell me the WTO never changes. I went to Geneva with others to work to safeguard our laws in international negotiations, and we succeeded. If Members think the world is unmanageable, if they want to put blinders on, vote “yes” or “present.” If they want to roll up their
sleeves and make this a better world economically for this country and the other nations. Vote no.

Mr. CRANE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we have heard references made to jobs; we have heard references made to our trade deficits. The concerns involved in trade are important, but I think it is important for us to recognize that trade plays a critically important role in our economy today, and it is because we are less than 5 percent of the world's population and the market is beyond our borders and we have bountiful employment. We are at the biggest increases in gross domestic production that we have experienced in years. In fact, last year over $9.2 trillion was our GDP. I think it is important to the honest-to-goodness statements that we have; and notwithstanding our incredible productivity, we cannot produce enough to meet the demands of the American consumers here at home.

Let me conclude with a point, and this deals with the question of sovereignty, U.S. law which approved and implemented America's membership in the WTO makes clear that the U.S. reigns supreme.

The Uruguay Round Agreements Act, URAA, states, “No provision of any of the Uruguay Round Agreements, namely, the WTO agreements, nor the application of any such provision to any person or circumstance that is inconsistent with any of the United States law shall have effect.”

Secondly, “Nothing in this act shall be construed to amend or modify any law of the United States, including any law relating to, one, the protection of human, animal or plant life or health; two, the protection of the environment; or, third, workers safety unless specifically provided for in this act of Congress.”

Mr. Speaker, I think it is essential that all Members here recognize the importance of this vote. I know we have heard about the agreements that we have; and I hope that we can move some of our opponents in this debate through a presentation of facts and the evidence to a different position. But in the interim, I think it is vital that Members recognize that we must vote down H.J. Res. 90.

Mr. CROWLEY. Mr. Speaker, I speak today in strong opposition to H.J. Res. 90, which seeks to withdraw Congress's approval of the agreement establishing the World Trade Organization (WTO), vote no.

Although I have come to this floor many times to oppose pieces of legislation that I believe would damage U.S. interests; few of them pose a greater danger than this one.

Since the failure of the International Trade Organization (ITO) to gain recognition by key nations, such as the United States, the world has relied on the General Agreement on Tariffs and Trade (GATT) as a temporary measure to help liberalize international trade and promote world economic growth. This measure, although imperfect, remained in effect from 1948 until 1995 when the World Trade Organization effectively replaced it.

Although the GATT was an effective tool for reducing tariff barriers, it was an ineffective instrument when it came to dealing with dispute settlement procedures and did not apply to services or intellectual property.

Now, with the WTO, nations, including the United States, have an effective international regime in place to settle trade disputes and further promote trade liberalization, not just in tariff reductions, but in non-tariff barriers as well.

The United States has played an extremely active role in the creation of the WTO and has been an active member. Since the creation of the WTO, the United States has won the majority of its cases that have reached a final decision. Additionally, the United States has filed almost half of the distinct cases considered by the WTO. Clearly, we are one of the most active participants in this organization and it is responding favorably to our concerns.

Mr. Speaker, U.S. exports of goods and services accounted for one-third of U.S. economic growth in the past seven years. We need the WTO to safeguard the global trading system to ensure safe and predictable trading patterns. This is vital to our economy because it has created millions of new jobs for Americans.

While I understand the concerns of many of my colleagues about some of the WTO rulings, such as the shrimp-turtle case, withdrawal from the WTO is not the answer. Rather, we must work with other nations to ensure our trade agreements consider issues such as the environment, worker rights and human rights. The WTO, like any international organization, has the ability to grow and adapt. In order to effect the future of the WTO in a positive way, as we have the past and the present, we must continue to play a leading role.

Mr. Speaker, I urge my colleagues to oppose this resolution.

Mr. KNOXLENGBERG. Mr. Speaker, I rise today in opposition to this resolution. The WTO serves as a forum for negotiations to eliminate trade barriers, allowing us to export our goods and services freely around the world. It provides the only multilateral dispute mechanism for international trade, administers rules to discourage discrimination, and ensures greater security on how trade will be conducted. For example, stronger dispute resolution procedures within the WTO prevent nations from keeping U.S. goods and services out of their markets through tariffs and non-tariff barriers.

Engaging in global trade helps American workers and consumers and overall economic progress. Since 1994, approximately one-fifth of U.S. economic growth has been linked to the dynamic export sector. If we choose instead to build trade barriers and ignore the potential of consumers in other nations, we will only reverse our incredible economic expansion and the subsequent higher standard of living.

I have heard many allegations that, as a member of the World Trade Organization, we undermine our ability to determine our own domestic policy and compromise our national security. But when we look closely at the WTO structure and how it operates, we realize this is not true.

First, the trade rules by which member nations agree to follow are reached by consensus by all members, allowing the U.S. to vote against any rules it finds unacceptable. Further, neither the WTO nor its dispute panels can compel the U.S. to change its laws or regulations. Under the WTO charter, members can enact trade restrictions for reasons of national security, public health and safety, conservation of natural resources and to ban imports made with forced or prison labor.

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The United States must be vigilant to seek openness, access, and transparency in international trade. We must also be able to preserve our ability to ensure fairness when American producers and workers are placed at risk from unfair trading practices.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). All time for debate has expired.

Pursuant to House Resolution 528, the joint resolution is considered read for amendment and the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to the Engrossment Committee on Tuesday, December 3, 2001, and for other purposes.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, January 20, 2000, the bill was open for amendment from page 57, line 22, to page 58 line 14.

Pursuant to the order of the House of that day, no further amendment shall be in order, except pro forma amendments offered by the chairman and the ranking minority member of the Committee on Appropriations or their designees and the following further amendments, which may be offered only by the Member designated in the order of the House or a designee, or the Member who caused it to be printed or a designee, shall be considered read, shall be debatable for the time specified, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question.

The following additional amendments, debatable for 10 minutes:

An amendment by the gentlewoman from Ohio (Ms. KAPIT) regarding VA mental illness research;

An amendment by the gentleman from New Jersey (Mr. SARTON) regarding EPA estuary funding;

An amendment by the gentleman from Indiana (Mr. ROEMER) regarding the space station;

The amendments printed in the CONGRESSIONAL RECORD numbered 7, 8, 13, 14, 15, 17, 33, 41 and 42.

The following additional amendments debatable for 20 minutes:

An amendment by the gentleman from Texas (Mr. EDWARDS) regarding VA mental illness research;

An amendment by the gentleman from New Jersey (Mr. SARTON) regarding EPA estuary funding;

An amendment by the gentleman from Indiana (Mr. ROEMER) regarding the space station;

The amendments printed in the CONGRESSIONAL RECORD numbered 23, 34, 35 and 36.

The following additional amendments debatable for 30 minutes:

An amendment by the gentleman from Wisconsin (Mr. OBEY) regarding NSF;

An amendment by the gentleman from Georgia (Mr. COLLINS) regarding clean air;

An amendment by the gentleman from Florida (Mr. BOTDY) regarding FEMA;

An amendment by the gentleman from Massachusetts (Mr. OLIVER) regarding the Kyoto Protocol;

And the amendments printed in the CONGRESSIONAL RECORD numbered 3, 4, 24, and 42.

The Clerk will read.

The Clerk reads as follows:

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related expenses, including temporary personnel, including uniform, or allowances therefore, as authorized by 5 U.S.C. 5901-5902; services as authorized...
Mr. SAXTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment to increase the funding by $33.9 million under the Environmental Protection Agency’s Environmental Programs and Management Account to fund the National Estuary Program.

Mr. Chairman, the National Estuary Program has been a tremendous success, but is drastically underfunded. This year’s appropriation provides approximately $18 million for this purpose, and it is inadequate to fund the National Estuary Program for the 28 estuaries that are included in the program.

If anyone is from almost any coastal State where there is a high density population in a coastal area you will find that your estuaries are under stress. And the National Estuary Program, which came into being a number of years ago, was set up to provide for a partnership arrangement between the Federal Government and Federal dollars and State and local people who know well the problems involving their estuaries and who know well how to study and fashion solutions for various types of estuarine problems.

I first became aware of this program with the trip to Narragansett Bay, which was part of the National Estuary Program, a number of years ago. Then Representative Claudine Schneider introduced me to the problems of Narragansett Bay, and now, 10 years later, because of the National Estuary Program, Narragansett Bay is well on its way to recovery. I wish I could say the same was true for all of the estuaries that are included in the National Estuary Program, but such is simply not the case.

We need to move forward with this program, and we need to fashion a financial program that will adequately take care of these needs. Congress recognized the importance of preserving and enhancing coastal environments. With the establishment of this program as section 320 of the Clean Water Act and the Clean Water Act amendments of 1987, this program was passed by the House on May 8, 2000, to reauthorize it.

We also authorized an appropriation of $50 million for fiscal year 2001 for the purpose of facilitating the State and local governments preparation of the Comprehensive Conservation Management Plan, CCMPs, for threatened and impaired estuaries.

This is a simple, straightforward program that addresses a variety of unique needs of these stressed bodies of water. I rise to urge an aye vote on this amendment, as I think it is extremely important to coastal areas, coastal States, and the inhabitants thereof.

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

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

Mr. Chairman, I am reluctantly opposed to the Saxton amendment. The gentleman has shown through proven leadership throughout his years in the Congress a dedication to, certainly the New Jersey shoreline and the estuaries all over the country, which as we know are the most productive areas of our waters in terms of wildlife and fish life.

While I am sympathetic to the amendment of the gentleman from New Jersey (Mr. SAXTON), I would have to say that the estuary program is fully funded at the President’s request level. In fact, we have taken great pains to fully fund this program every year. For fiscal year 2001, the program would receive almost $17 million, a slight decrease from last year’s level of $18 million, an increase over the 1999 level of $16.5 million.

In addition to this general estuary program, we also fund through EPA’s specific estuary-related programs for wetlands, including South Florida Everglades, Chesapeake Bay, Great Lakes, Long Island Sound, Pacific Northwest, and Lake Champlain. Together these programs total over $63 million for each year 2000 and 2001.

The Saxton amendment would nearly triple what we now have provided for this program. In addition, the Saxton amendment would take funds, important funds from NASA and we have already taken $55 million out of NASA in the production of this bill through the amendments.

This cut would further reduce their ability to adequately operate programs, so I would urge a no vote on the Saxton amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. SAXTON).

The amendment was rejected.

AMENDMENT OFFERED BY MR. OLVER

Mr. OLVER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OLVER:

Page 59, line 19, after the word “Protocol”, insert: Provided further, That any limitation imposed under this Act on funds made available by this Act for the Environmental Protection Agency shall not apply to activities specified in the previous proviso related to the Kyoto Protocol which are otherwise authorized by law.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 20, 2000, the gentleman from Massachusetts (Mr. OLVER) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 15 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Chairman, will the amendment be read?

The CHAIRMAN. The amendment is considered as read. Without objection, the Clerk can read the amendment.

Mr. KNOLLENBERG. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. OLVER. Mr. Chairman, I yield myself such time as I may consume.
Mr. Chairman, my amendment is short and clear. It simply affirms the agreement which has been in effect the last 2 years, after previous provisos by the House, the Senate, and the executive branch in passing the fiscal 1999 VA–HUD bill.

Mr. Chairman, the final fiscal VA–HUD conference committee bill contained a limitation language which is used again in this year’s bill. The accompanying conference report language was only approved after extensive negotiation. But the conferees specifically agreed, and I quote in part: “The conferees recognize that there are longstanding energy research programs which could have positive effects on energy use and the environment. The conferees do not intend to preclude these programs from proceeding, provided that they have been funded and approved by Congress.”

For fiscal 2001 again we have the same bill language as fiscal 1999 and fiscal 2000, but the report language this year has been greatly changed and goes far beyond the carefully negotiated fiscal 1999 conference agreement.

Without my amendment, this report language can be construed to limit not only the longstanding authorized and funded programs, our renewable energy research and development programs to promote clean power, our program to develop new homes that are 50 percent more energy efficient and save families dollars, our program to reduce methane emissions because methane is one of the most powerful greenhouse gases, and even the Clean Air Act which became law with the initiative and strong support of President Nixon a generation ago.

All are geared towards reducing greenhouse gases and have been approved and funded by this Congress, but could be jeopardized.

Mr. Chairman, the language of my amendment allows the EPA to operate as it has over the last 2 years under the fiscal 1999 VA–HUD conference agreement and the accompanying negotiated report language. Mr. Chairman, I urge adoption of the amendment.

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

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

Mr. Chairman, I think that this amendment is different than the amendment that we had previously. Now, the amendment that was given to me previously provided a little bit different picture than what I think this amendment does. We like the idea that we are now dealing with activities which have been the thing that we have liked for a long time.

If I am not mistaken, and I would like some clarification from the gentleman from Massachusetts (Mr. OLVER), the language that we were prepared to accept was a slightly different variation from what the gentleman has included here. I will read the language, not that the gentleman needs to know; but this body needs to know exactly what was inserted in your previous language, and it said “provided further that the word related to the Kyoto Protocol which are otherwise authorized by law.”

I ask the gentleman to help me, if he will, but my understanding is that now the gentleman has changed this to saying in the third line “shall not apply to activities specified in the previous proviso related to the Kyoto Protocol.” I ask the gentleman what exactly has the gentleman changed from the previous wording?

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

Mr. KOLLENBERG. I yield to the gentleman from Massachusetts.

Mr. OLVER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, we were apprised last night that the gentleman has read it, in fact, left a question of interpretation as to what the words “activities related to the Kyoto Protocol” would mean. And the Clerk advised me and others who were interested in this that there would be no difficulty if the word related was tied to the very provisions that are in the previous proviso, which is, of course, the provided further proviso that gives the bill language as it has stood, and that, therefore, it would be limited very carefully to those items.

Mr. KOLLENBERG. Mr. Chairman, the gentleman suggested that we were concerned about the wording in the previous amendment? Who was concerned? Because we showed no such concern.

Mr. OLVER. Mr. Chairman, if the gentleman will yield further, the clerks were concerned it was ambiguous, the language with the word “related,” and there would be some question to determine what was related to the proviso. In this instance, it is clearly tied to those items which are listed in the previous proviso, but are also authorized and funded by previous law.

Mr. KOLLENBERG. Mr. Chairman, reclaiming my time, let me proceed with my comments, because I do want to resolve this in a fashion that is acceptable. My immediate view was, why was the language changed? No one presented that change to me. So let me proceed with my comments. I appreciate the gentleman’s explanation of why the change certainly was not one that came from our side.

Mr. Chairman, I do want to congratulate the gentleman from Massachusetts (Mr. OLVER), the gentleman from West Virginia (Mr. Mollohan), and the others for the recognition of the original and enduring meaning of the reason that has existed for years now, specifically that no funds be spent on unauthorized activities for the fatally flawed, in my judgment, unratiﬁed, Kyoto Protocol.

I am grateful for the acknowledgment of the administration’s plan for a Kyoto Protocol. The whole Nation I think needs to hear the plea of this administration in the words of the coordinator of all environmental policy for this administration, George Frampton. In his position as acting chairman of the Council on Environmental Quality, on March 1 of this year and on behalf of the administration, he stated this before the Committee on Appropriations subcommittee: “Just to finish our dialogue here, my point was 2020; it is the very uncertainty about the scope of the language which gives rise to our wanting not to have the continuation of this uncertainty next year.”

Mr. Chairman, I also agree with the gentleman from Wisconsin (Mr. Obey) when he stated to the administration, “You’re nuts,” upon learning of the fatally flawed Kyoto Protocol that Vice President Gore negotiated.

Mr. Chairman, I thank the gentleman for his focus on the activities. I think that is important, of this administration, both authorized and unauthorized.

As I read this amendment, it appears to be now fully consistent with the provision that has been signed by President Clinton in current appropriations laws. First, no agency, including EPA, can proceed with activities that are not authorized or not funded; second, no new authority is granted to EPA; third, since neither the United Nations Framework Convention nor the Kyoto Protocol are self-executing, and I repeat that, they are not self-executing, specific implementing legislation is required for any regulation, program or initiative; fourth, since the Kyoto Protocol has not been ratified and implementing legislation has not been approved by Congress, nothing contained exclusively in that treaty is funded.

Mr. Chairman, I have had numerous communications with key agencies about the propriety of some of their activities. In most cases there has been a reasoned response that indicates there is recognition that some activities can cross the line and be implementation of the Kyoto Protocol.

Appropriately, President Clinton agrees with us, since he has been clear in his statements that he has no intention of implementing the Kyoto Protocol before it is ratified by the U.S. Senate. I think we have to remember that taxpayers that they will not pay the bill for activities that are not legal.

In my view, this amendment, after looking at it a second time, the second
amendment prepared by the presenter, is consistent with the position that we have been taking since 1990. I know that the EPA has been challenged by the courts on their abuse of the Clean Air Act, Safe Drinking Water Act, and an effort to use internal guidance in contravention of legal requirements. Because of the recent activities of the EPA, I have taken this opportunity to thoroughly and carefully review this bill language and consider the content of report language that will be necessary to explain it.

Mr. Chairman, I want to again say to the gentleman from West Virginia (Mr. MOLLIOHAN) and the gentleman from Massachusetts (Mr. OLIVER), I do think you are focusing on the kernel here that we have to focus on; and in that regard, I do want to offer some time to my colleagues to comment as well, and I am convinced what does as well.

CONGRESS OF THE UNITED STATES,

Hon. C.W. BILL YOUNG,
Chairman, Committee on Appropriations.

DEAR MR. CHAIRMAN: I write to express our strong support for the inclusion of the Knoellinger provision in the Foreign Operations and Commerce, State and Justice Appropriations bills for Fiscal Year 2001. This same provision has also been adopted in report language contained in the Subcommittee Report drafted by the Commerce, Justice, and State Subcommittee of the House Appropriations Committee.

As you know, the Administration negotiated the Kyoto Climate Change Protocol sometime ago but decided not to submit this treaty to the United States Senate for ratification. The Protocol places severe restrictions on the United States while exempting most countries, including China, India, and Brazil, from taking any measures to reduce carbon emissions. The Administration undertook this course of action despite unanimous support in the United States Senate for the Byrd-Hagel resolution calling for commitments by all nations to the Protocol and on the related 1997 protocol on international agreements that has been reserved to the Congress by the Constitution of the United States.

We believe that the Knoellinger provision is required to preserve the Congress’s authority to ratify treaties prior to their implementation. We are also concerned that actions taken by several Federal agencies, including the State Department and the Agency for International Development, constitute an effort to use internal guidance in contravention of legal requirements to implement the Montreal Protocol on Substances that Deplete the Ozone Layer.

Second, as to the Senate version (S. 1638) of the proposed amendments, on October 12, 1998 memorandum correctly points out that the Senate did address greenhouse gas matters and global warming, along with provisions implementing the Montreal Protocol. Nevertheless, only Montreal Protocol related provisions were agreed to by the House-Senate conferees (see Conf. Rept. 101-952, Oct. 26, 1998).

However, I should point out that Public Law 101-549 of November 15, 1990, which contains the 1990 amendments to the CAA, includes some provisions, such as sections 819, 817 and 819-821, that were enacted as free-standing provisions separate from the CAA. Although the Public Law often refers to the “Clean Air Act Amendments of 1990,” the Public Law does not specify that reference as the “short title” of all of the provisions included in the Public Law. One of these free-standing provisions, section 821, entitled “Information Gathering on Greenhouse Gases Contributing to Global Climate Change” appears in the United States Code as a “note” (at 42 U.S.C. 7611k). It requires regulations by the EPA to “monitor carbon dioxide emissions” from “all affected sources subject to title V” of the CAA and specifies that the emissions are to be reported to the EPA. That section does not designate carbon dioxide as a “pollutant” for any purpose.

Finally, Title IX of the Conference Report, entitled “Clean Air Research,” was primarily negotiated at the time by the House and Senate Science Committees, which had no regulatory jurisdiction under House-Senate Rules. This title amended section 103 of the CAA by adding new subsections (c) through (k). New subsection (g), entitled “EPA’s Authority to Regulate Pollutants,” creates a number of possible regulatory laws on climate change and greenhouse gases. Furthermore, some of your answers asserting that EPA has not yet considered certain basic legal issues are not credible.

To make clear why your February 16th letter has only reinforced our conviction that EPA may not lawfully regulate CO2, we review below each of your answers in the order of the questions posed.

Your statement in Q1 of our December 10th letter addresses an argument we pointedly and explicitly did not make and sidesteps the argument we did make. You write: “As we stated previously, specifically, petitions for promulgating a pollutant in a statutory provision is not a necessary prerequisite to regulation under many CAA statutory provisions.” We agreed with this observation in Q1 of our October 16th letter and again in Q1 of our December 10th letter, where we acknowledge that the CAA sensibly allows EPA to regulate substances not specifically mentioned in the CAA when such regulation is necessary to “fill in gaps” in existing regulatory programs. Yet you repeat that observation as though we had taken the position that EPA may not regulate any substance unless it is listed in a regulatory provision of the CAA.

Our point was different, to wit: Congress was quite familiar with the theory of human-induced global warming when it amended the CAA in 1990; and, consequently, the fact that the CAA nowhere lists CO2 as a substance to which the Act applies (as evidenced not only by your assertion that Congress chose not to authorize EPA to launch a regulatory global warming mitigation program, EPA’s assertion that “the presence of CO2 in the atmosphere is a fact, not a subject for debate” and the clear requirement in the Montreal Protocol that nations address climate change by using internal guidance in contravention of legal requirements to implement this Protocol).
In addition, we are troubled by the apparent intent of the House to undermine EPA’s authority to control substances under section 112(c) by stating that “CO is not a ‘pollutant,’” and thereby precluding CO from being regulated as an ambient air pollutant under section 112. It is clear that CO is an air pollutant, and Congress intended to include CO in section 112’s regulatory authority, as evidenced by the statutory language of section 112(c)(6).

We also note that the Supreme Court of the United States has made it clear that the inclusion of CO in the statutory language of section 112(c)(6) is not a “mere slip of the tongue” by Congress, but rather a deliberate and intentional action to include CO in the regulatory framework established by section 112. Therefore, CO should be considered an ambient air pollutant under section 112, and EPA should be authorized to regulate CO under the CAA.

We urge the House to reconsider its position on CO and to recognize the importance of regulating CO as an ambient air pollutant under section 112. CO is a significant pollutant that affects public health and the environment, and its inclusion in section 112 is necessary to ensure that EPA has the authority to control CO emissions effectively.

In conclusion, we believe that CO is an air pollutant under the CAA, and that EPA should be authorized to regulate CO as an ambient air pollutant under section 112. We urge the House to support the inclusion of CO in section 112 and to recognize the importance of regulating CO to protect public health and the environment.
You replied: "EPA has not reached any conclusion yet on this issue because it has not yet evaluated whether the CAA applies to CO or not. As noted, the Agency has no current plans to propose regulations for CO."

We do not think it necessary for EPA to start a rulemaking in order to evaluate whether a particular region of the U.S. satisfies the CAA criteria for a major emitting facility. EPA was not precluded from addressing air-pollution problems as a source of greenhouse gas emissions, which EPA claims is legal, and issuing regulations "for the purpose of implementing... the Kyoto Protocol," which EPA acknowledges is illegal. Rather than speak to the substance of our concern, you refer to previous letters which, in our judgment, also sidestepped that concern. We believe this is the second time you have once again failed to elucidate any criteria that would enable Congress, or other outside observers, to distinguish between legal and illegal greenhouse gas-reducing regulations under the Knollenberg limitation.

In your response to Q12, you also took issue with our understanding of the conditions on which the Senate agreed to ratify the Rio Treaty. We asked: "[Would it not have been pointless for the Senate to have insisted] that the Administration not commit the U.S. to a binding emission reduction treaty that imposes costly burdens on domestic competitors like China, Mexico, and Brazil, from binding emission limitations?" You replied: "[The Senate insisted that the Executive Branch not commit the U.S. to a binding emission reduction treaty that imposes costly burdens on domestic competitors like China, Mexico, and Brazil, from binding emission limitations]..." We believe this is the second time you have once again failed to elucidate any criteria that would enable Congress, or other outside observers, to distinguish between legal and illegal greenhouse gas-reducing regulations under the Knollenberg limitation.

A major reason for the Senate's instruction was the concern that the Administration might commit to an international agreement that imposes costly burdens on the U.S. and a few other countries while exempting most nations, including major U.S. trade competitors like China, Mexico, and Brazil, from binding emission limitations. Acting on this same concern, the Senate in July 1997 passed the Byrd-Hagel Resolution (S. Res. 98) by a vote of 95-0. Byrd-Hagel states that the U.S. should not be a signatory to any climate change agreement or protocol that would exempt developing nations from binding emission limitations.
OF COURSE, THE ECONOMIC CONSEQUENCES ARE NO LESS CONSIDERABLE THAN THE PHYSICALLY PLEASANT \textit{COMMITMENTS} \textit{ESTABLISHED} \textit{IN} \textit{KYOTO}. THE REDUCTION OF GREENHOUSE GASES MEANS SUBSTANTIAL CONSTRAINTS ON ECONOMIC PROSPERITY—INCLUDING, PERHAPS, REDUCED INCOME, \textit{DISPLACED LABOR}, \textit{RESTRUCTURED ECONOMIC REALITIES} \textit{WON’T EXPLAIN} \textit{THE} \textit{ADMINISTRATION’S} \textit{REJECTION} \textit{OF} \textit{THE} \textit{AMERICAN PEOPLE}’S \textit{SACRIFICES} \textit{TO} \textit{THEIR} \textit{OWN} \textit{WELFARE} (Harold P. Quinn, Jr., Sr. Vice President & General Counsel, National Mining Association) 

\textit{NMA’S LEGAL ANALYSIS} PROBES THE \textit{FUNDAMENTAL CONCLUSION} \textit{OF} \textit{THE} \textit{ADMINISTRATION’S} \textit{JUSTIFICATION} \textit{FOR} \textit{THE} \textit{ADMINISTRATION’S} \textit{CLAIM} \textit{TO} \textit{CONTRANDER CO\textsubscript{2}} \textit{Regulation} \textit{WILL NOT DISAPPEAR} \textit{EASILY}. \textit{Faced} \textit{WITH} \textit{THE} \textit{EVIDENCE} \textit{AND} \textit{CONSEQUENCES} \textit{OF} \textit{GREENHOUSE GASES}, \textit{THE} \textit{ADMINISTRATION} \textit{WON’T \textit{DISMISSE} \textit{THE} \textit{ETHICAL} \textit{AND} \textit{POLITICAL} \textit{CONSEQUENCES} \textit{OF} \textit{ITS} \textit{DECISION} \textit{TO} \textit{REJECT} \textit{THE} \textit{COMMITMENTS} \textit{ESTABLISHED} \textit{IN} \textit{KYOTO}. 

\textit{The Legal Affairs Committee Report to the National Mining Association Board of Directors on The Authority of EPA to Regulate Carbon Dioxide Under the Clean Air Act.} 

\textit{(Fredi D. Palmer, Chairman, Legal Affairs Committee)} 

\textit{(Peter Glaser, Barbara Van Zumeren, Doherty, Ramble & Butler, PA)} 

\textit{(Harold P. Quinn, Jr., Sr. Vice President & General Counsel, Bradford V. Frisby Assistant General Counsel, National Mining Association)} 

\textit{PREFACE} 

\textit{Fear} of apocalyptic global warming centers on an increasing atmospheric concentration of carbon dioxide \textsubscript{2} due to human activity. The Framework Convention on Climate Change (the Rio Treaty) seeks to prevent ‘‘dangerous human interference’’ with climate. A successor treaty negotiated at the meeting in Kyoto, Japan in December 1997 (the Kyoto Protocol) would place the responsibility on developed nations to substantially cut their greenhouse emissions. When that topic is raised, the question that should be asked is whether Congress intended for EPA to regulate carbon dioxide or for EPA to regulate climate change. 

\textit{Of course, the economic consequences are no less considerable than the physically pleasant commitments established in Kyoto. The reduction of greenhouse gases means substantial constraints on economic prosperity—including, perhaps, reduced income, displaced labor, restructured economic realities} 

\textit{WON’T EXPLAIN THE ADMINISTRATION’S REJECTION OF THE AMERICAN PEOPLE’S SACRIFICES TO THEIR OWN WELFARE} (Harold P. Quinn, Jr., Sr. Vice President & General Counsel, National Mining Association) 

\textit{NMA’S LEGAL ANALYSIS} PROBES THE FUNDAMENTAL CONCLUSION OF THE ADMINISTRATION’S JUSTIFICATION FOR THE ADMINISTRATION’S CLAIM TO CONTRANDER CO\textsubscript{2} REGULATION WILL NOT DISAPPEAR EASILY. FACED WITH THE EVIDENCE AND CONSEQUENCES OF GREENHOUSE GASES, THE ADMINISTRATION WON’T DISMISSE THE ETHICAL AND POLITICAL CONSEQUENCES OF ITS DECISION TO REJECT THE COMMITMENTS ESTABLISHED IN KYOTO. 

\textit{The Legal Affairs Committee Report to the National Mining Association Board of Directors on The Authority of EPA to Regulate Carbon Dioxide Under the Clean Air Act.} 

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regulate CO₂, the agency hangs its tenuous claim of regulatory authority in the CAA. Such a language, of course, cannot defeat the specific intent of Congress on the question of whether Congress intended for EPA to regulate CO₂. Therefore, the statute was clear: EPA cannot regulate CO₂; the regulatory structure of the sections cited by EPA are completely inconsistent with the regulation of a substance like CO₂ and therefore also compel a conclusion that EPA may not regulate CO₂.

One example of the general language in the CAA cited by the sections defining air quality standards (§§108–109). Under these sections, EPA is authorized to establish National Ambient Air Quality Standards ("NAAQS") to control national, statewide, and local pollution. However, these provisions, which are aimed at pollution that affects air quality locally or regionally, cannot even theoretically address the CO₂ concentrations that purportedly impact an atmospheric phenomena of climate change on a global scale. Since Congress does not delegate to EPA the authority to try to impose restrictions that are somehow calculated to serve an unattainable goal, Congress did not intend for EPA to regulate CO₂ using these specific parts of the law. Other examples abound, and the analysis discusses why the regulation of CO₂ does not fit within the regulatory scheme established by Congress. The extreme difficulty that EPA has in trying to force CO₂ into a regulatory scheme that does not fit provides further evidence that Congress never intended CO₂ to be regulated under the CAA. EPA’s claim of expansive authority is "potentially applicable" sections of the CAA.

The legislative history of the CAA confirms NMA’s conclusions. The CAA did not refer to CO₂ emissions specifically and did not define EPA as having the authority to regulate CO₂. Instead, Congress authorized EPA only to study certain greenhouse gases, not regulate them. By specifically considering this issue and resolving it against regulation, Congress arguably withdrew from EPA any powers to regulate CO₂.

In determining the meaning of a statute, one may also consider related statutes on the same subject matter and review decisions regarding the CAA. If Congress believes that CO₂ emissions cause harmful effects to public health, welfare or the environment, then Congress must enact legislation that addresses such effects. The alarm set off by the predictions of catastrophic climate change requires an analysis of the extent to which CO₂ emissions endanger public health, welfare, or the environment. According to the general counsel, the EPA takes the position that, under specific statutory criteria, CO₂ emissions are not hazardous to public health, welfare, or the environment. Therefore, CO₂ emissions do not fit within the regulatory scheme established by Congress for the CAA.

The EPA general counsel claims that the CAA, especially the Clean Air Act, authorizes the Environmental Protection Agency (EPA) to regulate carbon dioxide emissions. However, the CAA defines "air pollutant," which the Administrator determines is a substance that endangers public health, welfare or the environment. Therefore, CO₂ cannot be regulated under the CAA.

Carbon dioxide is a clear, odorless gas that appears naturally in the earth's atmosphere and is a fundamental component of life on earth. All animals (including human beings) inhale oxygen and exhale carbon dioxide, and plants take in carbon dioxide from the atmosphere as a part of photosynthesis and return oxygen to the atmosphere as a byproduct of the same process.

Carbon dioxide is also a naturally occurring "greenhouse gas." The earth has a natural "greenhouse effect" in which heat from the sun is trapped below the earth's atmosphere and is partially reradiated back into space. The greenhouse gases that cause this effect appear in trace amounts in the atmosphere and include water vapor (by far the most significant greenhouse gas), carbon dioxide, methane, nitrous oxides and stratospheric ozone. Without the naturally occurring greenhouse effect, the earth is too cold to sustain life as we know it.

It is known that since the industrial revolution, carbon dioxide levels in the atmosphere have increased as a result of human activities (principally the combustion of fossil fuels for transportation, electric generation, residential and commercial heating and a variety of other processes, as well as deforestation). Presently, atmospheric levels of carbon dioxide are estimated to be approximately 25% higher than pre-industrial times.

Some scientists believe that the increased levels of carbon dioxide in the atmosphere can have a significant greenhouse effect to the extent that the world is facing a climatological Armageddon. These scientists believe that increasing atmospheric carbon dioxide will lead to a "greenhouse effect" on the Earth resulting in a variety of climatological disasters running the gamut from more storms and flooding to more drought and desertification.

The alarm set off by the predictions of these scientists resulted in the United States entering into the 1992 Framework Convention on Climate Change, the so-called Rio Treaty. The United States and other developed nations agreed in the Rio Treaty to take voluntary action in an attempt to reduce emissions of carbon dioxide to 1990 levels by the year 2000.

Despite a variety of efforts by government and industry, the Clinton Administration's efforts were not successful in reducing United States carbon dioxide emissions. There is now virtually no chance that the target will be met. Congress, however, similarly will fail to meet that target.

The Clinton Administration, nevertheless, wants to commit the United States and the world to more stringent emissions reductions than that set forth in the Rio Treaty. In December of last year, the Administration entered into the Kyoto Protocol, which would require the country to meet binding targets and timetables for reducing carbon dioxide emissions significantly below 1990 levels before the end of the decade.

As a treaty of the United States, the Kyoto Protocol cannot become legally binding on this country until ratified by a two-thirds vote of the U.S. Senate. The Administration, by a 96-0 margin, adopted the Byrd-Hagel resolution in which the Senate expressed that it would not ratify any protocol that did not require substantive Third World participation and which would damage the U.S. economy. By the Administration's own admission, the Kyoto Protocol fails to prove the U.S. public health, welfare or environmental effects, but also that the statutory provision, or scheme, provides an appropriate and effective mechanism for its regulation. The Administration counsel merely assumes that the former determination can be made, and wholly avoids
I. THE LANGUAGE OF THE CLEAN AIR ACT DEMONSTRATES THE ABSENCE OF AGENCY AUTHORITY TO REGULATE CARBON DIOXIDE

We begin our analysis with an examination of the statutory language. A proper examination of the statutory text includes not only the language itself but the context of the language as it appears in the overall regulatory scheme created by Congress. Toward this end, we focus on provisions of the CAA and the agency's broader activities in the context of non-regulatory activities such as research and technology programs. Accordingly, the text and structure of the CAA reveals that the EPA's policies and regulations are intended to limit carbon dioxide emissions to non-regulatory activities. As part of our examination of the language and statutory scheme, it is useful to refer to the historic context of both the debate surrounding global warming and congressional activities in this area. The theory that carbon dioxide and other greenhouse gases could possibly lead to a dangerous global warming has been under consideration in Congress since the late 1970's. During that period, proponents of new regulatory schemes for global warming confronted Congress on numerous occasions of the environmental catastrophe which, in their view, could result if such regulation is undertaken. Indeed, EPA has taken the view that global climate change as a result of greenhouse gas emissions is the number one environmental problem facing the society.

Of course, significant restrictions on emissions of carbon dioxide could have devastating consequences for our society. Carbon dioxide is the inevitable result of the combustion of fossil fuels, and the combustion of fossil fuels is far and away the most important source of energy for modern civilization. Because there is no even remotely feasible way of preventing carbon dioxide emissions when fossil fuels are combusted, carbon dioxide regulation means potentially compromising any realistic choice to limit fossil fuel emissions and far-reaching changes in the way society uses energy.

In view of this longstanding debate on the potential threat of global warming, it is abundantly clear that no less than 190 specific such pollutants Congress determined are the most important to control and designates 53 substances to be so regulated. The CAA expressly provides authority to regulate carbon dioxide as acriteria pollutant. However, this provision— the only one in the statute that mentions global warming—is accompanied by an express authorization for EPA to regulate carbon dioxide which, on its face, appears to explicitly authorize EPA to regulate carbon dioxide solely in the non-regulatory provisions of the CAA. The EPA general counsel states that one potential reading of the CAA regulatory scheme would be plainly contrary to the text of the statute and the context in which the language itself but the context of the language as it appears in the overall regulatory scheme created by Congress. Toward this end, we focus on provisions of the CAA and the agency's broader activities in the context of non-regulatory activities such as research and technology programs. Accordingly, the text and structure of the CAA reveals that the EPA's policies and regulations are intended to limit carbon dioxide emissions to non-regulatory activities. As part of our examination of the language and statutory scheme, it is useful to refer to the historic context of both the debate surrounding global warming and congressional activities in this area. The theory that carbon dioxide and other greenhouse gases could possibly lead to a dangerous global warming has been under consideration in Congress since the late 1970's. During that period, proponents of new regulatory schemes for global warming confronted Congress on numerous occasions of the environmental catastrophe which, in their view, could result if such regulation is undertaken. Indeed, EPA has taken the view that global climate change as a result of greenhouse gas emissions is the number one environmental problem facing the society.

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dioxide emissions is CAA Sections 108, 109 and 110. These provisions provide the EPA with authority to establish, implement and enforce National Ambient Air Quality Standards (NAAQS) for what are known as "criteria pollutants." Under CAA Section 108(a)(1), "criteria pollutants" are those substances which, in the judgment of the EPA Administrator, "cause or contribute to air pollution which may reasonably be anticipated to endanger public health or welfare" and which are produced by "numerous or diverse mobile or stationary sources.

States that identify as a criteria pollutant, the Administrator is required under CAA Section 109 to publish primary and secondary NAAQS for each such substance. Primary NAAQS are "ambient air quality standards the attainment and maintenance of which in the judgment of the Administrator, based on such criteria and allowing an adequate margin of safety, are required to protect the public health." Secondary NAAQS are standards "required to protect the public welfare." Accordingly, EPA is required under CAA Section 110(a)(1), within three years after promulgation of a NAAQS, every state must "adopt and submit to the Administrator" a state implementation plan, or "SIP" which provides for implementation, maintenance, and enforcement of the primary and secondary NAAQS. CAA Section 110(a)(2) provides a set forth a list of SIP requirements designed to ensure that states will achieve the air quality required by the NAAQS. Similarly, CAA Section 172 provides with EPA with extensive authority to ensure that nonattainment areas are brought into attainment "as expeditiously as practicable.

2. Congress Could Not Have Intended to Regulate Greenhouse Gases as Criteria Pollutants Because the Statutory Regime for Regulating Criteria Pollutants is Wholly Unsuited to Preventing or Mitigating Gases as Criteria Pollutants. The CAA's scheme established by Congress for the regulation of criteria pollutants was never intended, and cannot rationally be applied, to regulate carbon dioxide emissions. Under CAA Sections 108(a)(1) and 108(a)(2), EPA is charged with the responsibility of establishing, implementing and enforcing National Ambient Air Quality Standards (NAAQS) for what are known as "criteria pollutants." Section 108(a)(2) states that, "unless the Administrator determines that such regulatory structure is plainly designed to require local nonattainment areas to achieve attainment." This statutory structure has no rational application whatsoever to a substance such as carbon dioxide, which is fundamentally different than any of the substances that are currently regulated as criteria pollutants. Although groundlevel and lower atmospheric ambient concentrations of carbon dioxide may differ slightly from locality to locality depending on environmental factors, the greenhouse effect resulting from overall greenhouse gas concentrations in the troposphere rather than at ground level. Tropospheric levels of carbon dioxide are generally not differentially affected locally and are not influenced by emissions of carbon dioxide locally or upwind. Carbon dioxide is a global pollutant that affects the entire planet. Moreover, carbon dioxe in the atmosphere has a long-term effect on the climate. Thus, ambient tropospheric carbon dioxide levels in any one part of the world are roughly the same as in any other part of the world. As a result, one ton of carbon dioxide emitted in Washington, D.C., has the same effect on ambient tropospheric concentrations of carbon dioxide as one ton of carbon dioxide emitted in Bangladesh.

Moreover, carbon dioxide with anthropogenic (human) origins compromise only a small fraction of the carbon dioxide already present in the atmosphere. In the first place, as stated above, carbon dioxide is by no means the only anthropogenically emitted greenhouse gas. Other greenhouse gases emitted by man include methane, nitrogen oxides and chlorofluorocarbons, each of which has far greater heat trapping capacity per molecule than carbon dioxide. Similarly, anthropogenically emitted greenhouse gases contribute only a minuscule amount of the greenhouse gases occurring in the troposphere. Water vapor occurring naturally in the atmosphere is the main greenhouse gas, contributing about 98% of the greenhouse effect. Similarly, naturally occurring sources of carbon dioxide far outweigh anthropogenic sources of carbon dioxide.

The United States itself is a leading source worldwide of anthropogenic carbon dioxide emissions. However, the United States contributes only about 22% of all anthropogenic emissions of greenhouse gases, and that 22% is largely balanced by reductions as the Third World industrializes. U.S. anthropogenic emissions of carbon dioxide are, and will continue to be, only a tiny fraction of the overall greenhouse effect. As the National Research Council concluded in its report, "[e]ratic emissions of carbon dioxide are natural and inevitable." For these reasons, it is not even theoretically possible to achieve reductions in carbon dioxide emissions in the United States that would even have a minor effect on global temperatures. As the United States does not contribute significantly to global climate change, it cannot rationally be required to do so. Conceding to the EPA's authority to regulate carbon dioxide emissions would only add to the problems associated with the program of designating nonattainment areas and requiring the submission of state implementation plans. It would also entail significant costs for the federal government in addition to the costs imposed on states, and would have no rational effect on the climate.

C. EPA Does Not Have Authority to Regulate Emissions of Carbon, Dioxide through the Imposition of Technology-Based Controls under CAA Section 111.

1. EPA authority under Section 111.—The EPA General Counsel opines that another potential source of authority to regulate carbon dioxide emissions would be CAA Section 111. Section 111 provides the EPA with authority to establish "new source performance standards," or "NSPS," for categories
of sources which emit air pollutants. Unlike the NAAQS, NSPS requirements are designed to limit emissions from existing stationary sources, which an plant to which such controls apply must meet as a condition of operation. NSPS are sometimes referred to as technology-based standards because they are based on controls or processes that limits emissions from emitting sources and are not directly tied to the level of pollutants in the ambient air.

Under CAA Section 111(b)(1)(A), the Administrator shall designate a category of sources as subject to NSPS requirements if she finds that sources within such category cause or contribute significantly to, air pollution which may reasonably be anticipated to endanger public health or welfare. CAA Section 111(a)(1) defines "standard of performance" as: "as a standard for emissions of air pollutants which reflects the degree of emission limitation achievable through the application of the best system of emission reduction which (taking into account the cost of achieving such reduction and any nonair quality health and environmental impacts of the technology) the Administrator determines has been adequately demonstrated."

2. EPA Is Without Authority to Regulate Carbon Dioxide Emissions as Hazardous Air Pollutants

Under CAA Section 111(b)(1), the Administrator is required to promulgate standards for new stationary sources which cause or contribute to air pollution which may reasonably be anticipated to cause, because of: (i) its toxicity and persistence in the environment, or (ii) its toxicity and tendency to bioaccumulate in the environment, a significant adverse effect on the environment of sufficient seriousness, in the judgment of the Administrator, to warrant reporting under this section.

The EPA's general counsel also suggests that carbon dioxide cannot be considered to be a HAP. In distinguishing between the types of substances that are HAPs and the types that are criteria pollutants, the legislative history states that criteria pollutants are "more pervasive, more potent, than hazardous air pollutants." Hazardous air pollutants are pollutants that pose serious health risks. . . . They may reasonably be anticipated to cause, because of: (i) its toxicity, (ii) its toxicity and persistence in the environment, or (iii) its toxicity and tendency to bioaccumulate in the environment, a significant adverse effect on the environment of sufficient seriousness, in the judgment of the Administrator, to warrant reporting under this section.

Similarly, the effect carbon dioxide is argued to have on the environment is not caused by the direct interaction of carbon dioxide and animal life but the indirect, caused by the reaction carbon dioxide with water in the atmosphere, which might warm the climate, which might make areas of the United States conducive to insects carrying tropical diseases, which might lead to an increase in such diseases. Such effect is completely unlike the health effects referred to in CAA Section 112.

Similarly, the effect carbon dioxide is argued to have on the environment is not caused by the direct interaction of carbon dioxide and animal life but the indirect, caused by the reaction carbon dioxide with water in the atmosphere, which might warm the climate, which might make areas of the United States conducive to insects carrying tropical diseases, which might lead to an increase in such diseases. Such effect is completely unlike the health effects referred to in CAA Section 112.

The legislative history of CAA Section 112 makes it abundantly clear that carbon dioxide cannot be considered to be a HAP. In distinguishing between the types of substances that are HAPs and the types that are criteria pollutants, the legislative history states that criteria pollutants are "more pervasive, more potent, than hazardous air pollutants." Hazardous air pollutants are pollutants that pose serious health risks. . . . They may reasonably be anticipated to cause, because of: (i) its toxicity, (ii) its toxicity and persistence in the environment, or (iii) its toxicity and tendency to bioaccumulate in the environment, a significant adverse effect on the environment of sufficient seriousness, in the judgment of the Administrator, to warrant reporting under this section.

As seen, carbon dioxide does not fit any of these standards. It is not a HAP that can be regulated under CAA Section 112.

E. EPA Does Not Have Authority to Regulate Carbon Dioxide Emissions under CAA Section 115

The EPA general counsel also suggests that carbon dioxide cannot be considered to be a hazardous air pollutant (HAP) under CAA Section 115 regarding control of international air pollution. CAA Section 115(a) provides that whenever the Administrator, upon receipt of reports, surveys, or studies from any duly constituted international agency has reason to believe that any air pollutant or precursor emitted by a State cause or contribute to air pollution which may reasonably be anticipated to endanger by the list of substances which Congress provided as HAPs in CAA Section 112(b) each of which causes a health effect through a direct exposure.
public health or welfare in a foreign country or where a Governor of a State requests him to do so with respect to such pollution which the Secretary of State alleges is of such a nature, the Administrator shall give formal notification thereof to the Governor of the State in which such emissions originate."

Under CAA Section 115(b), the giving of notice to a Governor under CAA Section 115(a) constitutes a "SIP call." The applicable state is thereupon required to amend the portion of its SIP "as is inadequate to prevent or diminish any air pollution which may reasonably be expected to cause injury to another country unless otherwise agreed to in writing by the two countries to enter into force), no country has entered into force, if the U.S. does not become a party to it then the U.S. is not entitled "reciprocity," which states that "[t]his section shall apply only to a foreign country to which the Secretary of State alleges is of such a nature, the Administrator shall give formal notification thereof to the Governor of the State in which such emissions originate."

The limited intent of CAA Section 115 is demonstrated by the "SIP call" mechanism as the means of enforcing emissions reductions. As discussed above, it would be entirely unprecedented to use the SIP provisions to mandate emissions reductions from the entire country, particularly where reductions even from the U.S. as a whole cannot solve presumed global warming. The limited intent of CAA Section 115 is also demonstrated in subsection (c), entitled "reciprocity," which states that "[t]his section shall apply only to a foreign country with respect to the prevention or control of air pollution occurring in that country as is given that country by this section." As can be seen, this section provides that the U.S. will not restrict emissions of pollutants causing injury to another country unless that country requests. Such is no logical application to the global warming phenomenon, where U.S. emissions are presumably harming every other country in the world. It is equally illogical to determine that CAA Section 115 would be applied as to carbon dioxide emissions only if every other country reciprocated. That is a circumstance so unlikely to occur that it is impossible to believe that Congress intended such athing. It is self-evidently designed to apply only to situations where wind borne pollution from the United States is being deposited in a near-by country. It stretches the provision beyond its intended scope to say that it applies to a phenomenon such as the greenhouse effect, where emissions anywhere on the globe contribute equally to tropospheric levels of carbon dioxide and other gases at roughly the same anywhere else on the globe.

In sum, CAA Section 115 cannot provide authority to regulate carbon dioxide emissions. III. THE LEGISLATIVE HISTORY OF THE CAA AMENDMENTS OF 1990 CONFIRMS THAT EPA DID NOT HAVE AUTHORITY TO MANDATE RESTRICTION OF CARBON DIOXIDE EMISSIONS.

A. Introduction.

The only provisions in the CAA that explicitly refer to carbon dioxide or global climate change were enacted as a part of the CAA Amendments of 1990. The legislative history of the 1990 Amendments confirms that Congress never intended to impose or authorize mandatory restrictions on carbon dioxide emissions.

During Congressional consideration of the 1990 Amendments there was a sharp dispute among the sponsoring senators as to what the time had come for the United States to impose mandatory restrictions on carbon dioxide emissions and those that did not. The latter group prevailed. Congress specifically rejected proposals to authorize EPA to regulate emissions of carbon dioxide. The only carbon dioxide/global warming provisions adopted were those dealing with stratospheric ozone depletion or global warming.

On the floor of the House, a comprehensive stratospheric ozone title was adopted as an amendment introduced by Rep. Dingell. The House was in favor of the final legislation regarding stratospheric ozone than the Senate bill. As in the final legislation, there were no findings or purposes stated in the House bill regarding the need to regulate carbon dioxide or other greenhouse gases or other greenhouse gases. And, significantly, the definition of the substances that could be regulated, set forth in Section 151(a) of Rep. Dingell’s bill, did not even arguably include greenhouse gases that were not ozone depleting substances.

D. The Final Legislation.

The final legislation that emerged from the conference committee and became law contains a stratospheric ozone title that was a compromise between the House and Senate versions. However, the House version prevailed completely in eliminating the language in the Senate bill that would have authorized regulation of non-ozone depleting greenhouse gases such as carbon dioxide. Title VI as enacted did not include the Senate’s language authorizing EPA to regulate “manufactured substances” in terms broad enough to cover both substances that deplete the ozone layer and substances that do not deplete the ozone layer but do affect global climate. Instead, CAA Section 602(a) as enacted requires the Administrator to list “Class I” and “Class II” substances that could be phased out pursuant to CAA Section 606. The substances are defined as those which could affect the stratospheric ozone layer; nothing in the definition of such substances refers to global climate change. And there are no findings or purposes included anywhere in the CAA specifically regarding global warming or the need to regulate greenhouse gases, as there had been in the Senate bill.

In sum, the Senate in 1990 plainly saw the need to adopt amendments to the CAA to regulate greenhouse gas emissions. Yet all of the provisions proposed in the Senate dealing with global warming—the findings and purposes language and the “manufactured substance” language which were not finalized into the final Senate bill, as well as the authority to impose NSPS requirements for carbon dioxide on mobile, stationary and residential sources and the authority to impose carbon dioxide tailpipe standards which had been considered in the Senate Committee—were not enacted. Instead, only the non-regulatory provisions on global warming discussed above were enacted. No conclusion is possible other than that Congress determined that it did not intend to authorize regulation of greenhouse gases.
IV. OTHER CONGRESSIONAL ENACTMENTS REGARDING POTENTIAL GLOBAL CLIMATE CHANGE DEMONSTRATE CONGRESS’ INTENT NOT TO REGULATE CARBON DIOXIDE EMISSIONS.

A. Introduction.

Courts have consistently ruled that “[i]n determining the meaning of a statute, the courts look not only at the specific statute at issue, but at its context of related statutes. Similarly, ‘... in a situation in which prior law may be unclear it is appropriate to examine a later germane statute for aid in construing the earlier law.”

Congress’ rejection of greenhouse gas regulation in omnibus energy legislation introduced as H.R. 5966 in the 101st Congress, and again as H.R. 2663 in the 102d Congress. The bill proposed to amend the CAA to prohibit operation of new stationary sources and again as H.R. 2663 in the 102d Congress. The bill proposed to amend the CAA to prohibit operation of new stationary sources but was opposed in the Senate. Speaking in favor of Rep. Cooper’s amendment on the floor of the Senate, Senator Lieberman (who co-sponsored the Cooper amendment in the Senate) stated:

“As a part of this energy bill, the Senator from Colorado [Mr. Wirth] who is on the floor now, and I, have prepared a simple amendment, which states: ‘We recognize that the provisions of the Energy Bill, H.R. 776, which became the Energy Policy Act of 1992, has included provisions for voluntary action to limit greenhouse gas emissions. It also has included it to be U.S. policy to participate in international negotiations regarding climate change that may eventually lead to mandatory, determinate, associative, to a decision to authorize restrictions on U.S. emissions of greenhouse gases. In the meantime, pending further action, Congress has explicitly determined, through the Senate’s ratification of the Rio Treaty, that the United States will not adopt binding or mandatory restrictions on greenhouse gas emissions.

It is simply not possible to square this history of Congressional rejection of greenhouse gas regulation with EPA’s claim today of discretion to issue far-reaching regulations.


EPAct is omnibus legislation containing 30 titles on the subject of energy regulation and policy. The global warming issue was discussed in detail during the legislative history of the Act. The final legislation contains a specific global climate change title, Title XVI. The title contains various provisions for study, planning and funding but no provisions authorizing mandatory reductions in greenhouse gases.

As with the 1990 CAA Amendments, the non-regulatory provisions of EPAct were adopted in lieu of proposals specifically to mandate restrictions on greenhouse gas emissions. For instance, Senator Wirth, in the 102nd Congress, was explicitly committed to omnibus national energy legislation containing detailed findings and purposes language describing global warming as an imminent threat to mankind. Both bills would have established a national goal “that the introduction into the atmosphere of CO2 from the United States of America shall be reduced by two-thirds, at a cost that is economically justified for other reasons (the global warming other than those which would be economically justified for other reasons (the so-called ‘no regrets’ strategy)."

A much watered down version of Cooper-Synar was included as Section 1605 of EPAct. That section was only aurtle proposal and did not even ask Congress if any provisions of a binding or regulatory nature had been removed. As enacted, Section 1605 provides for voluntary reporting of greenhouse gas emissions reductions, in contrast to the mandatory restrictions originally proposed. Section 1605 was offered as an amendment to H.R. 776, the bill that became EPAct, by Rep. Good during the mark-up of that legislation in the House Subcommittee on Energy and Power. It was included in H.R. 776 as passed by the House, but was opposed in the Senate. Speaking in favor of Rep. Cooper’s amendment on the floor of the Senate, Senator Lieberman (who co-sponsored the Cooper language in the Senate) stated:

“...as a part of this energy bill, the Senator from Colorado [Mr. Wirth] who is on the floor now, and I, have prepared a simple amendment, which states: ‘We recognize that the provisions of the Energy Bill, H.R. 776, which became the Energy Policy Act of 1992, has included provisions for voluntary action to limit greenhouse gas emissions. It also has included it to be U.S. policy to participate in international negotiations regarding climate change that may eventually lead to mandatory, determinate, associative, to a decision to authorize restrictions on U.S. emissions of greenhouse gases. In the meantime, pending further action, Congress has explicitly determined, through the Senate’s ratification of the Rio Treaty, that the United States will not adopt binding or mandatory restrictions on greenhouse gas emissions."

C. The Rio Treaty.

As reflected in the 1992 Report of the House Committee on Energy and Commerce on the legislation that became EPAct, Congress has consistently resisted adopting mandatory restrictions on greenhouse gases in part because Congress wished to address what was essentially an international issue in an international forum. Indeed, for all of the discussion during deliberations, only two provisions were being proposed in Congress, and particularly during debate of the CAA Amendment of 1990 and the 1992 EPAct, the issue of potential greenhouse gas restrictions was the subject of intense international negotiation. However, as the following discussion shows, those negotiations have never resulted in Congress approving, in a treaty or otherwise, binding restrictions on greenhouse gas emissions.

The U.S. Government has been extensively involved in international discussions concerning human impacts on the global climate at least since 1979 when the first conference of the World Meteorological Organization (WMO), the United Nations Environment Program (UNEP) and the International Council of Scientific Unions (ICSU) was held. At a number of international conferences during the 1980s, the Intergovernmental Panel on Climate Change (IPCC) was created to address the issue of climate change. The first of a number of IPCC meetings was held in Geneva, Switzerland in November 1988 and was attended by thirty-five nations, including the United States. The IPCC produces reports on global warming science, potential environmental and economic impacts and potential response strategies. It also advises the International Negotiating Committee, (INC).

The INC was established by the United Nations General Assembly on December 21, 1990 to coordinate negotiation of an international treaty dealing with potential climate change. These negotiations led to adoption, on May 9, 1992, of the Framework Convention on Climate Change, or Rio Treaty, by the resumed fifth session of the INC. The Framework Convention was signed on behalf of the United States on June 12, 1992. The U.S. Senate ratified the Framework Convention on November 7, 1992 by the required two-thirds vote.

The Framework Convention calls for the U.S., on a non-binding basis, to reduce greenhouse gas emissions below 1990 levels by the year 2000. It was ratified by the Senate with the clear understanding that the reductions called for in the treaty are purely voluntary. The hearings of the Senate Committee on Foreign Relations on the Framework Convention, the Committee submitted
written questions to the Administration on various aspects of the Treaty. Those questions and the Administration responses were included as an Appendix to the transcript of the Hearings of the Committee. In responding to these questions, the Administration represented that the provisions could be considered to be “authoritative statements for the Executive Branch.” With respect to subparagraphs of Article 4, the provisions containing the operative U.S. commitments as to targets and timetables for emissions reductions, the Administration stated:

“Neither subparagraph 2(a) nor subparagraph 2(b), whether taken individually or jointly, creates a legally binding target or timetable for limiting greenhouse gas emissions.”

Similarly, the Report of the Senate Committee on Foreign Relations favorably reporting the Framework Convention states that:

“Article 4.2b establishes an additional reporting requirement for developed country parties Regulations on those with economies in transition, requiring them to report on national policies and measures adopted pursuant to Article 4.2a, and on the projected impact of those policies and measures on net emissions to the end of the decade, with the aim of returning these emissions to their 1990 levels. This aim is in the reporting section of article 4.2 and is not legally binding.”

The Framework Convention was ratified by the Senate with the further understanding that the Administration could not agree to amendments of or prohibitions to the treaty creating binding emissions reduction commitments without the further consent of the Senate. The Senate Foreign Relations Committee Report states:

“The committee notes that a decision by the Conference of the Parties to adopt targets and timetables would have to be submitted to the Senate for its advice and consent before the United States could deposit its instruments of ratification for such an agreement.

“The committee notes further that a decision by the executive branch to reinterpret the Convention to apply legally binding targets and timetables would have to be submitted to the Senate for its advice and consent before the United States could deposit its instruments of ratification for such an agreement.

The Framework Convention is perhaps the most authoritative statement of U.S. policy regarding greenhouse gas emissions. It represented years of effort both domestically and internationally. The result of that effort culminating in the Kyoto Protocol. The Kyoto Protocol would create legally binding mandates on certain countries, including the United States, to restrict greenhouse gas emissions by certain amounts as of certain deadlines. The ratification of the Kyoto Protocol, the Senate, by a vote of 95-0 passed a resolution stating that the Senate would not ratify any treaty absent meaningful participation in international negotiations. The Kyoto Protocol has no legal standing unless ratified by the Senate.

The available evidence, however, would not support a finding that carbon dioxide emissions are, in fact, leading to dangerous climate change. We stated at the outset that such analysis is not dependent on whether or not carbon dioxide emissions are harmful to public health, welfare or environment. Again, courts will defer to agency expertise in their review of agency decisions.

Our analysis above has examined whether the CAA is intended to regulate the changes to global climate that are assertedly resulting from a human-induced enhancement of the natural greenhouse effect. We stated at the outset that such analysis is not dependent on whether or not carbon dioxide emissions are harmful to public health, welfare or environment. The Greening Earth Society report shows that the evidence on which EPA relies to support its decisionmaking where reliance on a computer model was arbitrary and capricious. In particular, oversimplification of models can render an agency decision arbitrary. Similarly, agency decisionmaking will be arbitrary where a model incorporates assumptions which are scientifically wrong and an adversarial relationship to knowledge concerning the data being inputted or the phenomenon being measured. Each step of an analysis using a computer model should be examined to ensure that “the agency has not made a ‘hard look’ at the evidence and engage in ‘reasoned decision making.’” Again, the Greening Earth Society report shows the scientific flaws in the computer models on which the climate models on which claims of a pending climate disaster are based. Use of these models to supply the technical justification to regulate carbon dioxide would be arbitrary, in sum, there is no basis for EPA to regulate carbon dioxide either as a matter of law under the terms of the CAA or as a matter of fact under the “endanger the public health, welfare or environment” standard.

CONCLUSION

The congressional testimony of the EPA Administrator that EPA currently has authority under the CAA to regulate greenhouse gas emissions is well-founded, supported by the release of a legal opinion by its general counsel supporting the Administrator’s claim, raises the question of whether EPA intends to move forward on the complex, expensive decisions on which a finding of endangerment depends. Our analysis shows that any such effort by EPA would be unlawful.

In particular, the plain language and structure of the CAA does not support an effort to regulate carbon dioxide. Similarly, the legislative history of the CAA and of the various Congressional enactments regarding carbon dioxide emissions demonstrates that there is no statutory authority to issue a final determination that there is no climatological catastrophe underway or likely to occur, as is so often claimed.

We are, of course, familiar with the deferential standards that apply when EPA is making complex technical judgments relying on information “from the frontiers of scientific knowledge.” We believe a clear reading of the CAA, given the precautionary nature of the CAA, may regulate under the “endangerment” standard without definitive proof of actual harm.
in the area of carbon dioxide and potential climate change.

The Clean Air Act provides EPA authority to address air pollution, and a number of specific provisions of the Act are potentially applicable to control of greenhouse gases. A determination by the Administrator regarding the air pollutants' actual or potential harmful effects on public health, welfare or the environment. See, e.g., sections 110(a), 111(b), 114, sections 129(a), 211(c), 231, 612, and 615. The legislative history of the 1977 Clean Air Act Amendments provides extensive discussion of EPA's purposes, language used throughout the Act referencing a reasonable anticipation that a substance endangers public health or welfare. Of these purposes was "[t]o assure that the health of susceptible individuals, as well as healthy adults, will be encompassed in the term 'public health,' . . . ." Id. at 50.

EPA has already regulated SO₂, NOₓ, mercury and carbon dioxide, and mercury based on determinations by EPA or Congress that these substances have negative effects on public health, welfare, or the environment. While CO₂, as an air pollutant, is within EPA's scope of authority to regulate, the Administrator has not yet determined that CO₂ meets the criteria for regulation under one or more of the provisions of the Act. Specific regulatory criteria under various provisions of the Act for the determination by the Administrator determined under one or more of those provisions that CO₂ emissions are reasonably anticipated to cause or contribute to adverse effects on public health, welfare, or the environment.

C. EPA Authority To Implement an Emissions Cap-and-Trade Approach

The specific provisions of the Clean Air Act that are potentially applicable to control emissions of the pollutants discussed here can largely be categorized as provisions relating to state programs for pollution control under Title I (e.g., sections 107, 108, 109, 110, 115, 126, and Part D of Title I), or national regulation of stationary sources through technology-based standards (e.g., sections 111 and 112). None of these provisions easily lends itself to establishing market-based national or regional emissions cap-and-trade programs.

To impose such programs. Under certain provisions in Title I, such as section 119, EPA may facilitate regional approaches to control air pollution and on personal comfort and well-being, whether caused by transformation, conversion, or combination with other air pollutants. EPA also has authority to regulate changes in the air to levels that are harmful to public health, welfare, or the environment. While CO₂, as an air pollutant, is within EPA's scope of authority to regulate, the Administrator has not yet determined that CO₂ meets the criteria for regulation under one or more of the provisions of the Act. Specific regulatory criteria under various provisions of the Act for the determination by the Administrator determined under one or more of those provisions that CO₂ emissions are reasonably anticipated to cause or contribute to adverse effects on public health, welfare, or the environment.

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Regional Transport of Ozone, 62 F.R. 60319 (Nov. 7, 1997). The Clean Air Act now has authority under Title I to require States to use such measures, however, because the courts have held that EPA cannot mandate specific emission control measures for States to use in meeting the general provisions for attaining ambient air quality standards. See Commonwealth of Virginia v. EPA, 108 F.3d 1397 (D.C. Cir. 1997). Under certain limited circumstances where States fail to carry out their responsibilities under Title I of the Clean Air Act, EPA has authority to take certain actions, which might include establishing a cap-and-trade program. Yet EPA’s authority to invoke these provisions for federal action depends on the actions or inactions of the states.

Technology-based standards under the Act directed to stationary sources have been interpreted by EPA not to allow compliance through intersource, cap-and-trade approaches. The Clean Air Act provisions for national technology-based standards under sections 111 and 112 require EPA to promulgate regulations establishing emission limits for pollutants from stationary sources. To maximize the opportunity for trading of emissions within a source, EPA has defined the term “geographically connected” in a manner that a large facility can be considered a “source.” Yet EPA has never gone so far as to define as a source a group of facilities that are not geographically connected, and EPA has long held the view that trading across plant boundaries is impermissible under sections 111 and 112. See, e.g., National Emission Standards for Hazardous Air Pollutants for Source Categories; Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry, 59 Fed. Reg. 19402 at 19455-26 (April 22, 1996).

III. Conclusion

EPA’s regulatory authority under the Clean Air Act extends to air pollutants, which, as discussed above, are defined broadly under the Act and include SO2, NOx, CO2, and many other pollutants emitted into the ambient air. EPA has in fact already regulated each of these substances under the Act, with the exception of SO2 emissions, which are outside the scope of EPA’s authority to regulate. The Administrator has made no determination to date to exercise that authority under the specific criteria provided under any provision of the Act.

With the exception of the SO2 provisions focused on acid rain, the authorities potentially available for controlling these pollutants from electric power generating sources do not easily lend themselves to establishing market-based national or regional cap-and-trade programs, which the Administration favors for addressing these kinds of pollution problems. Under certain limited circumstances, where States fail to carry out their responsibilities under Title I of the Act, EPA has authority to take certain actions, which might include establishing a cap-and-trade program. However, such authority depends on the actions or inactions of the states.

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

Mr. OLVER. Mr. Chairman, I yield 3½ minutes to the distinguished ranking member, the gentleman from the State of West Virginia (Mr. Mollohan).

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

Mr. Chairman, the gentleman from Michigan has spent a considerable amount of time on this issue during the last 3 years, beginning with the 1999 VA–HUD appropriation bill. The gentleman mentions today the necessity for clarity with regard to this issue, and suggests that there is a certain lack of clarity. I would like to speak to that issue, because I respectfully disagree that there is anything unclear about the issue or about the agreement associated with the issue that was achieved in the context of the 1999 VA–HUD conference. In that conference it was made clear, to put it in simple terms, that the EPA or the United States Government could not, would not, under the terms of that conference report, and they acknowledged that they would not if there were any. If, in the conference report, try to implement the Kyoto Protocol prior to its being ratified by the United States Senate, meaning that they would not engage in a rule-making proceeding to establish standards for American industry out of any requirement, any agreement, flowing out of the Kyoto Protocol.

In that agreement, Mr. Chairman, the gentleman from Michigan was very much a part of that negotiation. Subsequent to that, he has worked in the report language to modify that original report understanding. His modifications, unfortunately, would muddy the original agreement and would breach the ability of the Environmental Protection Agency, or any agency of the United States Government, to engage in international conferences and discuss this topic, this global warming topic, in a very general way or in a specific way.

Now, that does muddy the water, because that was never intended. We do not want to gag the Environmental Protection Agency. We do not want to prevent it from engaging developing economies around the world and encouraging them to incorporate increasingly strict emissions standards in their countries as their economies develop. We want to encourage them to do that.

Under the gentleman’s language, unfortunately, he challenges the ability of any government agency to engage in those agreements. That is why the language of the gentleman from Massachusetts is clear, because it returns the understanding as it is set forth in the 1999 bill and report and eliminates all of the confusion created by the gentleman from Michigan’s efforts subsequent to that time.

We want to prevent the Environmental Protection Agency from implementing, from engaging in any rulemaking including those they do not want to do it anyway. We want them also to engage the world in this topic, so that the world can improve its environmental standards.

Mr. KNOULLENBERG. Mr. Chairman, I yield 3 minutes to the gentlewoman from Missouri (Mrs. Emerson), who has been working fervently to make certain that the Kyoto Protocol is not implemented through the back door. I will say that I can live with this amendment, because I know that we are working in a bipartisan manner to ensure that the administration cannot implement the unratified Kyoto Protocol.

I, too, have some concerns about clarifying the meaning and intent of the exact language used in this amendment, and I am hopeful that as we work through the process in a bipartisan way, we can get this figured out, at least in conference. But let me say for the record, Mr. Chairman, that the Senate does stand on record with the unanimous bipartisan vote of 95 to 0 that called on the administration not to sign the Kyoto Protocol, for lots of reasons, because it is going to harm our economy in rural America; because it lets off the hook some of our largest trade competitors, like China, India, Mexico and many others who, quite frankly, will in the next few years be competing with us on somewhat of a level playing field, but yet they will not have to abide by any of the emissions restrictions that this protocol would have us do here in the United States.

I am also worried because it is projected to throw about 2.5 million American jobs by the side of the road. And, frankly, we have to do whatever we can to preserve our economy in rural America; because it lets off the hook some of our largest trade competitors, like China, India, Mexico and many others who, quite frankly, will in the next few years be competing with us on somewhat of a level playing field, but yet they will not have to abide by any of the emissions restrictions that this protocol would have us do here in the United States.

So, meanwhile, in continuing our efforts to find political justification for this dangerously flawed treaty, the administration has been issuing these climate assessments that even the EPA says are nothing more than horror stories based on junk science. I want to make certain that we, in fact, do this the right way.

Mr. Chairman, I am willing, with the approval of the gentleman from Michigan (Mr. Knoellenberg), to accept this amendment; and I sure look forward to continuing to work with colleagues on both sides of the aisle to continue our bipartisan efforts to ensure that the administration does not implement the Kyoto Protocol through the back door. I also want to thank the gentlewoman from Missouri for her tremendous job she has done in this effort to bring about some sanity.

Mrs. Emerson. Mr. Chairman, first I really want to commend the gentleman from Michigan (Mr. Knoellenberg) for the tremendous job he has done in taking the lead on this issue and also say that, as one who has been working fervently to make certain that the Kyoto Protocol is not implemented through the back door, I will say that I can live with this amendment, because I know that we are working in a bipartisan manner to ensure that the administration cannot implement the unratified Kyoto Protocol.
Mr. OLVER. Mr. Chairman, I am happy to yield 2½ minutes to the distinguished gentleman from Maryland (Mr. GILCHREST).

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

Mr. Chairman, I do not think the question here is whether or not we are going to implement the Kyoto Protocol, because we are not, because that has not been ratified by the Senate. In my mind, the question is do we exchange and do we have the opportunity and the ability to exchange information about these climate change research ideas with the international community?

Let me just share some of the research that has come out by about 99 percent of the scientists involved in this. The atmosphere contains only a very tiny trace amount of carbon dioxide, CO₂, and yet we know through drilling in ice cores around the planet, evaluating the landscape, looking at the seas, that in the last 10,000 years carbon dioxide has increased about 1 degree centigrade every 1,000 years, with the exception of the last century. It has increased by about 1 degree centigrade in the last century.

If we put that in Fahrenheit degrees, just in this century, most of it since World War II, carbon dioxide has increased 4 degrees since World War II. Now, if we project that using models over the next century, you get anywhere from 5 more degrees increase to 15 degrees increase.

If we look at the atmosphere, if we look at carbon dioxide, we understand that is the heat balance that protects the biological diversity, the very life on this planet, the heat balance we call now as laymen the greenhouse effect.

Mr. Chairman, there is another example I want to give to you from a book on Laboratory Earth by a biologist from Stanford University, who is respected throughout the world, not as a nutty scientist, but as a reasonable, competent individual. Here is what he says: ‘When we burn a lump of coal today, we are recovering the carbon dioxide and the solar heat of dinosaur times in fossil organic matter.

While it took millions of years to make a coal deposit, we are releasing the CO₂ and other embedded elements in tens of years.’ What took nature millions of years to lock up as far as carbon dioxide is concerned, that greenhouse gas we are releasing in a matter of decades.

Will that have an effect on our climate? The answer is yes. Scientists agree that it is going to have an effect on our climate. Sure, there is a lot of dialogue, a lot of discussions about that, the important thing. We need to discuss that issue.

So I support the gentleman’s amendment.
To make matters worse, this bill cuts funding for voluntary climate change programs by $124 million.

Some on the other side seem to favor a “don’t ask, don’t tell” policy on global warming.

Unfortunately, silence will not make this problem go away.

Each day, the scientific community becomes more united in the belief that greenhouse emissions have an effect on global temperatures.

It now appears that the 1990s weren’t just the hottest decade of the last century, but perhaps of the last millennium.

Even the fossil fuel industry recognizes the threat of global warming.

BP-Amoco, Sunoco and Shell International have all joined the Business Environmental Council, a group dedicated to reducing greenhouse gas emissions.

These companies have publicly stated their belief that greenhouse emissions directly affect our climate.

They have even called for cuts in emissions that are more stringent than those required by the Kyoto protocol.

Mr. Chairman, with only 4 percent of the world’s population, the U.S. emits more than 20 percent of global greenhouse gases.

Any solution to global climate change must include U.S. participation.

Instead of fighting common sense solutions every step of the way, we should be improving our energy efficiency, encouraging voluntary reductions, and looking for the most cost effective ways to cut greenhouse gas emissions.

This amendment is a step in the right direction, and I urge my colleagues to support it.

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

Mr. ALLEN. I yield to the gentlewoman from Missouri.

Mrs. EMERSON. Mr. Chairman, just for an inquiry, can I take it from what the gentlewoman has just stated that he believes that we should regulate CO2, carbon dioxide, or that the EPA has the authority to regulate it?

The CHAIRMAN. The time of the gentleman from Maine (Mr. ALLEN) has expired.

The gentleman from Michigan (Mr. KNOLLENBERG) has 1½ minutes remaining, including the time to close; the gentleman from Massachusetts (Mr. OLIVER) has 5½ minutes remaining.

Mr. OLIVER. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. VISCLOSKY), the ranking member of the Subcommittee on Energy and Water.

Mr. VISCLOSKY. Mr. Chairman, I thank the gentleman for yielding me this time. I do think this debate is what is best about the House of Representatives. I think everyone who has spoken today is agreed on fundamental policy, and that is Kyoto has not been ratified, it is not the law of the land and it should not, therefore, be implemented.

We have had a continuing debate as far as the language that has been included in a number of bills, and I am very pleased that the gentleman from Michigan (Mr. KNOLLENBERG) and the gentleman from Massachusetts (Mr. OLIVER) have worked out a compromise.

In the limited time I have, I simply want to put this debate into perspective. Kyoto did not come from the vacuum of space; it did not come from Bill Clinton’s mind; it is a point on a continuum that began under the George Bush administration pursuant to a treaty President Bush signed on May 9, 1992, that was ratified by the United States Senate on October 7 of 1992, and the international agreement was signed on October 13. That is where Kyoto came from.

It is not implemented, but there are discussions, there are considerations taking place.

My concern about the language that has been included in a number of bills is that we would be placing qualitative and quantitative restrictions on thought, on judgment, on opinion, and on the preexchange of information, which, in the end, is to all of our benefit to make sure that that is not impeded.

Mr. Chairman, I want to thank the gentleman from Massachusetts (Mr. OLIVER) for offering this amendment. I want to thank the gentleman from Michigan (Mr. KNOLLENBERG) for continuing to have an open mind on this issue. Hopefully, all of us will be able to reach an appropriate compromise that allows authorized, legal programs to deal with environmental problems we face today to continue unhindered while we continue to negotiate enhancement of the Kyoto protocol.

Mr. Chairman, I support the Olver amendment.

Mr. OLIVER. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I rise in support of the Olver amendment.

Mr. Chairman, this amendment protects the younger generation, whom otherwise would pay the bill and suffer the consequences of global warming.

Global warming is the largest environmental issue for young adults, because the long-term impacts could be disastrous and today’s younger generation will be left to deal with the costly impacts.

The human race is engaged in the largest and most dangerous experiment in history—an experiment to see what will happen to our health and our planet when we change our atmosphere and our climate.

The buildup of carbon dioxide and other “greenhouse gases” in our atmosphere causes global warming. The main causes of carbon dioxide are burning ever increasing quantities of coal, oil, and gas. These harmful gases hold the sun’s energy in our atmosphere and are causing our world’s temperature to increase.

Like a gasoline car on a hot day, the sun’s heat comes in through car windows, but cannot escape. Eventually, you have an unbearably hot car and this is now happening to our planet.

The United Nation’s Intergovernmental Panel of Climate Change, a panel of the world’s best scientists, has told us that global warming is a very real concern. The temperature has already risen as much as five degrees in some regions. Today, we see glaciers melting, more heat-related deaths, and a shift and increase in infectious diseases.

The most important step we can take to curb global warming is to improve our nation’s energy efficiency. Our cars and light trucks, lighting, home appliances, and power plants could be made much more efficient by simply installing the best current technology. Using the best technology can also mean more jobs for more Americans.

But the language in this bill will hamper efforts to seek solutions to this serious problem. We can’t afford to play dead and dumb to this issue.

Vote for the Olver amendment.

Mr. OLIVER. Mr. Chairman, I yield ½ minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, I thank the gentleman for yielding me this time.

In support of this amendment.

The amendment will ensure that nothing we do here will undermine our ability to address the threat of global warming to the extent authorized by current law.

In the last 2 years, we have had the Knollenberg amendment, which would prevent the administration from taking any action that is intended to implement the Kyoto protocol prior to ratification. What we fear now is that the Knollenberg amendment not be used to interfere with existing authorities and obligations under the U.N. Framework Convention on Climate Change, the Clean Air Act, and the Constitution.

The fear that I have is not that the Knollenberg language will act as a gag rule on people who are trying to implement other existing laws. That is something that this Congress should not accept.

I would hope that we act sensibly on global warming. The American people want us to find solutions to climate change. This amendment will help end the harassment of staffers who are trying to find the smartest way to protect the environment. I urge all Members to support this amendment. It does not implement the Kyoto Treaty; it simply allows EPA to act under existing authorities, whether a domestic law or a ratified treaty.

Mr. KNOLLENBERG. Mr. Chairman, I yield 30 seconds to the gentleman from New York (Mr. WALSH), the chairman of the subcommittee.

Mr. WALSH. Mr. Chairman, I thank the gentleman for yielding me this time.

If I read the proposed amendment, it strengthens the committee position that ensures the administration will not implement the Kyoto protocol without prior congressional consent.
Mr. Chairman, I want to encourage Members on this issue. I think it is our individual responsibility to read on this issue. If the gentlemen will read the latest evidence, they will conclude we have a responsibility to act, not because of the Kyoto, but because of common sense.

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

Mr. Chairman, the administration has negotiated some time ago the Kyoto Protocol. They have yet to submit that treaty to the United States Senate for ratification.

The Constitution demands the Senate's consent, and they will not get it. This protocol places such severe restrictions on the United States while exempting most countries, including China, Brazil, Mexico, and India, from taking any measures to reduce carbon dioxide equivalent emissions.

The administration took this course of action despite unambiguous support in the U.S. Senate for the Senate's advice in the form of the Byrd-Hagel resolution calling for commitments by all nations, and on the conditions that the Protocol not adversely impact the economy of this country.

In closing, let me just say that I support the amendment and look forward to the report language to clarify what activities are and are not authorized.

Mr. DINGELL. Mr. Chairman, as an active participant in the initial floor debate on the Kyoto Protocol funding limitation I want to clarify several issues.

I supported the effort of my good friend, Mr. OSEY, to clarify EPA's role. At that time we were concerned that EPA might violate the laws against advocating a treaty that has not been ratified by the United States Senate.

We agreed that we should curtail lobbying and other activities, including implementing by regulation or statute action a treaty which is.

A. not in the interest of the United States, and

B. which is not ratified and is not going to be ratified.

The amendment regarding the Kyoto Protocol funding limitation offered by Mr. OLVER to the VA/HUD appropriations bill today also raises the issue of what authority EPA has under current law.

At this point, I would like to enter into the RECORD a letter I sent to Mr. MCINTOSH, Chairman of the House Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs, and Mr. CALVERT, Chairman of the House Subcommittee on Energy and the Environment.

As the Chairman of the House Conference on the Clean Air Act amendments of 1990, I understand the boundaries on EPA authority. The boundaries must be maintained and not allowed to grow through mission-creep. I will insist on this point and be watching over EPA.

OCTOBER 5, 1999.

HON. DAVID M. MCINTOSH,
Chairman, Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs, Committee on Government Reform, Washington, DC.

DEAR MR. CHAIRMAN: I understand that you have asked, based on discussions between our staffs, about the disposition by the House-Senate conferees of the amendments in 1990 to the Clean Air Act (CAA) regarding greenhouse gases such as methane and carbon dioxide. In making this inquiry, you call my attention to an April 10, 1998 Environmental Protection Agency (EPA) memorandum entitled "EPA's Authority to Regulate Pollutants Emitted by Electric Power Generation Sources" and an October 12, 1998 memorandum entitled "Authority of EPA to Regulate Carbon Dioxide Under the Clean Air Act" prepared for the National Mining Association.

The latter memorandum discusses the legislative history of the 1990 amendments.

First, the House-passed bill (H.R. 3030) never included any provision regarding the regulation of any greenhouse gas such as methane or carbon dioxide, nor did the bill address global climate change. The House, however, did include provisions aimed at implementing the Montreal protocol on substances that Deplete the Ozone Layer.

Second, as to the Senate version (S. 1630) proposed a funding limitation. The October 12, 1998 memorandum correctly points out that the Senate did address greenhouse gas matters and global warming, along with provisions implementing the Montreal Protocol. Nevertheless, only Montreal Protocol related provisions were agreed to by the House-Senate conferences (see Conf. Rept. 101–552, Oct. 26, 1990).

However, I should point out that Public Law 101–549 of November 15, 1990, which contains the 1990 amendments to the CAA, includes three amendments ratified.

One of these free-standing provisions, section 821, entitled "Information Gathering on Greenhouse Gases Contributing to Global Climate Change" appears in the United States Code as a "note" (at 42 U.S.C. 7651k). It requires regulations by the EPA to "monitor carbon dioxide emissions" from "all affected sources subject to title V of the CAA and specifies that the emissions are to be reported to the EPA. That section does not designate carbon dioxide as a "pollutant" for any purpose.

Finally, Title IX of the Conference Report, entitled "Clean Air Research," was primarily negotiated at the time by the House and Senate Science Committees, which had no regulatory jurisdiction under House-Senate Rules. This title amended section 103 of the CAA by adding new subsections (c) through (e) (42 U.S.C. 7413, 817 and 819–821), that were as enacted as free-standing provisions separate from the CAA. Although the Public Law often refers to the "Clean Air Act Amendments of 1990," Public Law does not specify that reference as the "short title" of all of the provisions included in the Public Law.

I hope that this is responsive.

Sincerely,

JOHN D. DINGELL,
Ranking Member.
June 21, 2000

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. OLIVER).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. OLIVER. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 525, further proceedings on the amendment offered by the gentleman from Massachusetts (Mr. OLIVER) will be postponed.

The point of no quorum is considered withdrawn.

The Clerk will read.

The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $34,000,000, to remain available until September 30, 2002.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, acquisition, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $23,931,000, to remain available until expended.

ENVIRONMENTAL PROTECTION AGENCY

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $31,270,000,000 (of which $100,000,000 shall not become available until September 1, 2001), to remain available until expended, consisting of $630,000,000, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101–508, and $650,000,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: Provided, That funds appropriated under this heading shall be made available to and consolidated within the VA–HUD appropriations act.

Hazardous Substance Superfund (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $31,270,000,000 (of which $100,000,000 shall not become available until September 1, 2001), to remain available until expended, consisting of $630,000,000, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101–508, and $650,000,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: Provided, That funds appropriated under this heading shall be transferred to the “Office of Inspector General” appropriation to remain available until September 30, 2002.

AMENDMENT NO. 14 OFFERED BY MR. BILIRAKIS

Mr. BILIRAKIS. Mr. Chairman, I offer amendment No. 14.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. BILIRAKIS:

Page 62, line 2, under the heading, “Hazardous Substance Superfund”, after “2002” insert “; Provided further, That of amounts appropriated under this heading, $2,000,000 shall be available for purposes of the National Hazardous Waste and Superfund Ombudsman”.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 20, 2000, the gentleman from Florida (Mr. BILIRAKIS) and a Member opposed each will control 5 minutes.

Mr. NORWOOD. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. At the appropriate time, the gentleman from Georgia (Mr. NORWOOD) will be recognized.

The Chair recognizes the gentleman from Florida (Mr. BILIRAKIS).

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

Mr. Chairman, my amendment No. 14 would create a specific line item of funding for the Office of the National Hazardous Waste and Superfund Ombudsman within the U.S. Environmental Protection Agency.

I am offering this amendment with the intent of ensuring an independent, non-consent to withdraw it after Members who wish to be heard on this issue have had an opportunity to do so. I appreciate the willingness of the gentleman from New York (Chairman WALSH) and members of the Committee to work with me as this legislation moves forward to ensure adequate funding within the EPA budget for the Office of the National Hazardous Waste and Superfund Ombudsman.

I have experienced, Mr. Chairman, firsthand the Ombudsman’s important work in connection with the Stauffer Superfund site located in my congressional district and my hometown, I might add, in Tarpon Springs, Florida.

I invited the Ombudsman to conduct an independent investigation to determine whether a sinkhole was developing in the Stauffer site when it became apparent to me that many of my constituents felt that they were shut out of the process by the EPA.

For example, EPA initially failed to address local residents’ concerns about the appropriate cleanup standard for arsenic. In addition, EPA has not conducted any sinkhole studies to determine if the proposed remedy, which includes consolidating the waste on-site into a capped mound, will remain intact should sinkholes develop. Sinkholes are common in the area, and should the proposed remedy fail due to sinkhole development, the waste could contaminate the drinking water of the local community.

The Ombudsman highlighted these concerns in town meetings I sponsored to discuss the proposed clean-up plan for the Stauffer site. Because of his actions, the EPA has amended the consent decree for the clean-up plan and has required additional studies.

However, something is clearly wrong at the EPA. While I have been assured publicly and privately by high-level EPA officials that they fully support the activities of the Ombudsman, their actions suggest a different attitude.

For instance, after I planned a June 5 public hearing with the Ombudsman, EPA officials threatened to withhold the necessary funding to continue his investigation in Tarpon Springs. With the help of the gentleman from Ohio (Mr. OXLEY) and the gentleman from Louisiana (Mr. TAUTZIN), I was able to exact a guarantee from Administrator Browner that adequate funds would be provided for the Ombudsman’s important work.

During that June 5 meeting, however, it became clear that EPA did not intend to cooperate with the Ombudsman’s investigation. EPA Region IV representatives stated at the outset that they would make a brief presentation and take only 10 minutes of questions and answers, and then leave. This is not acceptable to the Ombudsman and the public.

In the middle of a question, Mr. Chairman, they stood and walked out without saying a word. I was outraged by the contempt displayed by these public servants toward the taxpaying public.

My amendment seeks to ensure that the EPA will continue to advocate on behalf of local communities afflicted with the Superfund sites.

The other amendment No. 13 that I intended to offer would establish a $2 million line item of funding for EPA to conduct an independent investigation to determine whether a sinkhole is developing in the Stauffer site. I was able to work with the gentleman from Ohio (Mr. OXLEY) and the gentleman from Georgia (Mr. NORWOOD) to ensure adequate funding with-
Mr. NORWOOD. Mr. Chairman, I claim part of the time in opposition due to the fact that there is not enough time to discuss this very important issue, but I support the amendment offered by the gentleman from Florida (Mr. BILIRAKIS).

We need to grant the ombudsmen subpoena power. We need to grant the ombudsmen subpoena power because there are some grave injustices being committed at the EPA, oftentimes with inadequate and bogus science. The EPA needs to be held accountable to the people that they were created to protect.

For my fellow Members who may not be familiar with this situation, the EPA Ombudsman's office is or should be a final remedy within the EPA for anyone with a dispute or grievance with an agency. This is an important issue.

The Ombudsman plays a vital function that is essential to ensuring that the health and safety of communities living near hazardous waste sites are not compromised. Most importantly, the Ombudsman is the only entity that is truly independent. Our constituents can be assured that, if the Ombudsman conducts a review of a particular site, that there will be a fair, thorough and objective analysis done.

This is an essential office that desperately needs funding.

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

Mr. NORWOOD. I yield to the gentleman from New York.

Mr. WALSCH. Mr. Chairman, I thank the gentleman for yielding, and I thank the gentleman from Florida for bringing this to our attention. Support this amendment. Support the Ombudsman for the EPA.

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

Mr. NORWOOD. I yield to the gentleman from New York.

Mr. WALSCH. Mr. Chairman, I thank the gentleman for yielding, and I thank the gentleman from Florida for bringing this to the attention of the subcommittee. This is an important issue. He has shown real leadership in the course of removing toxic waste or remediating toxic waste.

The Ombudsman is in an important position, and we will work with the gentleman through the conference to make sure this important position is adequately funded.

Mr. NORWOOD. I thank the gentleman.

Mr. SAWYER. Mr. Chairman, ninety-eight weeks ago, EPA Administrator Carol Browner, gave Ombudsman Robert Martin clearance to conduct a preliminary review of the Industrial Excess Landfill (IEL) superfund site in my district.

But the clock continues to tick by for the people of Lake Township in Ohio’s Stark County. I can only assume that the delays in issuing the findings of his preliminary review are a result of budgetary constraints. If this is the case, then the solution offered by the gentleman from Florida (Mr. BILIRAKIS) will be of great help to our community.

I have high hopes that Mr. Martin will resolve this issue at long last. The substantial delays—the report was first promised to be ready in September of 1996—exacerbates any cost. I strongly support the Bilirakis amendment.

The Office of The Ombudsman performs a vital function that is essential to ensuring that the health and safety of communities living near hazardous waste sites are not compromised.

I urge approval of the amendment, and I commend the gentlemen from Florida for bringing this amendment forward.

Ms. DEGETTE. Mr. Chairman, today I speak in support of providing additional funds to support the Environmental Protection Agency’s National Hazardous Waste and Superfund Ombudsman. The Office of the Ombudsman has been instrumental in providing further investigation and access to information for the public on a number of complicated Superfund sites across the nation.

There are many communities across the United States impacted by years of hazardous waste disposal. The very laws and agencies involved in cleaning up these very dangerous sites often become mired in legal tangles and bureaucratic inertia. The Office of the Ombudsman has been an ally of citizens to further ensure that public health and the environment remain at the forefront in clear up decisions at Superfund sites. The Ombudsman also plays a role in determining the best course of action for superfund sites.
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an important role regarding oversight of the EPA, ensuring that harmful decisions are corrected and that information on underground Superfund sites is available for the public.

In my district, the Office of the Ombudsman was useful in investigating the Shattuck Waste Disposal Site in Denver. The Ombudsman redirected EPA’s focus by fostering greater public participation in EPA’s decision to allow radioactive waste to remain in an urban neighborhood. To better protect public health and the environment, I believe it is appropriate that the Office of the Ombudsman receive adequate funds to sustain their mission of advocating for substantive public involvement in EPA decisions.

Mr. BILIRAKIS. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

LEAKING UNDERGROUND STORAGE TANK EXCLUSION

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $79,000,000, to remain available until expended.

OIL SPILL RESPONSE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $79,000,000, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructural assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,176,957,000, to be derived from the Oil Spill Liability trust fund, and to remain available until expended.

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $79,000,000, to remain available until expended.

Mr. BILIRAKIS. Mr. Chairman, I make a point of order that the language beginning with the words “except that,” appearing at page 63, line 4, and following through the words “drinking water contaminants” on line 9 violates clause 2 of rule XXI of the Rules of the House of Representatives prohibiting legislation on an appropriations bill.

Mr. BOYD. Mr. Chairman, I offer an amendment.

Page 66, line 18, after the dollar amount, $1,200,000,000, insert the following: “increased by $5,000,000.”

The gentleman from Florida (Mr. WELLS) offers an amendment.

Mr. WELLS. Mr. Chairman, I reserve a point of order against the gentleman’s amendment.

The CHAIRMAN. The gentleman from New York (Mr. WALSH) reserves a point of order.

The gentleman from Florida (Mr. BOYD) and a Member opposed each will control 15 minutes.
The Chair recognizes the gentleman from Florida (Mr. Boyd).

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

Mr. Chairman, I represent a district in North Florida that has been hit by a hurricane or tropical storm almost every year in recent history. The Federal Emergency Management Agency is the 911 service that we all rely on when disaster strikes. In order to ensure that FEMA has the resources necessary to provide relief to disaster victims, the administration and the Congress are supposed to set aside the sufficient funds to cover the average yearly cost for disasters for the last 5 years.

This year, the administration did its job, and they requested $2.9 billion for FEMA to provide disaster relief. Now, this money is used to provide aid to families and individuals, clear debris, repair infrastructure damages to our communities, any damages that are caused by Presidentially declared natural disasters.

Unfortunately, because of the completely unrealistic spending constraints placed on this bill, FEMA only received $300 million for disaster assistance in this bill. This is over $2.4 billion less than what was appropriated last year by this Congress and $2.6 billion less than the 5-year average that we should have placed in this account to ensure that FEMA has the resources that they need.

Now, many of the opponents of this amendment will argue that we can quickly pass an emergency supplemental when disaster assistance is needed. Well, let us just take a look at how quickly supplementals move in this Congress. Five months ago, this House passed this year’s emergency supplemental. We are still waiting on our colleagues in the Senate to act on this legislation.

Is that the answer that my colleagues want to give a family who just lost everything in a natural disaster or to their community who just lost its infrastructure to a disaster. What happens when this money is needed and Congress has recessed during the election year and is back home campaigning in October or November? How long will it take for Congress to come back into session and enact a supplemental?

Now, many of my fellow fiscally responsible colleagues will point out this is emergency spending and does not have offsets. That is true, it is. However, let us talk about the cost of supplementals. If we do not do this in the regular order and do it in emergency supplemental, we are likely to have a much larger price tag than the $2.6 billion that we are asking to refill this account. In other words, pay up now or pay a lot more later when we come back to do the emergency supplemental.

The question is very simple. Are we going to admit that this money will be spent in the regular order of the appropriations process and provide the funding needed to meet ongoing emergency situations that we know are going to occur, or are we going to continue to play the budgetary games and pretend that we are not going to spend this money? If we choose the latter, we are fooling ourselves.

I ask one of my colleagues, Mr. Chairman, this question: Do they want to tempt fate? We are going to have floods, fires, we have got fires in eight States going on right now, hurricanes and winter storms. Do my colleagues want to go home after a natural disaster hits and tell their people that help is on the way, or do they want to tell them they decided to play budget games with our future and did not provide FEMA with adequate resources?

I urge my colleagues to do what is right for their constituents. I urge the gentleman from New York (Mr. Walsh) not to insist upon his point of order.

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

The CHAIRMAN. Does the gentleman from New York (Mr. Walsh) continue to reserve his point of order?

Mr. WALSH. I do, Mr. Chairman.

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

This is a function that this Federal Government will perform. When a disaster hits, whether it be a hurricane or a fire or a winter storm or a tornado, those natural disaster events occur all over this country every year, the Federal Government, through FEMA, will step up to assist those local communities and those families that have been affected.

The 5-year average cost of that assistance is $2.9 billion, $2.9 billion, Mr. Chairman. We have appropriated about 10 percent of that money in this bill. I think that it is not being honest with the public in terms of doing our budget. We all know that later on we will come back and do this through a supplemental emergency appropriation. At that point in time, it is likely to cost us a lot more money.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Does the gentleman from New York (Mr. Walsh) continue to reserve his point of order?

Mr. WALSH. I do, Mr. Chairman.

Mr. COBURN. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. Walsh).

Mr. WALSH. Mr. Chairman, I thank the gentleman from Oklahoma (Mr. Coburn) for his statement.

I ask each of my colleagues, Mr. Chairman, to consider the question: Do they want to tempt fate? We are going to have floods, fires, we have got fires in eight States going on right now, hurricanes and winter storms. Do my colleagues want to go home after a natural disaster hits and tell their people that help is on the way, or do they want to tell them they decided to play budget games with our future and did not provide FEMA with adequate resources?

I urge my colleagues to do what is right for their constituents. I urge the gentleman from New York (Mr. Walsh) not to insist upon his point of order.

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

There was no objection.

Mr. COBURN. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from New York (Mr. Walsh) continues to reserve his point of order.

Mr. WALSH. Mr. Chairman, I continue to reserve my point of order.

Mr. COBURN. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment.

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

There was no objection.

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

Mr. Chairman, I want to thank the gentleman from Florida (Mr. Boyd) for bringing up this issue because the American public needs to be informed on how we are spending their money.

What the gentleman from Florida is really saying is we are playing a smoke and mirrors game as far as emergency funding in this country, and that, in fact, we have spent more than $2.7 billion each of the last 5 years on emergency, yet we fail to plan for the rainy days for the constituencies that we have in this country and for the emergencies that they face. His point is a good one. We should, in fact, be budgeting within the 90% (b)s and within the budget of this Congress.

Now, let us talk about why it is not. The reason it is not is because when we are all said, done, and through this year, we will reach back into year 2000 money and pay for emergency spending and not have to account for it. Until we get new updates, what we will really be taking that money from is Medicare. That money will come from Medicare.

So I want to commend the gentleman from Florida. I think his point is right on. We need to be budgeting as a part of the budget process, and we need to be appropriating yearly this amount of money. It comes with being part of the fiscal discipline and the budgetary process that is open and honest. This one is not.

The reason it is not in there is because we are going to do with FEMA and how we are going to fund it to you, we all know we will fund it, the question is will we fund it honestly or will we reach back and claim the surplus last year and then steal the money, not tell the American public that the money that is going to be spent in fiscal 2001 is actually their 2000 that we, at one time, called a surplus.

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

The CHAIRMAN. Does the gentleman from New York (Mr. Walsh) continue to reserve his point of order?

Mr. WALSH. I do, Mr. Chairman.

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

This is a function that this Federal Government will perform. When a disaster hits, whether it be a hurricane or a fire or a winter storm or a tornado, those natural disaster events occur all over this country every year, the Federal Government, through FEMA, will step up to assist those local communities and those families that have been affected.

The 5-year average cost of that assistance is $2.9 billion, $2.9 billion, Mr. Chairman. We have appropriated about 10 percent of that money in this bill. I think that it is not being honest with the public in terms of doing our budget. We all know that later on we will come back and do this through a supplemental emergency appropriation. At that point in time, it is likely to cost us a lot more money.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Does the gentleman from New York (Mr. Walsh) continue to reserve his point of order?

Mr. WALSH. I do, Mr. Chairman.

Mr. COBURN. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. Walsh).

Mr. WALSH. Mr. Chairman, I thank the gentleman from Oklahoma for yielding to me.

Mr. Chairman, I do reserve the point of order. I just wanted to explain that...
both of these gentlemen are right. We should appropriate these funds through the proper, through the normal appropriation process and we should have funds in the pipeline available. The reason that we did not appropriate additional emergency funds in this bill is because there are currently $2 billion in the pipeline. The money is there. It is available. If this year continues to proceed as it has, those funds will be available through the fall into the spring. Will we do another emergency supplemental in the spring? I would suspect we will. We seem to do one every year. But the fact of the matter is we did not appropriate additional funds because we have money in the pipeline to deal with an emergency. So that basically is the reason that I would have the point of order.

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

Mr. Chairman, I would just make one final point. If in fact we need $2.9 billion and there is $2 billion in the pipeline, then run out of this appropriation bill should have been set aside, appropriated for that purpose, and it was not. It was not because we know we can reach back. It is easier to spend your money, Mr. Taxpayer, Mrs. Taxpayer, than it is to not spend it. That is why, in fact, it is not.

Mr. Chairman, I yield back the balance of my time.

Mr. BOYD. Mr. Chairman, I ask unanimous consent to claim 30 seconds of the time that I have yielded back.

The CHAIRMAN. The Chair will reclaim 30 seconds for each side.

The gentleman from Florida (Mr. BOYD) is recognized for 30 seconds.

Mr. BOYD. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I want to thank the gentleman from New York (Mr. WALSH) who I think is one of the outstanding Members of this body and does a great job as chairman. I would like to say that the $1.7 billion that is in the pipeline now for FEMA, we have talked to FEMA about that. They expect that that will probably last through the end of the fiscal year and maybe through the end of the calendar year. But they expect soon after the end of this calendar year that they would be very nervous if we did not fill this pipeline again.

Mr. ETHERIDGE. Mr. Chairman, I rise to highlight one of the most egregious problems in this severely deficient VA–HUD appropriations bill.

Earlier today, my good friend Mr. BOYD, offered an amendment to increase funding for the Federal Emergency Management Agency by $2.7 billion dollars, and match the President's budget request for this agency.

Incredibly, when our Nation is facing potentially one of the worst hurricane seasons ever to be recorded, the majority party instead proposed to defund FEMA, the agency that responds to such disasters.

For those Members whose memories are short, let me remind them that in my state last year, nearly 60 people lost their lives and more than $6 billion dollars in damage occurred in the space of a month, due to hurricanes.

My state is still suffering from the after effects of Hurricanes Dennis, Floyd and Irene, and we are still working to get emergency assistance from Congress.

The other side says: let's not have money in the pipeline, ready to come to aid of any part of America that suffers a disaster.

Instead, they say, we'll just take care of it in a supplemental, even though it may mean a delay of months before the assistance can be delivered.

Victims of Hurricane Floyd in North Carolina still reside in temporary housing, and it grieves me to think they could be hit by another hurricane before they have an opportunity to finally leave their current shelters.

The striking down of the Boyd amendment calls into question certain priorities being set by the other side.

Do we want to have the funds available when disaster strikes, or do we want to make sure we have enough money to give a $1 trillion dollar tax cut?

Mr. BOYD. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair is authorized to make a finding of non-essentiality.

Mr. WALSH. Mr. Chairman, I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a suballocation of Budget Totals for fiscal year 2001 on June 20, 2000 (House Report 106–683). This amendment would provide new budget authority in excess of the subcommittee suballocation made under section 302(b) and is not permitted under section 302(f) of the Act.

I ask for a ruling from the Chair.

The CHAIRMAN. The Chair is authorized to make a finding of non-essentiality.

Mr. BOYD. Mr. Chairman, I rise to highlight one of the most egregious problems in this severely deficient VA–HUD appropriations bill.

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

Mr. Chairman, I yield to the gentleman from Illinois (Mr. BLAGOJEVICH).
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infants died had been recalled 5 years earlier, but nobody knew. Despite ef-
forts of the Consumer Product Safety Commission to notify the public of the
dangers posed by these cribs, over 1.2
million may still be in use today.

Mr. Chairman, the Consumer Product Safety Commission handles recalls of
defective products and would make in-
formation about these recalls more ac-
cessible to the public. Specifically, we
are seeking to establish a comprehen-
sive Consumer Product Safety Com-
mission listing all of the children's
products subject to recall or corrective
action over the last 15 years. It would
strengthen the Consumer Product Safety
Commission's ability to notify con-
sumers of truly dangerous products and
would enable the CPSC to monitor the
effectiveness of product recalls.

Let us make sure that no other child
dies as a result of a product that has
been recalled and the public was not
made aware.

Mr. WALSH. Reclaiming my time.
Mr. Chairman, I share the gentleman's
concerns; and I think it might be pos-
sible to find a solution in the con-
ference, and I will certainly bring the
gentleman's concern to the attention of
the conferences.

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

Mr. WALSH. I yield to the gentleman
from West Virginia.

Mr. MOLLOHAN. I appreciate the
gentleman's yielding to me.

Mr. Chairman, I also share the
gentleman's concerns. We can certainly
try to address this issue in the con-
ference with the other body, and I ap-
preciate the gentleman raising the
issue. One particular concern is, with the
way the CPSC has handled this, it
does need to be addressed; and I hope we
can address it in conference. I ap-
preciate the gentleman bringing it to our
attention.

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

The CHAIRMAN. Does the gentleman
from New York (Mr. WALSH) designate
the gentleman from California (Mr.
DREIER) to strike the last word?

Mr. WALSH. I do, Mr. Chairman.

Mr. DREIER. Mr. Chairman, I would
like to begin by extending congratula-
tions to the distinguished chairman of
the subcommittee, and the ranking
member, the gentleman from West Vir-
ginia (Mr. MOLLOHAN), for their fine
work under challenging circumstances.
I would also like to extend congratula-
tions to the gentleman from Indiana
(Mr. PEASE), chairing this very, very
important measure.

I rise, along with my colleague, the
gentleman from California (Mr.
ROGAN), who shares representing Pas-
dena, California, to bring to the atten-
tion of my friend, the gentleman from
Syracuse, New York, some concerns I
have about efforts in the other body to
transfer away from Pasadena’s Jet Pro-
ulsion Laboratory some of its impor-
tant functions. I believe these efforts
are sought for unneeded exploration of the
solar system. JPL has led the world in
exploring the solar system with robotic
spacecraft by visiting all known planets
except Pluto. Over the last several
years, JPL has saved taxpayer money by
turning to outside vendors, wherever
appropriate, and reducing its workforce
by almost 30 percent from its 1992 high.

In fiscal year 2000, for example, 41
percent of JPL’s Telecommunication
and Mission Operations Directorate is
already contracted out to outside ven-
dors for routine services. So they have
demonstrated a very clear and strong
commitment at JPL to contract out
wherever possible.

While JPL contracts out routine
services where appropriate, many func-
tions are not routine and cannot be
properly performed by outside vendors.
Space communications, for example,
Mr. Chairman, requires highly special-
ized capabilities. To accomplish this
mission, JPL developed the Deep Space
Network, a highly advanced system of
powerful antennae designed to commu-
nicate with our planetary missions.
The DSN is more than just a commu-
nications device, however. It is an in-
credibly powerful scientific instrument
used in many radio-astronomy experi-
ments.

Last year, Congress asked NASA to
study the idea of transferring all of
JPL’s Telecommunication and Mission
Operations Directorate to a private
contractor under the Consolidated
Space Operations Contract, also known
classified. This would include the oper-
ations of the entire deep space network
as well as the flight operations of cur-
rent and future missions, including
Galileo, Cassini, Ulysses, and Voyager.
NASA conducted the study and, in a
letter to Congress, recommended
against such a transfer because the
speculative savings were based on erro-
neous assumptions and such an action
would introduce an extreme amount of
risk in the mission operations.

Now, Mr. Chairman, on behalf of my
colleague who chairs the Sub-
committee on Defense of the Com-
mittee on Appropriations, the gen-
tleman from California (Mr. LEWIS),
who is very supportive of this effort, I
would like to say that we strongly
agree, as I know my colleague, the gen-
tleman from California (Mr. ROGAN),
are with this report that has come out.
It has come to my attention that our
friends in the other body may be seeking
to direct NASA to transfer these func-
tions to the CSOC contract despite the
findings that came out in NASA's report.
This action would be devastating to
NASA's space exploration programs
and its men and women who serve this Nation at
the Jet Propulsion Laboratory.

Mr. Chairman, I would ask that the
gentleman from New York (Mr. WALSH)
and his fellow House conferees strongly
oppose any attempt to cripple NASA’s
planetary exploration program by
transferring essential aspects of JPL to
an outside contractor.

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

Mr. DREIER. I yield to the gentle-
man from New York.

Mr. WALSH. Mr. Chairman, I thank
the gentleman for yielding, and I thank
him for his distinguished service on the
Committee on Rules. I want to thank
him for his kind words not only about the
Jet Propulsion Laboratory but about my
friend, the gentleman from Pasadena,
California (Mr. ROGAN).

My goal has always been to invest
the resources of the Nation wisely.
While this means getting the most out
of every dollar we spend, it does not
mean being penny-wise and pound-fool-
ish. There is no other organization in
the world that possesses the knowledge
and the capabilities of JPL for deep
space exploration. We must fully uti-
lify the talents of the men and women
of JPL in order to succeed.

The recent difficulties in the Mars
program have taught us all the dangers
of dividing important capabilities be-
tween lab and outside contractors. I
wish to assure the gentleman that I
will not accept any proposal to transfer
these functions away from JPL.

Mr. DREIER. Reclaiming my time,
Mr. Chairman, I thank my friend for
his very supportive comments and ap-
proach to this to this extremely
important program and also
his kind words not only about the Jet
Propulsion Laboratory but also about
my friend, the gentleman from
Pasadena, California (Mr. ROGAN).

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

Mr. DREIER. I yield to the gentle-
man from California.

Mr. ROGAN. First, Mr. Chairman, I
want to thank my good friend and
neighbor to the east, the distinguished
chairman of our Committee on Rules,
for yielding to me and also for his in-
credible leadership on this particular
area.

I also want to express, on behalf of
all of the employees and families at
JPL, our deep appreciation to the gen-
tleman from New York, our distin-
guished subcommittee chairman, for
helping us in this particular area.

The CHAIRMAN. The time of the
gentleman from California (Mr.
DREIER) has expired.

(By unanimous consent, Mr. DREIER
was allowed to proceed for 1 additional
minute.)
Mr. DREIER. Mr. Chairman, I continue to yield to the gentleman from California (Mr. VULCANO).

Mr. ROGAN. Mr. Chairman, what I just wanted to share with my colleagues is that a visit to JPL is an incredible experience. When one goes there, one sees not only the incredible benefits they have made with respect to space exploration but what JPL has done for our national economy with the spin-off technology that has come out of there, from robotics surgery, to breast cancer research, data compression, laser technology, global communications, and the list goes on and on.

To continue this out now would have a devastating effect not just on JPL but upon our technology, because we cannot contract out the cumulative knowledge and experience of these people, these incredibly dedicated men and women.

So, once again, I want to urge the subcommittee Chairman, in his dealings with the other body, to do as the Chairman of the Committee on Rules has suggested, keep this whole the knowledge is founded, and in doing so help not just our Nation but our economy, as well as continuing to get the incredible advancements we have had in space exploration.

Mr. DREIER. Reclaiming my time once again, Mr. Chairman, I thank my friend for his contribution and his strong commitment to addressing this very, very important national need.

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

Mr. Chairman, I am going to ask my good friend and colleague, the gentleman from New York (Mr. SWEENEY), also a fellow New York Yankee fan, to engage in a colloquy with me.

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

Mr. WALSH. I yield to the gentleman from New York.

Mr. SWEENEY. Mr. Chairman, I want to thank my friend and my neighbor, and I just want to say that the chairman of the subcommittee, the gentleman from New York (Mr. WALSH), does great work for all of this Nation, and we New Yorkers are particularly proud of the work that he does.

I rise today, Mr. Chairman, with concerns I have regarding an important issue that affects my region of the country but, sadly, I think, a growing concern for the nation. I think it is the issue of acid rain.

The Members of the New York congressional delegation, in particular, my Adirondack neighbor to the north, the gentleman from New York (Mr. MCMULLEN), as well as the subcommittee chairman, the gentleman from New York (Mr. WALSH), have been very aggressive in combating the toxic rain that is falling on our region and killing our lakes and forests. Specifically, I would like to address three acid rain monitoring programs not only to the Adirondacks but to the entire Eastern Seaboard.

First, earlier this year, EPA announced a decision to discontinue funding for the Mountain Acid Deposition Project, MADPRO, under its Office of Research and Development. This program is doing important work in monitoring cloud water chemistry and quantifying the debilitating effects of acid rain on our region.

Operating since 1984, the MADPRO cloud monitoring program has located one of its three monitoring sites at Whiteface Mountain, in the heart of the Adirondack Park, I know a place near and dear to the chairman's heart.

Thankfully, in many of us, EPA this month reversed its earlier decision to discontinue funding. However, I remain concerned about the long-term commitment of the EPA to this important initiative.

Second, I want to express concern for the Clean Air Status and Trends Network, CASTNet. In 1997, there was concern that CASTNet was at risk of being defunded; and since that time, Congress has set a floor for the funding of that program.

Lastly, I am concerned about important Temporally Integrated Monitoring of Ecosystems/Long-Term Monitoring Network, TIME/LTM, which measures water chemistry in lakes and streams throughout the Adirondacks and Appalachian Mountains. TIME/LTM is the only long-term network which helps us determine whether past emission controls are having their intended effect on the environment.

Mr. Chair, TIME/LTM was initially funded at $2.4 million in 1992, but was cut to $1.1 million in 1995 and received only $900,000 last year. Mr. Chairman, I believe that the dwindling budget for cloud water monitoring stations raises serious concerns about EPA’s commitment to all three of these important long-term acid rain monitoring programs.

I would like to make the point that without the data showing the ecological impact in the field, we cannot effectively seek solutions to curbing acid rain in the future. I believe that the EPA has clearly been willing to halt funding for CASTNet and MADPRO over the past 5 years, and it easily justifies a funding floor for all three of these programs.

As my colleague from New York knows, acid rain is a cancer that is eating at the ecosystem of the Adirondack region as well as other areas, stunting our young and replacing many of our lakes and streams lifeless. So I ask the distinguished Chairman to affirm his commitment to the funding of these programs and ask his help in developing language to ensure the continuation of these critical acid rain monitoring programs.

Mr. WALSH. Reclaiming my time, Mr. Chairman, I thank the gentleman for his strong advocacy for this critical ecosystem in upstate New York. As a Member who has worked closely with him on a number of issues, I understand the importance of the acid rain programs not only to the Adirondacks but to the entire Eastern Seaboard.

As the gentleman knows, the Subcommittee on VA, HUD and Independent Agencies has consistently supported funding for acid rain monitoring programs and would agree that a funding floor may be appropriate to ensure they can continue to operate in the long term. I would most certainly work with my colleague from New York to develop language that ensures the continued funding of these important environmental programs.

Mr. SWEENEY. Mr. Chairman, if the gentleman will continue to yield, I thank the Chairman again for his commitment to fighting acid rain.

It is important to note at this time, Mr. Chairman, a recent GAO report, which I requested, revealed that half of the lakes in the Adirondacks have shown increases in nitrogen levels since the Clean Air Act Amendments were signed into law in 1990. These developments are at levels far higher than EPA’s own worst-case scenario estimates, and we are clearly not doing enough.

I believe that the current evidence of the worsening of the acid rain problem shows that this is a time to be strengthening the Federal Government’s commitment to acid rain programs, not retracting it; and I once again thank the Chairman for his commitment.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE (INCLUDING TRANSFER OF FUNDS)


RADIOLOGICAL EMERGENCY PREPAREDNESS FUND

The aggregate charges assessed during fiscal year 2001, as authorized by Public Law 106–74, shall not be less than 100 percent of the amounts anticipated necessary for its radiological emergency preparedness program for the next fiscal year.
The methodology for assessment and collection of fees shall be fair and equitable; and shall reflect costs of providing such services, including administrative costs of collecting such fees. Fees received pursuant to this section shall be deposited in the Fund as offsetting collections and shall become available for authorized purposes on October 1, 2001, and remain available until expended.

EMERGENCY FOOD AND SHELTER PROGRAM

To carry out an emergency food and shelter program pursuant to title III of Public Law 100–77, as amended, $110,000,000, to remain available until expended. Provided. That total administrative costs shall not exceed 3 percent of the total appropriation.

FLOOD MAP MODERNIZATION FUND

TRANSFER OF FUNDS

For necessary expenses pursuant to section 1360 of the National Flood Insurance Act of 1968, $30,000,000 to be derived from transfer from the “Disaster relief” account, and such additional sums as may be received under section 1360(g) or provided by State or local governments or other organizations for floodplain hazard reduction and flood mapping activities under section 1360(f)(2), to remain available until expended.

NATIONAL FLOOD INSURANCE FUND

INCLUDING TRANSFER OF FUNDS

For activities under the National Flood Insurance Act of 1968, as amended, to exceed $25,736,000 for salaries and expenses associated with flood mitigation and flood insurance operations, and not to exceed $77,307,000 for flood mitigation, including up to $20,000,000 for expenses under section 1366 of the National Flood Insurance Act, which amount shall be available for transfer to the National Flood Mitigation Fund until September 30, 2002. In fiscal year 2001, no funds in excess of: (1) $55,000,000 for operating expenses; (2) $456,627,000 for agents’ commissions and taxes; and (3) $40,000,000 for interest on Treasury borrowings shall be available from the National Flood Insurance Fund without prior notice to the Committees on Appropriations.

Section 1366(a)(2) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)(2)), as amended by Public Law 104–208, is further amended by striking “2000” and inserting “2001.”

The first sentence of section 1367(c) of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4127(c)), is further amended by striking “September 30, 2000” and inserting “September 30, 2001.”

NATIONAL FLOOD MITIGATION FUND

INCLUDING TRANSFER OF FUNDS

Notwithstanding sections 1366(b)(3)(B)(C) and 1366(f) of the National Flood Insurance Act of 1968, as amended, $20,000,000 to remain available until September 30, 2002, for activities designed to reduce the risk of flood damage to structures pursuant to such Act, of which $20,000,000 shall be derived from the National Flood Insurance Fund.

GENERAL SERVICES ADMINISTRATION

FEDERAL CONSUMER INFORMATION CENTER FUND

For necessary expenses of the Federal Consumer Information Center, including services authorized by 5 U.S.C. 3109, $7,122,000, to be deposited to Federal Consumer Information Center Fund: Provided, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of the Federal Consumer Information Center activities in the aggregate amount of $12,000,000. Appropriations, reve-

CONGRESSIONAL RECORD—HOUSE

June 21, 2000

AMENDMENT NO. 33 OFFERED BY MR. CUMMINGS

Mr. CUMMINGS. Mr. Chairman, I offer an amendment that has been designated No. 33.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 33 offered by Mr. CUMMINGS:

Page 73, line 18, after the dollar amount insert the following: “(increased by $2,800,000).”

Page 73, line 18, after the dollar amount insert the following: “(increased by $2,800,000).”

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 20, 2000, the gentleman from Maryland (Mr. CUMMINGS) and a Member opposed the amendment.

The CHAIRMAN. The amendment was agreed to.

AMENDMENT NO. 48 OFFERED BY MR. ROEMER

Amendment No. 48 offered by Mr. ROEMER:

Page 73, line 3, after the dollar amount insert the following: “(increased by $2,100,000,000) (increased by $500,000,000).”

Page 73, line 18, after the dollar amount insert the following: “(increased by $200,000,000) (increased by $200,000,000) (increased by $6,000,000) (increased by $49,000,000).”

Page 77, line 1, after the dollar amount insert the following: “(increased by $62,000,000).”

Page 77, line 5, after the dollar amount insert the following: “(increased by $34,700,000).”

Page 78, line 21, after the dollar amount insert the following: “(increased by $5,900,000).”

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 20,
June 21, 2000

CONGRESSIONAL RECORD—HOUSE 11753

2000, the gentleman from Indiana (Mr. ROEMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Chairman, I ask unanimous consent to yield 10 minutes additional time to both sides evenly divided.

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

Mr. WALSH. Mr. Chairman, reserving the right to object, if I could inquire of the gentleman from Indiana (Mr. ROEMER), it is our understanding that he has several other amendments that have time allocated for them; and if he would withhold from offering those amendments, and if my colleague from West Virginia (Mr. MOLLOHAN) who was a part of the other two amendments the gentleman would agree, we could provide the additional 10 minutes to this amendment.

Mr. ROEMER. Mr. Chairman, an additional 10 minutes per side to this amendment?

Mr. WALSH. Mr. Chairman, that is correct.

Mr. Chairman, I yield to the gentleman from West Virginia (Mr. MOLLOHAN) for clarification.

Mr. MOLLOHAN. Mr. Chairman, if the Chair would indulge, I do not know how complicated this might be to do, if it could be done in the Committee of the Whole or done in the whole House. But if such an agreement could be worked out easily, I would agree to that, give the gentleman another 10 minutes, and save us 20 minutes on the other two amendments.

Mr. WALSH. Mr. Chairman, reclaiming my time, as I understand it, there would then be provided a total of 30 minutes in the aggregate, 15 minutes a side, on this amendment.

Mr. MOLLOHAN. Mr. Chairman, it would be a total of 20 minutes, with 10 minutes on each side for this amendment.

Mr. ROEMER. Mr. Chairman, I understand it to be a total of 30 minutes, 15 minutes per side.

Mr. MOLLOHAN. Mr. Chairman, we discussed this very clearly. It would be a total of 20 minutes on this amendment No. 48, 10 minutes to a side on that; or if the gentleman turned as he would be able to speak for 2 minutes just to talk about the amendment and then to withdraw them and not to exercise a point of order with regard to them.

Mr. ROEMER. Mr. Chairman, if the gentleman will continue to yield, how about I would agree to the 10 minutes per side on this amendment and then I have 4 minutes to discuss my two amendments in the next title and withdraw the amendments?

Mr. WALSH. Mr. Chairman, I have no objection to that. If the gentlemen are all in agreement, I would be happy to agree to that.

Mr. MOLLOHAN. Mr. Chairman, I have no objection to that.

The CHAIRMAN. Without objection, the gentleman from Indiana (Mr. ROEMER) will have 10 minutes and a Member opposed will have 10 minutes on this amendment.

There was no objection.

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

Mr. Chairman, I thank the chairmen and the ranking member for their gracious opportunity to work through this amendment, which oftentimes is given an hour or 2 hours of debate.

Mr. Chairman, this amendment would cut $2.1 billion and thereby eliminate the Space Station, transfer $508 million to the National Science Foundation, and transfer another $385 million back into NASA, thereby leaving about $2 billion for debt reduction, probably the highest priority for the American people right now to keep this economy going and provide low interest rates and low mortgage payments.

For NASA, Mr. Chairman, this is the biggest of all the amendments. It is the best of times in that we are succeeding in many endeavors: the Hubell returning great pictures from space, the Pathfinder landing on Mars and exciting the American people with new knowledge, and John Glenn saying our senior citizens going into space can teach us every bit as much as a 25-year-old endeavoring into space. But they are also the worst of times, with a Space Station eating up $2.1 billion and being $80 billion over budget.

Now, according to this graph. Mr. Chairman, the initial cost of the Space Station was $8 billion. It is now $100 billion and growing. The initial missions for the Space Station, we had eight. Now reduced down to one. I do not think this is a good investment of the taxpayers' money.

Now, Bill Gates, the chairman of Microsoft, was just up here testifying the other day and told Congress that the best investment we could make as a Congress, as a people, is to invest in research and development and science so that we stay on the cutting edge and keep jobs in America and export products abroad.

This amendment moves $508 million into the National Science Foundation to invest in research and development, to invest in the American workers, to invest in the cutting edge, and to invest in American jobs.

I would conclude so that I could have more speakers have the opportunity to discuss this amendment by saying this: Our dream has expanded beyond the Space Station, outside of the universe with the Hubell pictures and Mars; and now with the Russians and MIR, their space station is now being paid for by wealthy Americans paying $30 million to travel to MIR.

Is that the future of the American Space Station, an expensive amusement park for the wealthy, when it can do little else?

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

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

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Indiana (Mr. ROEMER).

Mr. Chairman, the proposed amendment would delete funding for the International Space Station and reallocate the funds to various worthy programs in other portions of the bill and designate a portion of the savings for debt reduction.

While I may agree with the plea for additional funds in some of the programs proposed by the gentleman from Indiana (Mr. ROEMER), I must oppose the amendment.

If the Space Station is the Space Station would end what could be the most significant research and development laboratory in history and cause upheaval in the Shuttle program for years into the future, effectively terminating NASA'S Human Space Flight program. It would also render useless over a half million pounds of hardware, much of which is already in space.

Mr. Chairman, there are broad and important applications for the Space Station, not the least of which is that there will be schoolchildren all over the world who not only will be able to watch with great interest the progress, but they will see the cooperation that the nations of the world have formed to launch this expression of man's hope for the future.

The intrinsic value of the inspiration that it will provide to our young people is incalculable. We have children in my school district in Syracuse who will be providing an experiment that will go on the Space Station. They will be watching it, monitoring it, using the Internet to conduct their research, and working with colleges and scientists throughout the world. These young people are the people we need to get involved in space and mathematics. The Space Station will help us to do that.

In addition, termination of the contracts for the Space Station at this time would subject NASA to liability of about $750 million. And the amendment makes no provision for these costs. I believe it is important for everyone to understand where we stand today with regard to the Space Station.

The prime contractor has completed nearly 50 percent of its development work. U.S. flight hardware for missions through flight 12A is at the launch site at the Kennedy Space Center awaiting either final testing or launch for assembly.

In addition to Russia, the second largest infrastructure provider, the other international partners remain committed to the station program, having spent over $5 billion to date.
The Russian Service Module is on schedule for a summer launch. This element will allow a permanent crew to be placed in orbit later this year.

NASA is actively encouraging commercial participation in the station program, having just concluded a major multimedia collaboration.

Mr. Chairman, within one year, the station will be inhabited by three international crew members. In five years, the station will be complete and serving as an outpost for humans to develop use, and explore the space frontier. We have come far, and soon the station research will be underway. Now is not the time to stop this incredibly important program.

I ask all Members to oppose the Roemer amendment.

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

Mr. ROEMER. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. GANSKE), a sponsor of the bipartisan amendment.

Mr. GANSKE. Mr. Chairman, I thank the gentleman from Indiana for yielding me the time. I will try to save a little time.

Mr. Chairman, the International Space Station is a failure and it is a misuse of taxpayer money. In 1983, Ronald Reagan first presented the idea of the Space Station and NASA predicted the cost would be $8 billion.

Between 1985 and 1993, we spent $11.4 billion on this project and never sent anything to orbit. So we started over and, voila, we had the International Space Station.

In 1993, NASA told us that the station would cost $17.4 billion to build, would be completed in the year 2002, and would be operational for 10 years. They told us the total operational costs from construction to decommisioning would be $72.3 billion. We were presented with a new program that would cost twice as much and that would last one-third as long.

And who was it that said that? As my colleagues can see from my chart, since 1993 we have spent more than $2 billion every year. With funding provided in this bill, we will have spent $25.4 billion since 1995. Construction is 4 years behind schedule and is expected to cost the U.S. around $26 billion. That is 50 percent above the original quote.

The United States is expected to pay 74 percent of construction costs. If this Station is completed and if it becomes operational, the United States is scheduled to pay 76 percent of operational costs. And we call that an International Space Station.

The United States is the only country expected to make cash payments for this Station’s operating expenses. The other countries will reimburse through in-kind contributions.

Where is the international commitment? Vote for this amendment. It re-
projects. Robert L. Park, executive director of the American Physical Society, has estimated the full cost to tax payers and equipment to be $18 billion and said, “If you include operating costs over what NASA claims will be a 30-year life, it comes to an S&L-bailout-sized $180 billion.”

This, Mr. Chairman, is going to go down as one of the biggest boondoggles in the history of this Congress. I know this is probably a losing effort, but I admire the gentleman from Indiana’s courage and perseverance; and I urge support for his amendment.

Mr. WALSH. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. MANN), the distinguished ranking member of the full Committee on Science and a strong advocate of the Space Station program.

Mr. MANN. Mr. Chairman, here we go again. Of course I oppose this amendment. I have opposed it ever since the gentleman from Indiana has been in Congress. I hope I am opposing it for the next 10 years with him because this is a quixotic guy; he just has a lousy amendment.

He is continuing that tradition even though the first segment of the International Space Station is already in orbit and operational and additional elements of the station are awaiting launch. There are so many reasons. I will just say that we are here in the annual argument again. It has been argued before time and time again. It has never passed. I think if it should pass this station to go on to the next station that we would have every hotel and every eating establishment within 100 miles of here covered by school children and university people and people across the country that know that this is the future of America. We have a Space Station. We need it for many reasons: medical, all types of electronic fallout, national defense. You name it; we need it.

I urge my colleagues to vote against this amendment.

Mr. ROEMER. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise today in support of my friend from Indiana’s amendment. It is time for this Congress to finally realize that previous Congresses have simply made a bad investment decision. But let me preface my remarks by saying that there is no bigger cheerleader for NASA at the space program than myself. I know this is probably a losing effort, but I admire the gentleman from Indiana’s courage and perseverance; and I urge support for his amendment.

This Congress has an obligation as the representatives of this democracy to invest heavily in science so that we make these breakthroughs first rather then a dictatorial power who might see these scientific discoveries for nefarious purposes. That’s why increased support for the National Science Foundation is so important.

I, like many Americans, am very supportive of NASA’s efforts to explore the universe and expand our knowledge of space, but I do not support such efforts at any price. What must be done is to lower the cost that the American taxpayers are facing today to perpetuate a space station that many in the scientific community believe has limited value. That is why I support canceling the International Space Station.

The space program has exceeded all spending predictions and failed to achieve its intended mission. In 1993, NASA said construction of the space station would be finished in June 2002 and the entire program would cost $72.3 billion. Recent estimates, however, place the cost at nearly $100 billion and we are still years away from completion.

In fact, NASA had to launch a shuttle mission last month to apply boosters to the station because it was falling from its orbit by 1.5 miles each week.

Additional problems have occurred recently, such as in Huntsville, Alabama, where two parts of the space station, valued at $750,000 were mistakenly discarded in a landfill. These tanks were never found and had to be replaced at an additional expense.

Yet, knowing that the space station has become a budgetary black hole, Congress continues to spend billions of taxpayers’ dollars year after year to fund such an expensive program.

How can we justify the space station when our country is being forced to make tough decisions about how to fund Social Security for seniors, how to ensure that our children have a quality education system, how to shore up Medicare, and how to reduce our $5.7 trillion national debt? We must stop this annual waste of money and better prioritize our investment decisions.

It is essential that we continue to scrutinize the projects upon which our Government spends taxpayer money and I commend my colleagues who support this amendment and continue to speak out against the Budgetary Black Hole known as the International Space Station.

Mr. Chairman, I urge my colleagues to support this amendment to terminate this failed program and do what is right for our citizens.

Mr. WALSH. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Chairman, I thank the gentleman for allowing me to oppose the Roemer amendment one more time. I sometimes think like Yogi Berra that it is deja vu all over again. Or maybe like a scene from the movie Ground Hog Day, every year we keep experiencing the same thing.

I join my colleague from Texas in saying that the gentleman from Indiana is a great person with a bad amendment. Again, the International Space Station represents the future of our space exploration. It will be a high-tech laboratory with innovations. It will have countless applications to the daily lives of Americans. It represents an era of international cooperation from which everyone will benefit.

If Congress does undermine the funding for the International Space Station by passing this amendment, it will represent a major retroactive detriment to the program’s stability over the years. It will be a betrayal to our international partners. Among the criticisms are that the cost for the life cycle of the Space Station has dramatically risen over the years. In fact, the cost for the life cycle of the Space Station has gone up only 2 percent in the last 3 years. Critics have charged that the funding for the Space Station will push out smaller space exploration endeavors, like Mars Pathfinder and Hubbell. That is just simply not right. We will use this platform for those.

Mr. ROEMER. Mr. Chairman, I yield 1 minute to the gentlewoman from Michigan (Ms. RIVERS).

Ms. RIVERS. Mr. Chairman, in my 6 years in Congress I have consistently voted to stop the fiscal hemorrhaging represented by the International Space Station. Because I have done so, I often have constituents come to me and ask me how I can be against space-based research. My answer is that I am not against space research. In fact, I am ardently for such science. Unfortunately, the International Space Station does not advance the scientific mission of NASA and actually threatens the scientific payoff the United States can expect from the agency.

Evidence today shows that few non-NASA scientists believe the project has scientific value. And continuing cost overruns suck the air out of worthwhile programs, making it unlikely we will be able to duplicate the success of missions like the Pathfinder.

Mr. Chairman, the pro space science is the no Space Station vote.

Mr. ROEMER. Mr. Chairman, I yield myself the balance of my time.

The Roemer-Ganske-Woolsey-Duncan-Rivers-LoBiondo-Roukema-Kind-Camp-Ramstad bipartisan amendment is strongly supported by the Taxpayers for Common Sense, the National Taxpayers Union, Citizens Against Government Waste, the Concord Coalition,
and Citizens for a Sound Economy. Ten leading scientific associations, including the American Physical Society, the Carnegie Institution, and the American Society of Cell Biologists also support it.

I encourage bipartisan support to stop the Space Station and invest in the National Science Foundation and debt reduction.

Mr. WALSH. Mr. Chairman, I yield the balance of my time to the gentleman from Texas (Mr. LAMPSON).

Mr. LAMPSON. I thank the gentleman for yielding me this time.

Mr. Chairman, terminating the International Space Station would end what could be the most significant research and development laboratory in history and cause a complete upheaval of the shuttle program for years into the future, in America's terminating NASA's human space flight program.

High-cost growth often cited as the reason to terminate the Space Station is simply not the case. The initial congressional budget projection for ISS from 1994 to 2000 was approximately $14.5 billion. During those years, actual expenditures have totalled $15.8 billion, reflecting a growth of less than 10 percent. Termination costs could total over $750 million. And the prime contractor has completed nearly 90 percent of its development work. In addition, Russia and the other international partners remain committed to the ISS and have spent over $5 billion to date. Within 1 year, the ISS will be inhabited by three international crew members. In 5 years, the Space Station will be complete and serving as an out-post for humans to develop, use, and explore the space frontier.

We have come so far and soon the ISS research will be under way. The last 2 decades have seen magnificent high-tech growth in this world. Imagine what this facility will do for the children and education in the next 2 decades and beyond. Vote no on this misguided amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today to oppose the Roemer-Ganske-Woolsey-Duncan et al. amendment to H.R. 4635, the VA-HUD-Independent Agencies Appropriations Act.

We cannot squander this historic opportunity to invest in America's future; if approved, this amendment to the VA-HUD Appropriations measure risks doing just that.

Despite the shortcomings of this bill, there are some commitments that have been secured and need to be preserved. Our ability to reach the stars is an important priority, which will ensure that America remains the pre-eminent country for space exploration.

Although this measure is destined to be vetoed in its current form, I believe the $13.7 billion appropriation, $322 million (2 percent) less than the administration, could have been even more generous.

But the amendment offered to completely eliminate funding for the international space station would be entirely reckless and would abandon our commitment to the American people.

Although many of us would have clearly preferred to vote on a bill that includes more funding for other NASA priorities, Veterans Administration and National Science Foundation programs, such increases should not offset the money appropriated for our international space station.

The measure provides $2.1 billion for continued development of the international space station, and $3.2 billion for space shuttle operations. We need to devote additional personnel at NASA's Human Flight Centers to ensure that the high skill and staffing levels are in place to operate the Space Shuttle safely and to launch, as well as assemble the international Space Station.

Mr. Chairman, I am proud the Johnson Space Center and its many accomplishments, and I promise to remain a vocal supporter of NASA's research, which has had a brilliant 40 years, and I see no reason why it could not have another 40 successful years. It has made a tremendous impact on the business and residential communities of the 18th Congressional District of Texas, and the rest of the nation.

The reality is that we have a historic opportunity to continue paying down the debt while passing an appropriations measure that adequately meets the needs of those that have been left behind in the New Economy.

In closing, I hope my colleagues will vote against this amendment and the bill so that we can get back to work on a common sense measure that invests in America's future, makes affordable housing a reality across America, and keeps our vital NASA program strong well into the 21st century.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The International Space Station represents a unique scientific opportunity to perform research. Research and innovations and breakthroughs that will improve the quality of life for all of us. NASA has already grown crystals aboard the Shuttle that have provided scientists with useful insights into the mechanisms of crystal growth. Information gained on crystal growth will make it easier and more predictable to develop specialized materials on Earth. During relatively short duration Shuttle missions scientists have gained a better understanding of underlying biological mechanisms that will help us understand balance and hearing in humans. Of particular interest is the Shuttle's SPACELAB which has given scientists a better understanding of the structure of a specific strain of the flu virus that kills 3,000 infants in the U.S. annually, providing pharmaceutical manufacturers key information needed to develop antibodies.

Clearly, research aboard the Shuttle in the zero gravity environment of space has led to keen insights into various scientific phenomena. However, this is only a fraction of the scientific discoveries enabled by the Space Station. The Shuttle can only fly a handful of times per year and only a couple weeks at a time. On the other hand, the Space Station enables research to be conducted 365 days a year.

Scientific discovery and technological development are the key drivers behind our prosperity. We must not turn our backs on the payoffs that research on the Space Station can provide to improve life on Earth for all of us. Because our children and grandchildren will benefit most from that research, I urge that the proposed amendment be rejected.

Mr. LOBIONDO. Mr. Chairman, I rise in support of the amendment offered by Mr. ROEMER. After countless missed deadlines, technical glitches, cost overruns, and a lack of support from our so-called 'partners,' it's time we face facts; the International Space Station program must end.

The original estimate for the first space station put the cost of such an endeavor at $8 billion dollars. Congress ended up spending $11.4 billion and what it got was a failed program that offered little hardware, and no launch. Since this program did not work, Congress cut its budget to $3 billion dollars a year it will take to maintain the station after that. What's more, our so-called 'partners,' Japan, Canada, and 10 other countries, are only required to collectively spend $9 billion. It seems the partners of the International Space Station actually share little more than a name. Once again the United States is left holding the bag.

On March 16, 2000, Mr. Allen Li, Associate Director, National Security and International Affairs Division of the Government Accounting Office gave testimony before the House Science Subcommittee on Space and Aeronautics saying Russia is still not complying with the space station's safety requirements. His testimony states the Russian Control and Service Modules have not met NASA guidelines to protect the station from orbiting debris, whereas the Space Shuttle Service Modules have not met NASA guidelines to protect the station from orbiting debris. NASA is still reviewing other safety concerns including excessive noise levels and outright operational failure. Where billions of dollars are concerned and, more importantly, human life, is any risk acceptable? My greatest fear is that NASA is ignoring quality standards in a futile attempt to justify this albatross.

It is for these reasons I fully support Mr. ROEMER's amendment to the Veterans Administration-Housing and Urban Development Appropriations bill for FY 2001. This amendment transfers the $2.1 billion appropriated to the National Science Foundation and in other valuable NASA programs. Additional money will go towards paying down the national debt.
Space Station (ISS). The Space Station is critical for NASA to maintain America’s leadership in space exploration, research and technology. In addition, international cooperation fosters peaceful relationships among 16 countries by collaborating on mutual goals for the benefit of humankind. The practical benefits to space exploration are countless. It is proven that for each tax dollar we spend in space, we receive $9 back here on Earth in new products, new technologies and improvements for people around the world. Research in the Space Station’s unique orbital laboratory will lead to discoveries in medicine, materials and fundamental science. Space station research will build on proven medical research conducted on the Space Shuttle to benefit diseases such as cancer, osteoporosis and AIDS. Medical equipment technology developed for early astronauts are still paying off today. For example:

NASA developed a “cool suit” for the Apollo missions, which is now helping to improve the quality of life of multiple sclerosis patients.

NASA technology has produced a pacemaker that can be programmed from outside the body.

NASA developed instruments to measure bone loss and bone density without penetrating the skin which are now being used by hospitals.

NASA research has led to an implant for delivering insulin to diabetics that is only 3 inches across which provides more precise control of blood sugar levels and free diabetics from the daily burden of insulin.

Second, the ISS enhances US economic competitiveness by providing an opportunity for the private sector to use the technologies and research applications of space. This will increase the number of high-tech jobs and economic opportunities available today and for future generations.

Third, the Space Station serves as a virtual classroom of all levels and ages. Innovative programs have been designed that will allow students to actively participate in research on board the Station. Our commitment will allow students to actively participate in research on board the Station. Our commitment to long-term research and development will encourage today’s youth to consider careers in science and technology, fields where American workers are desperately needed.

With nearly 90 percent of the International Space Station development completed, we are only months away from having a permanent human presence in low orbit and beginning the research that holds so much promise for the global community. Ending progress on the ISS now would require NASA to scrap billions of dollars of hardware that has been designed and developed for the ISS. Furthermore, we would be throwing away years of international cooperation and ending the peacetime collaboration in history.

I urge my colleagues to ensure that the United States remains at the forefront of space research. Vote NO on the Roemer amendment.

Mr. ROEMER. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 525, further proceedings on the amendment offered by the gentleman from Indiana (Mr. ROEMER) will be postponed. The point of no quorum is considered withdrawn.

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

Mr. Chairman, I yield to the distinguished gentleman from Missouri (Mr. HULSHOF) to enter into a colloquy.

Mr. HULSHOF. Mr. Chairman, I thank the gentleman from New York (Mr. WALSH) for yielding to me. As my good friend, the gentleman from New York (Mr. WALSH) the chairman of the Subcommittee V.A, HUD and Independent Agencies knows, in a 6-hour time frame between May the 6 of this year and Sunday May the 7, 15 inches of rain fell in parts of my district. As a result of some severe flash flooding, two lives were lost, over 200 of my constituents were left homeless and numerous businesses had suffered property damage.

Recognizing the severity of these damages caused by the flooding, the President on May the 12 of this year designated three Missouri counties, Franklin County, Gasconade and Jefferson County as Federal disaster areas.

Believing that a precedent had been set by Congress in their dealings with past disasters, the Mayor of the City of Washington, Missouri submitted to me a request for an appropriation that would permit their city to implement a flood buyout and relocation program.

Though a specific line item was not used to secure relief for the victims of past floods, it is my understanding that a precedent was set by allowing money through the Housing and Urban Development’s Community Development and Block Grants program to pay for buyouts, to pay for relocation and mitigation in communities in North Dakota, South Dakota and Minnesota.

While I certainly, Mr. Chairman, would prefer that more money be made available in the Community Development Block Grant program for the State of Missouri to pay for the buyout and relocation of businesses impacted by this flash flood, I do recognize the budgetary hardships that the gentleman from New York (Chairman WALSH) has encountered in crafting this fiscal year 2001 bill.

Mr. Chairman, I had considered offering an amendment to waive the Community Development Block Grant low- and moderate-income requirements for those areas affected by the major disaster that was the subject of this May 6 and 7 flood. However, I also recognize that the provisions of such a proposal would constitute legislating on an appropriate bill and would have been out of order.

Mr. Chairman, recognizing that at this point there is little that this body can do, I would ask the gentleman from New York (Mr. WALSH) should an opportunity present itself to help those families and businesses that were severely impacted by him to look for and grasp that opportunity on behalf of those families and businesses.

Mr. Chairman, I want to thank the gentleman from New York (Mr. WALSH) for his willingness to work with me to address this very critical and serious situation.

Mr. WALSH. Mr. Chairman, I thank the gentleman from Missouri (Mr. HULSHOF) for his hard work on behalf of the American Forest and Paper Association, EPA should withdraw its August 23, 1999 TMDL proposal that are based on the August 23, 1999 proposed rule during fiscal year 2001. This limitation is consistent with my own position that, due to the overwhelming opposition from groups as diverse as the United States Conference of Mayors, Friends of the Earth, Earth Justice Legal Defense Fund, the Sierra Club, the Clean Water Industry Coalition, the National Federation of Independent Business, the American Forest Bureau Federation and the Paper Association, EPA should withdraw its August 23, 1999 TMDL proposals and go back to the drawing board.

However, I also want to make sure that H.R. 4635 also is consistent with my position that State work on TMDLs continues as expeditiously as possible, in accordance with EPA’s existing regulations, while work on a new proposal is underway.

Mr. WALSH. Mr. Chairman, the gentleman from New York (Mr. BOEHLERT) can be assured that the committee intends States to move forward as expeditiously as possible, with the development and implementation of TMDLs.
under current regulatory authorities. This is one of the primary purposes of the $130 million increase in funding for State Clean Water programs under section 106 of the Clean Water Act.

The committee expects States to use these resources in part to fill the data gaps identified by GAO in their March 2000 report on data quality and to develop and implement TMDLs that are scientifically and legally defensible.

Mr. BOEHLERT. Mr. Chairman, in addition, I would like to seek clarification of the committee’s intent if EPA ignores my request and the requests of other Members of Congress, our Nation’s mayors, major environmental groups, agricultural groups, forestry groups and industry groups and finalizes this rule within an effective date that occurs prior to the enactment of H.R. 4635.

The CHAIRMAN. The time of the gentleman from New York (Mr. WALSH) has expired.

(By unanimous consent, Mr. WALSH was allowed to proceed for 1 additional minute.)

Mr. BOEHLERT. If the gentleman will continue to yield, some have suggested that if EPA’s new TMDL rules go into effect, existing regulations will be removed from the Code of Federal Regulations and the language of H.R. 4635 will not restate those existing regulations.

Mr. WALSH. Mr. Chairman, I thank my friend for his advocacy. If EPA refuses to withdraw the TMDL rules and issues final rules within an effective date that will occur before enactment of this legislation, I will work with the Senate in conference to ensure that the TMDL regulation in effect today remain in place.

Mr. BOEHLERT. Mr. Chairman, I want to thank the gentleman for his leadership, and it is pleasure to work in partnership with him.

The CHAIRMAN. The Clerk will read.

The Clerk reads as follows:

AMENDMENT NO. 39 OFFERED BY MR. MOLLLOHAN

Mr. MOLLLOHAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 39 offered by Mr. MOLLLOHAN:

Page 73, line 18, insert after the dollar amount the following: “(increased by $322,700,000)”.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, January 20, 2000, the gentleman from West Virginia (Mr. MOLLLOHAN) and the gentleman from New York (Mr. WALSH), each will control 30 minutes.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the amendment of the gentleman from West Virginia (Mr. MOLLLOHAN).

The CHAIRMAN. The gentleman from New York reserves a point of order.

The Chair recognizes the gentleman from West Virginia (Mr. MOLLLOHAN).

Mr. MOLLLOHAN. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, let me express appreciation to my dear friend and colleague, the gentleman from Alabama (Mr. CRAMER) for his assistance in working on this amendment and working on NASA issues generally. The gentleman is a real champion for NASA funding and he has a passionate concern for the underfunding of some of the accounts that we are trying to address here today. I just want to give a special note of appreciation to him for his assistance.

This amendment, Mr. Chairman, would accomplish a simple goal: to bring NASA’s long-reduced budget up to the President’s requests. After years of repeated cuts the administration has proposed a modest increase for NASA, only 3.2 percent, but it is a modest increase and barely takes care of inflation. Indeed, the gentleman from New York (Chairman WALSH) has done his best to fund NASA in this bill, and we express appreciation for him for those efforts.

Let me briefly explain why I think there are some accounts that deserve funding. The so-called Living With the Sun Initiative that would help us understand the Sun’s behavior, extremely important, Mr. Chairman, when to expect sun flares, when to expect these abnormalities affect us here on Earth. Mr. Chairman, my amendment would provide $16.5 million to that end.

Secondly, the bill before us completely eliminates funding for the space launch initiative, extremely important, including funding for advanced technology research on the next generation Space Shuttle, as well as ongoing work on two experimental vehicles, the X34 and the X37.

My amendment, Mr. Chairman, would provide $290 million for this purpose, which represents $30 million less than the President’s requests, but it at least gets significant amounts of money on those very important projects.

Thirdly, my amendment would provide $39.1 million to the aviation system capacity program for a total of $49.2 million. This important ongoing program of research and development has seen significant improvements in improving utilization and safety of general aviation airports and aircraft, which have the highest accident rate of all modes of transportation. Mr. Chairman, this is an area that we desperately need to put these additional funds.

Let me restate that by offering this amendment, I am in no way intending to criticize my chairman, the gentleman from New York (Mr. WALSH) for his hard work in crafting this bill. We simply did not have enough money to go around and hopefully as we move forward.

We have, however, I think, with this amendment, put important resources back into NASA’s programs that were underfunded so that it can carry out these important responsibilities.

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

The CHAIRMAN. Does the gentleman from New York (Mr. WALSH) continue to reserve his point of order?

Mr. WALSH. Yes, I do, Mr. Chairman.

The CHAIRMAN. The gentleman from New York continues to reserve his point of order.

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

Mr. Chairman, I reluctantly oppose the amendment of the gentleman from West Virginia (Mr. MOLLLOHAN). As we all know, there is no offset for this, but we are certainly sensitive to the desire of the gentleman to provide these funds where they are needed. Unfortunately, we do not have the additional funds to provide under our allocation. If, perhaps, later in the process, additional funds come available, we would be happy to work with the gentleman to resolve this. At this time, I must continue to hold a point of order against him.

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

Mr. MOLLLOHAN. Mr. Chairman, I yield 3 minutes to my good friend, the gentleman from Alabama (Mr. CRAMER).

Mr. CRAMER. Mr. Chairman, I thank my colleague from New York (Mr. WALSH) for yielding me the time, and I want to say that I have enjoyed working with the gentleman for years on NASA’s issues.

I represent the Marshal Space Flight Center back there in Alabama. When I came to the Congress in 1991, the gentleman was among the first people that we began working with to plan for a future for NASA that was beyond the space station. Also in coming to this subcommittee, I want to pay tribute to
the chairman of the subcommittee, the gentleman from New York (Mr. WALSH) during my now two terms on the subcommittee, the gentleman has strug- gled vainly and against a lot of odds with allocations that made it very, very difficult for us to have the kind of NASA budget that some felt like we needed to have.

However, at the end of the process, we made sure that NASA did receive the support of the committee, and I thank the gentleman from New York for that and for enduring with those of us that want to make sure that the particular line item programs are heard and have a voice there.

Mr. Chairman, I want to speak more specifically to the Space Launch Initiative, because the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN) is attempting through this amendment to restore funding that would help a number of NASA's programs, and he has spoken about those programs. But the Space Launch Initiative is a very important initiative that really defines NASA's future. It is designed to enable the aerospace industry and NASA to come together to look at a new version of space trans- portation. The Space Launch Initiative envisions NASA eventually purchasing launches from commercial launch ven- dors allowing NASA to then concentrate its resources on the science missions and space exploration as well. In Subcommittee on Space and Aeronautics, I know the ranking member, the gentleman from Texas (Mr. HALL) is here, and he will spend time dis- cussing over this particular amend- ment the initiatives that the Com- mittee has undertaken. We have given a mandate to NASA to come up with alternative means of transportation, working with the aero- space industry to make sure that they come up with these alternate means of transportation. If we restore this funding to NASA's budget, they will not be able to do that.

I hope that the committee will hear this amendment, and especially as the process winds its way through, as we continue the rest of the summer, that we will be able to restore this impor- tant funding to NASA to make sure that the Space Launch Initiative is indeed a reality.

Mr. WALSH. I do, Mr. Chairman.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 3 minutes to the dis- tinguished gentleman from Maryland, Mr. HOYER.

Mr. HOYER. Mr. Chairman, I thank my distinguished friend from West Vir- ginia (Mr. MOLLOHAN), the ranking member of the subcommittee for yield- ing the microphone and I rise in strong support of his amendment.

I want to say at the outset that I be- lieve that the chairman of this sub- committee is not necessarily in theory opposed to the dollars being added back and, therefore, I think in terms of sub- committee, we can all support this amend- ment.

The ranking member, the gentleman from West Virginia (Mr. MOLLOHAN) will argue that we are constrained by funding priorities, but I believe that this is a priority. I believe that this is why the gentleman from West Virginia (Mr. MOLLOHAN) has offered it. If we think NASA's work is confined to scientific esoterica that only a handful of Ph.D.'s can understand, we need to think again. Research and development con- ducted by NASA for our space program has led to widespread social benefits, everything from improvements in com- mercial airline safety to understanding global climate change.

NASA's research also has benefited medical science. For example, its re- search on the cardiovascular systems is leading to breakthrough discoveries, testing procedures and treatments for heart disease. A few of today's space- derived improvements include blood pressure monitors, self-adjusting pacemakers and ultrasound images. You would not think of that at first blush.

The amendment before us would re- store $322.7 million in funding for NASA's space and aeronautical pro- grams, funding that was cut in committee from the President's number.

The amendment before us brings our national priorities back into focus, which is, in my opinion, what we ought to do. It would restore $260 million to NASA's space launch initiative, which is critical for our future space needs. In addition, this amendment would re- store $16.6 million in funding for NASA's Living with a Star initiative, a project that will be run at Goddard Space Flight Center.

Mr. Speaker, the tapestry of our na- tional history is woven together by ex- ploration and discovery, from the first settlers in Jamestown to the expedi- tions of Lewis and Clark, to Neil Arm- strong's first step on the Moon 31 years ago. Today, let us reaffirm our na- tional commitment to the latest fron- tier, science and technology.

I urge my colleagues to support this amendment.

Mr. Chairman, let me state my strong sup- port for this amendment on NASA funding. It's not about pork-barrel spending and pet projects. It's about our Nation's peace and prosperity, and our quality of life.

If you think that NASA's work is confined to scientific esoterica that only a handful of Ph.D.s can understand, think again.

Research and development conducted by NASA for our space program has led to widespread social benefits—everything from improve- ments in commercial airline safety to un- derstanding global climate change.

NASA's research also has benefited med- ical science. For example, its research on the cardiovascular system is leading to break- through discoveries, testing procedures and treatments for heart disease. A few of today's space-based improvements include blood pressure monitors, self-adjusting pacemakers and ultrasound images.

The amendment before us would restore $322.7 million in funding to NASA's space and aeronautical programs—funding that was cut in committee. That's certainly a lot of money. However, before I describe the NASA pro- grams that would be forced into a stale down with the budget ax, and why funding for these programs ought to be restored, let me ask this question: Are our national priorities so out of whack that we're willing to sacrifice our com- mitment to science and technology on the altar of enormous and irresponsible tax cuts? Despite the pioneering spirit that courses through our national character, the majority party apparently thinks so.

Last year, they pushed their huge tax cut schemes through Congress, even though it could have put at risk the healthiest economy in our lifetimes. This year, they're back with equally irresponsible tax schemes.

That's what this cut to NASA funding is all about—funding tax cuts that would benefit the wealthiest among us.

The Republican Party—with its $175 billion in tax cuts over five years, which, according to some estimates, would rise to nearly $1 trillion over 10 years—has to make its budget num- bers add up somehow.

Today, NASA's neck is stretched out on the chopping block. Yesterday, it was our school mates and community college students. And tomorrow, it will be our initiative put more police officers on our streets.

All of these vital programs—and our effort to add a prescription drug benefit to Medicare— face the budget ax because the Republican Party would rather pass tax-cut schemes than invest in our Nation's future.

The amendment before us brings our na- tional priorities back into focus. It would re- store $260 million to NASA's space launch ini- tiative, which is critical for our future in space. Free, low-cost space transportation is the key to expanded commercial development and civil exploration of space. This NASA program would enable new opportunities in space ex- ploration and enhance international competi- tiveness of the U.S. commercial launch indus- try. It's no wonder that NASA believes this program could impact space exploration and commerce as deeply as the Apollo program.

This amendment also would restore $16.6 million in funding for NASA's Living With a Star initiative—a project that will be run at Goddard Space Flight Center in my district. The Living With a Star initiative will enhance our understanding of the Sun and its impact on Earth and the environment. It will enable scientists to predict solar weather more accu- rately, and understand how solar variations af- fect civilian and military space systems, human space flight, electric power grids, high- frequency radio communications, and long- distance radio.
unique research capabilities to diagnose problems with current air traffic systems and develop technology solutions.

Mr. Chairman, the tapestry of our national history is woven together by exploration and discovery—from the first settlers in Jamestown to the expeditions of Lewis and Clark to Neil Armstrong’s first step on the Moon 31 years ago. We have never turned our backs on challenges, which transforms telecommunications, weather prediction, defense intelligence work, just to list some of the areas. It would be a mistake I think to lose leadership in 21st century transportation by failing to make these important investments.

The CHAIRMAN. Does the gentleman from New York continue to reserve his point of order?

Mr. WALSH. I do, Mr. Chairman.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Chairman, I rise in strong support of our ranking member’s amendment. As the House considers this important amendment, I wanted to bring to Members’ attention just one of the success stories of our space program.

For the last 2 years, I have had the opportunity to meet with and get to know an outstanding scientist and an astronaut in Houston, Texas. Dr. Franklin Chang-Diaz has accompanied me to six of my middle schools in my district to talk about the need for students to take more math and science classes. I have also had the opportunity to visit Dr. Chang-Diaz in his plasma jet propulsion laboratory at Lyndon B. Johnson Space Center in Houston.

Dr. Chang-Diaz is obviously a man of many talents. He is a veteran astronaut with six space flights and has logged over 1,269 hours; but even more so, he is a scientist and he is developing the new, and forgive me if I mispronounce it, the Variable Specific Impulse Magnetoplasma Rocket concept called VASIMR. The VASIMR prototype rocket engine is designed to shorten the trip to Mars, or anywhere else, and provide a safer environment for the crew.

Dr. Chang-Diaz has been working with the scientists throughout NASA and the Department of Energy to develop this process today, and he has been able to secure funds to keep the project going. However, this project is just too important just to allow it to survive. While I do not make a specific request, Mr. Speaker, I hope in the future for assistance to fund the development of the VASIMR prototype rocket engine, and the ranking member’s amendment will go far in that direction.

The CHAIRMAN. Does the gentleman from New York continue to reserve his point of order?

Mr. WALSH. Mr. Chairman, I do.

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), my final speaker.

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

Mr. Chairman, I rise in strong support of the amendment introduced by my colleague from West Virginia to restore funds to aeronautics research programs. This amendment is particularly important, given the actions we took last night to cut an additional $30 million from these programs on top of the cuts contained in the bill.

The national investment in aeronautics is moving dangerously in the wrong direction. We have already experienced a 30 percent cut in NASA aeronautics funding over the last 2 years, and then we made cuts in the bill and another cut last night.

The National Research Council report in 1999 warned us that past cuts have already wreaked havoc and may threaten U.S. preeminence in our aerospace industry. Their leading panel of scientists warned us that continued reductions in aeronautics research and technology would jeopardize the ability of the United States to produce preeminent military aircraft and the ability of the aeronautics sector of the United States economy to remain globally competitive.

Mr. Chairman, if these cuts are to be enacted, our aviation system is set on a disastrous course. The cuts we are making will put the safety and reliability of our air transport system at risk in the near future.

Mr. Chairman, aeronautics research has yielded significant technological breakthroughs that we have recently; aircraft safety and efficiency, which includes wing design, noise abatement, structural integrity and fuel efficiency.

Mr. Chairman, every aircraft worldwide uses NASA technology, and it is important to remember that these technological developments take 5, 10, 20 years before they ever come to fruition. We know that domestic air traffic will triple in the next 20 years, and that is why we need to make these investments today.

Mr. Chairman, these cuts are not just shortsighted, they are dangerous. I support the Mollohan amendment, because it will ensure the future safety and efficiency of our air transportation system.

Ms. PELOSI. Mr. Chairman, I rise to support the Mollohan Amendment to increase funding for important housing programs. A shortage of affordable housing plagues America’s cities and rural communities. Nonetheless, this bill fails to fund America’s tremendous housing needs. Even worse, this bill cuts several billion dollars from last year’s budget for many important affordable housing programs.

Ms. PELOSI. Mr. Chairman, I rise to support the Mollohan Amendment to increase funding for important housing programs. A shortage of affordable housing plagues America’s cities and rural communities. Nonetheless, this bill fails to fund America’s tremendous housing needs. Even worse, this bill cuts several billion dollars from last year’s budget for many important affordable housing programs.

The majority’s bill denies housing assistance to low-income Americans living in federally subsidized affordable housing. On average, residents of Section 8 housing and public housing and public housing earn only $7,800. This bill denies housing assistance for senior citizens on fixed incomes. It forces working men and women to choose between housing, health care, food, and other basic needs.

Compared to President Clinton’s requested budget, HUD estimates it reduces housing assistance for San Francisco by $10.9 million and denies affordable Section 8 housing vouchers to 458 San Francisco families. It denies housing help to 234 San Francisco residents who are homeless or are living with HIV/AIDS.
Representative MOLLOHAN's amendment would invest additional funding to provide assistance across the country. At the Appropriations Committee, the Republicans rejected MOLLOHAN's amendment. This amendment would have increased investments to build new affordable housing; provide new affordable housing vouchers; provide housing to the homeless; operate, build and modernize public housing; promote community economic development; provide housing and services to seniors, individuals with disabilities, and individuals with HIV/AIDS. Americans need this assistance and this bill falls short.

I urge my colleagues to support Representative MOLLOHAN's amendment and increase housing assistance to low-income Americans.

Mr. UDALL of Colorado. Mr. Chairman, I rise in support of this amendment to increase funding for NASA's Science, Aeronautics, and Technology account to the level of the President's request.

When adequate funding for NASA was threatened in last year's VA-HUD appropriations bill, I received hundreds of letters and calls from my constituents in the 2nd Congressional district in Colorado expressing their concern over proposed budget cuts to federal science and NASA programs. Many of these calls and letters were from students, researchers, and employees who would have seen their work directly affected by cuts in NASA's budget. But many of the letters I received were from citizens with no direct involvement in NASA's programs. To me, their voices were especially significant because they pointed to a common understanding of the importance of continuing our investment in science, technology, research, and learning.

This past February, I hosted a "space weekend" for constituents in my district. I told them at that time that I was encouraged by the President's proposed budget number for fiscal 2001 in the areas of research and development programs in general, and in NASA funding in particular. I told them I was hopeful that Congress would make the wise decision to make these needed investments—investments that will allow us to build on the foundation we've already laid.

Unfortunately, those hopes have not been fulfilled. Today, the bill before us leaves NASA programs $322 million below the budget request. It eliminates almost all of the funding for the Small Aircraft Transportation System and the Aviation Capacity programs, both of which are intended to make use of NASA's technological capabilities to reduce air traffic congestion. If eliminated, all of the funding for NASA's Space Launch Initiative, a program to help maintain America's leadership in space transportation. And it eliminates all the money for NASA's effort to better forecast "solar storms" that, if undetected, can damage the nation's communications and national security satellites. This "Living with a Star" program is especially important to the University of Colorado at Boulder and federal laboratories in my district.

Investing in NASA is a wise decision. The advancement of science and space should concern us all. We only have to look at some examples of the successful transfer and commercialization of NASA-sponsored research and technology to see why. From advances in breast tumor imaging and fetal heart monitoring to innovative ice removal systems for aircraft, NASA technology continues to benefit U.S. enterprises, economic growth and competitiveness, and quality of life.

NASA's Science, Aeronautics, and Technology programs comprise the bulk of NASA's research and development activities. Two of these programs that are of great importance to my constituents are Offices of Space Science and Earth Science, which focus on increasing human understanding of space and the planet through the use of satellites, space probes, and robotic spacecraft to gather and transmit data.

There are still so many unanswered questions about the origins of the universe, the stars and the planets, as well as about how we can use the vantage point of space to develop models to help us predict natural disasters, weather, and climate. But NASA can't answer these questions if we don't provide it with adequate resources. This bill does not make these much needed investments in our future, which is one reason I cannot support it.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from New York insist on his point of order?

Mr. WALSH. I do, Mr. Chairman.

The CHAIRMAN. Does the gentleman yield back the balance of his time?

Mr. WALSH. I do.

The CHAIRMAN. The gentleman will state his point of order.

Mr. WALSH. Mr. Chairman, I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a suballocation of budget totals for fiscal year 2001 on June 20, 2000, House Report 106-683. This amendment would provide new budget authority in excess of the subcommittee's suballocation made under section 302(b) and is not permitted under section 302(f) of this Act.

I ask for a ruling from the Chair.

The CHAIRMAN. The Chair is authoritatively guided by an estimate of the Committee on the Budget, pursuant to section 312 of the Budget Act, that an amendment providing any net increase in new discretionary budget authority would cause a breach of the pertinent allocation of such authority.

The amendment offered by the gentleman from West Virginia (Mr. MOLLOHAN) would increase the level of new discretionary budget authority in the bill. As such, the amendment violates section 302(f) of the Budget Act.

The point of order is therefore sustained. The amendment is not in order.

The Clerk will read:

For necessary expenses, not otherwise provided for, in carrying out mission support for human space flight programs and science, aeronautical, and technology programs, including research operations and support; maintenance; construction of facilities including revitalization and modification of facilities, construction of new facilities and addition to existing facilities; planning and design, environmental compliance and restoration, and acquisition or condemnation of real property, as authorized by law; program management, procurement, and associated costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase, lease, charter, maintenance, and operation of mission and administrative aircraft; not to exceed $40,000 for official representation and representation expenses; purchase of transportation (supplied for replacement only) and hire of passenger motor vehicles, $2,584,000,000 to remain available until September 30, 2002.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $23,000,000.

ADMINISTRATIVE PROVISIONS

Notwithstanding the limitation on the availability of funds appropriated for "Human space flight", "Science, aeronautics and technology", or "Mission support", or "Office of Inspector General", amounts made available by this Act for personnel and related costs and travel expenses of the National Aeronautics and Space Administration shall remain available until September 30, 2003.

Notwithstanding the limitation on the availability of funds appropriated for "Mission support" and "Office of Inspector General", amounts made available by this Act for personnel and related costs and travel expenses of the National Aeronautics and Space Administration shall remain available until September 30, 2003, and may be used to enter into contracts, or obligate funds for obligations, for activities, projects, research, contracts for construction, for services associated with personal relocation, or for other services, to be provided during the next fiscal year. Funds for appropriated purposes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

NATIONAL CREDIT UNION ADMINISTRATION CENTRAL LIQUIDITY FACILITY (INCLUDING TRANSFER OF FUNDS)

During fiscal year 2001, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by title III of the Federal Credit Union Act (12 U.S.C. 1795 et seq.), shall not exceed $3,000,000,000: Provided, That administrative expenses of the Central Liquidity Facility shall not exceed $296,303: Provided further, That $1,000,000 shall be transferred to the Community Development Revolving Loan Fund, of which $650,000, together with amounts of principal and interest on loans repaid, shall be available until expended for loans to community development credit unions, and $350,000 shall be available until expended for technical assistance to low-income and community development credit unions.

NATIONAL SCIENCE FOUNDATION RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950, as...
amended (42 U.S.C. 1861–1875), and the Act to establish a National Science Foundation (42 U.S.C. 1890–1891); services as authorized by 5 U.S.C. 3109; authorized travel; acquisition, maintenance and operation of aircraft and purchase of flight services for research support; $1,135,991,000, of which not less than $294,500,000 shall remain available until expended for Polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic Program; $1,717,808,000, of which $83,739,000, $1,585,813,000, and $23,246,000 shall remain available until expended for National Science Foundation programs as authorized by Public Law 106–29 and this amendment. Provided, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: Provided further, That to the extent that the amount appropriated is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionately.

AMENDMENT OFFERED BY MR. HOLT

Mr. HOLT. Mr. Chairman, I offer an amendment as the designee of the gentleman from Wisconsin (Mr. OBEY).

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HOLT:

Page 77, line 1, after the dollar amount, insert the following: "(increased by $941,990,000)."

Page 77, line 2, after the dollar amount, insert the following: "(increased by $20,910,000)."

Page 77, line 22, after the dollar amount, insert the following: "(increased by $61,940,000)."

Page 77, line 5, after the dollar amount, insert the following: "(increased by $404,990,000)."

Page 78, line 5, after the dollar amount, insert the following: "(increased by $41,700,000)."

Page 78, line 21, after the dollar amount, insert the following: "(increased by $5,890,000)."

Page 79, line 4, after the dollar amount, insert the following: "(increased by $380,000)."

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 20, 2000, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 15 minutes.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the gentleman's amendment and to reserve the balance of my time.

The CHAIRMAN. The gentleman from New York reserves a point of order against the amendment.

The gentleman from New Jersey (Mr. HOLT) is recognized for 15 minutes.

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

Mr. Chairman, there are a number of problems with this bill, but I think one of the greatest is the lack of adequate funding for the National Science Foundation. This is an area that I think we should work in a bipartisan way to correct.

Let me be clear: the gentleman from New York (Chairman WALSH) and the ranking member and the members of the subcommittee have worked hard to meet the pressing needs with the limited funds that they have been given. They do not have more money to spend. But because of inappropriate allocations, the National Science Foundation does not receive the funds it needs to continue its vital work.

Now, in order to maintain our superb economic growth in this country, we need at least two things: a smart, well trained workforce and new ideas. The National Science Foundation plays a crucial role in both areas, in education, both elementary and secondary, as well as higher education, public education and museums and radio and television, and research in all areas.

The NSF supports nearly 50 percent of nonmedical research conducted at academic institutions, and provides the fundamental underpinning for much of the medical research and other research we value in our society.

The VA-HUD appropriations bill we are being asked to support comes up short in the needed investments for the National Science Foundation. It cuts NSF investments in science and engineering by over $500 million, or 13 percent below the level requested by the President. So as funded, the bill would weaken U.S. leadership in science and engineering and deny progress that would result in improvement of the quality of life of all Americans.

This is not just a case of the congressional leadership ignoring the President's request for the National Science Foundation. No. The leadership is ignoring its own plan for NSF funding. Just two months ago, Congress passed a budget blueprint for FY 2001 that called for significant increases in the National Science Foundation funding. As a member of the Committee on Appropriations, I worked to include that funding. In committee I helped pass an amendment to include an additional $100 million for the National Science Foundation and other government research. Later, as the budget came to the floor, along with advocates on both sides of the aisle, we succeeded in raising that allocation almost to the amount requested by the President.

I do not think any of us suspected that a short 60 days later we would be presented with such a disappointing allocation. At that time, with great fanfare, the majority presented these budget increases, this increase in money for the National Science Foundation. Can they not meet their own level?

This is not, and should not be, a partisan issue. Increasing NSF funding would substantially help colleges and universities across the country and would help all Americans benefit in making prudent investments in our future. If we are going to continue to lead the global economy, we must have a well-trained workforce and the best research and scientific explorations in our colleges and universities and research institutions that we can provide.

Mr. Chairman, I urge my colleagues to join me in supporting full funding for the National Science Foundation. Mr. Chairman, I reserve the balance of my time.

Mr. WALSH. Mr. Chairman, I continue to reserve my point of order.

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

The CHAIRMAN. The gentleman from New York is recognized for 15 minutes.

Mr. WALSH. Mr. Chairman, I would like to reassure the gentleman that offered this amendment that the subcommittee did not ignore the President's request. We honored the President's request, and I think the desires of the Congress to the best of our ability, given our allocation. The President requested a $675 million increase in NSF. He also requested a 20 percent increase in HUD and substantial increases elsewhere in the budget. There was no way, given the available resources that we had, to meet that request.

However, what we did do was we increased funding for NASA, increased funding for HUD, increased funding for the Veterans Administration, increased funding for NASA, increased funding for the National Science Foundation. In fact, we increased NSF by almost $170 million. That is a substantial increase. The budget is now over $1 billion. We believe strongly in investing in science and technology. I think that our conference has been clear and our record strong on supporting investments in science. However, we do not have unlimited resources. We are constrained by the allocation, we would add that if funds are made available at the end of this process as we go into the conference that we will look, and I know the gentleman from West Virginia feels the same way, we will look strongly at providing those resources for further investments in technology. At this time, we do not have those funds available to us, and for that reason, I would reluctantly oppose the gentleman's amendment.

Mr. Chairman, I continue to reserve my point of order, and I reserve the balance of my time.

Mr. HOLT. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, we are here today because the committee has underfunded the President's budget request for the National Science Foundation by $600 million. Last year, Chairman Greenspan of the Federal Reserve said this: "Something special has happened to the American economy in recent years. I have hypothesized on a
number of occasions that the synergies that have developed, especially among the microprocessors, the laser, fiber optics and satellite technologies, have dramatically raised the potential rates of return on all types of equipment.

What has happened to the American economy, in my view, has a lot to do with this committee’s and the work of this subcommittee. If we take a look at the technologies that Chairman Greenspan was talking about, this committee has been largely responsible for funding a number of them through the years, and the results show.

If we take a look at the Internet, for instance, in 1985, the National Science Foundation built the first national backbone, the very infrastructure that makes the Internet work today. In 1989, the NSF provided the funding for the development of the first Web browser. The Internet economy will be worth $1 trillion by next year. It employs more than 1 million workers, and it is the engine of growth.

Biotechnology. In one of its first grants in 1951, NSF gave $5,000 that helped to establish the very basis of genetic research. Since that pivotal discovery, the field has exploded. Sixty-five biotechnology drugs have been approved by the FDA since that time.

DNA fingerprinting. In 1995, using a key NSF discovery which made that technique possible, the Centers for Disease Control was able to stop an outbreak of E. Coli illness because of what they had learned over the previous 10 years.

MRI machines. That technology is amazing. It has revolutionized medicine, and that too has grown out of NSF funding.

So has the satellite technology that Dr. Greenspan was talking about.

Mr. HOLT. Mr. Chairman, if we want the economy to grow, if we want to expand our knowledge of the problems that face us on the health front, we have to fund NSF to do the basic science that is required. When they do that, they can, in turn, pass it through to the National Institutes of Health to take it a step further, and we can finally come up with discoveries on how to deal with some of the most dreaded diseases in this society.

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So all it helps to do is to make the economy the engine that it is today. All it helps to do is to help human health and that we have fought against for generations. It is well worth the investment. It is extremely shortsighted for this agency to be short cut just so that the majority party can provide $40 billion in tax cuts to people who make over $500,000 a year. That is a wrong priority; this is the right one. I congratulate the gentleman for offering the amendment.

Mr. WASHINGTON. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman for yielding me this time. I rise in opposition to the amendment.

Mr. Chairman, there are many Federal agencies that compete for the VA-HUD budget allocation: the Veterans Administration, housing and urban development, Environmental Protection Agency, and other independent agencies such as the National Science Foundation. All of us here, Republican or Democrat, support the National Science Foundation because we know that much of their work, the greatest portion of their work, in fact, goes into university-based research. That support is bipartisan and nonpartisan, in fact.

Further, this bill under discussion clearly reinforces the commitment of this Congress to scientific research as we are aware of the National Science Foundation’s 50th anniversary this year. It is funded at a record $4.1 billion. This is an increase of $167 million, or 4.3 percent over last year. We wish it could be more.

It is also the first time funds for this agency have topped the $1 billion level. Mr. Chairman, if we support the work of Federal spending, this agency has been, has had a powerful impact on national science and engineering in most every State and institution of higher learning. Every dollar invested in the National Science Foundation returns manyfold its worth in economic growth.

I note that 5 years ago, the National Science Foundation budget was $3.27 billion in the fiscal year 1997, and 3 years ago, the National Science Foundation budget had climbed to $3.6 billion in 1999.

This year’s increased National Science Foundation appropriation for the fiscal year 2000 continues us in the right direction. The remarkable discoveries mentioned by the gentleman from Wisconsin will continue with this allocation, and with more money, we can find it as this bill goes to conference.

Mr. HOLT. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. Hall), ranking member of the House Committee on Science.

Mr. HALL of Texas. Mr. Chairman, I rise, of course, in strong support of this amendment. The National Science Foundation is one of the few agencies in the government that is investing in the Nation’s future. While we are enduring the most severe economic conditions since I have been in Congress, 20 years, and two generations, I think this is a time when we ought to be increasing our investment and not decreasing it. If not now, then when are we going to do it? And we have not been able to with the deficits back for the last 15 to 18 years.

NSF is shorted by $500 million from the President’s request, and this amendment would fix this problem. If we adopt it, we would fully fund advanced information technology research that is endorsed today by leading American computer firms who tell us that we need it and we ought to do it. And these are important programs that help put the U.S. at the forefront of new computer communications technologies.

This is the same research this body unanimously supported in the February authorization. We supported it then, we ought to support it now.

Mr. WASHINGTON. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM), a member of the Committee on Appropriations.

Mr. CUNNINGHAM of California. Mr. Chairman, one of the things that the other side will try and do as far as smoke and mirrors is they will talk about the President’s request. Republicans brought forward the President’s budget, even his tax increase. The President made false assumptions. He increased taxes, he took Social Security money to balance his budget, and he used false assumptions such as the gas prices would stay the same, and guess what? We know what happened to them. They did not vote for it, but yet they use his numbers.

An example is special education. The most the Democrats when they were in power ever increased special education was 6 percent. With Medicaid, in 5 years, we put it up to 18 percent. We increased special education by $500 million this year, but yet the President’s budget, which none of them voted for, wanted over $1 billion, so Republicans are now cutting special education. That is the logic, and that and tax breaks for the rich is to fool the uninformed. It is a sham.

Mr. HOLT. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), someone who is very well positioned to speak to this as the ranking member on the Subcommittee on Basic Research.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, let me express my appreciation again to the committee and subcommittee chairs for their leadership, but it is time to set the record straight. This is what we need the most to keep the rich rich and to provide for educational opportunities for young people coming along so we
can stop having to lift the caps of H1-B visas to bring people over here to do the job. This is that the in this country for that reason and provides for the support of teachers and who get our young people educated so that they can enter this marketplace.

Mr. Chairman, it is time for us to stop taking an attempt to tell the real truth. The very rich in this country have not begged for this tax break. We are trying to cut all the basic things in order to save the money to give this tax cut for the very, very rich.

We have made them have the opportunity for this wealth by this very research that can be done right here with these dollars. Mr. Chairman, $500 million is merely a drop in the bucket for what we will get in return. Every dollar we have ever put in research has come back fourfold.

Mr. Chairman, I rise in strong support of the amendment. It will restore over $500 million cut by the underlying bill from the President’s historic budget proposal for the National Science Foundation. The increase will bolster the activities of an agency with a critically important role in sustaining the nation’s capabilities in science and engineering research and education.

Basic research discoveries launch new industries that bring returns to the economy that far exceed the public investment. One striking example is information technology, which Federal Reserve Chairman Alan Greenspan has repeatedly cited as primarily responsible for the nation’s sparkling economic performance. Applications of information technology alone account for one-third of U.S. economic growth, and create jobs that pay almost 80 percent more than the average private-sector wage.

Restoring funding for NSF is important for the overall health of the nation’s research enterprise because NSF is the only federal agency that carries out research and education in all fields of science and engineering. While a relatively small agency, NSF nevertheless is the source of 36% of federal funding for basic research performed at universities and colleges in the physical sciences; 49% in environmental sciences; 50% in engineering; 72% in mathematics; and 78% in computer science.

Recent trends in basic research support in some important fields have been alarming. For example, since 1993, physics funding has gone down by 29%; chemistry by 9%; electrical engineering by 36%; and mathematics by 6%.

Last year alone, NSF could not fund 3,800 proposals that received very good or excellent ratings by peer reviewers. Good research ideas that are not pursued are lost opportunities. The amendment will greatly reduce the number of meritorious research ideas doomed to rejection because of inadequate budgets.

The amendment will enable NSF to fund 4,000 more awards than the underlying bill for state-of-the-art research and education activities. It will prevent the curtailing of investments in exciting, cutting-edge research initiatives, such as information technology, nanoscale science and engineering, and environmental research. The effect of the amendment will be to speed the development of new discoveries with immense potential to generate significant benefits to society.

Passage of NSF research Funding appropriately demonstrates the payoff possibilities:

Genetics—NSF played a critical role in supporting the basic research that led to the breakthroughs of mapping the human genome for which NIH justly receives credit. Research supported by NSF was key to the development of the polymerase chain reaction and a great deal of the technology used for sequencing.

Magnetic Resonance Imaging—MRI, one of the most comprehensive medical diagnostic tools, was made possible by combining information gained through the study of the spin characteristics of basic matter, research in mathematics, and high flux magnets.

Jet Printers—The mathematical equations that describe the behavior of fluid under pressure, which were developed under NSF support, provided the foundation for developing the ink jet printer.

Ozone Hole—NSF-funded research in atmospheric chemistry identified ozone depletion over the Antarctic, or the “ozone hole” as it has come to be known, and established a clear, probable cause. Since CFCs are used in many commercial applications, this discovery has driven the search for benign substitutes and has led to a reduction of CFC emissions.

The increase in funding made possible by the amendment also translates into almost 18,000 more researchers, educators, and students receiving NSF support. This is a direct, and positive, effect on the shortages projected in the high-tech workforce. It will increase the number of well-trained scientists and engineers needed for the Nation’s future.

I regret that H.R. 4635 limits support for NSF-sponsored research that will lead to breakthroughs in information technology, materials, environmental protection, and a host of technology dependent industries.

The amendment will sustain the economic growth that has been fueled by advances in basic research by restoring needed resources for the math, science, and engineering research and education activities of the National Science Foundation.

Mr. WALSCH. Mr. Chairman, I continue to reserve my point of order, and since I have no further requests for time, I reserve the balance of my time.

Mr. HOLT. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Chairman, I rise in support of the Obey-Holt amendment to restore funding to the National Science Foundation in the amount of $508 million. As a former superintendent of my State schools, I know firsthand that the support for NSF for science and engineering education is so important. Every dollar invested in this agency returns manyfold its worth in economic growth.

As the lead source of Federal funding for basic research at colleges and universities, NSF supports research in educational programs that are crucial to technological advances in the private sector and for training of our next generation of scientists and engineers, as we have already heard.

This appropriation will not jeopardize the Nation’s investment in the future by cutting NSF funding for science and engineering research and education by over $500 million. This is about 11% of the budget. This reduction will seriously undermine the importance of the Future Workforce Initiative and critical to ensuring students can become the leaders of our nation’s knowledge-based economy.

Our values call on us to invest in our people for our nation’s future rather than to waste our resources on an irresponsible tax plan.

This is about 11 percent below the requested level, and this reduction will seriously undermine previous investments in cutting-edge research and jeopardize research.

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

Mr. HOLT. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from West Virginia (Mr. MOLLOHAN), the ranking member of the subcommittee.

Mr. MOLLOHAN. Mr. Chairman, I thank the gentleman from New Jersey for yielding time to me.

First let me compliment the gentleman from New Jersey (Mr. HOL) on his legislation. In a very short period of time in the Congress he has distinguished himself as an expert in the area of government-sponsored research, and also has been its strongest advocate.

I want to say that it is particularly appropriate that he is the author of this amendment because of the reputation that he is establishing in this area. We appreciate the gentleman’s efforts.

Mr. Chairman, let me compliment the chairman of my subcommittee for being able to find money for a 4 percent increase in the NSF budget. In this budget allocation that we were given in our committee, that is quite a feat. It is in fact a recognition of his attitude towards how important basic funding research is.

But it is not enough. Our economy, our new economy, demands that we invest more in the National Science Foundation in basic research. That is why I strongly support the gentleman’s amendment.

Mr. HOLT. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. OLIVER), who knows of
what he speaks. He in fact has done NSF-funded research.

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

Mr. Chairman, I rise in support of the Obey-Holt amendment. Work funded by the NSF touches our lives every day in a multitude of ways, from the meteorological technology like Doppler radar, which more accurately predicts storm paths, to advances in fiber optics used by the cable TV, the long distance telephone, and computer industries that benefits every American, to research to develop edible vaccines which would make vaccinating large groups of people easier.

Mr. Chairman, these scientific advances are the result of decades of sustained research. We must invest in NSF research today to maximize the benefits of science and technology for tomorrow and the future. Our world and our economy are changing rapidly. We should fortify the shortchange basic science research because that would shortchange our very futures.

I urge passage of the amendment.

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

I thank the gentleman for his good remarks, and I also thank the gentleman from West Virginia (Mr. MOLLOAN). I think they hit it on the head. What we are confronted with, Mr. Chairman, is an appropriation that comes in not just below the President's budget but below the request of the majority party.

In their budget resolution with great fanfare just a couple of months ago they announced that they had increased the number for research to nearly the President's budget. Now we are faced with an appropriations bill that is $500 million below that. This is penny wise and pound foolish.

I am especially troubled by the $34 million reduction in NSF's education programs below this request. Cuts in undergraduate education undermine scholastic endeavors in every State in the Nation. In my own central New Jersey district, NSF education programs are funding projects at Monmouth University and Princeton University and Rider University. It would be a big mistake to reduce funding in these crucial areas.

Mr. Chairman, economists do not agree on much, I find, but there is one thing that I hear over and over again from economists from Berkley to Harvard to Chicago to Alan Greenspan at the Federal Reserve. We are now enjoying the fruits of investment in research and development made in decades past. We are not talking about just a little tweaking of the NSF and Federal research; we need to make a significantly greater investment in the research budget if we have any hope of maintaining the kind of economic growth that we are coming to rely on.

We also need a smart, well-trained work force, and NSF contributes directly to that through education in elementary and secondary schools through higher education and through public education. We will not find better investments in our children's future than investment in education and in research. That is what this amendment is about.

Mr. LARSON. Mr. Chairman, I rise today in support of the amendment offered by the gentleman from New Jersey, Mr. HOLT, to the Fiscal Year 2001 VA-HUD Appropriations bill. Without the adoption of Mr. HOLT's timely amendment this bill will be woefully inadequate. As it stands, this bill would cut the National Science Foundation's budget for science and engineering research by over $500 million from the President's request. Mr. HOLT's amendment will reinstate much of this funding and will allow important NSF programs to continue and grow.

The current version of H.R. 4635 includes a reduction of 21 percent from NSF's requested sum for undergraduate education. This includes a nearly 50 percent cut in funding for the National Science, Math, Engineering and Technology Education Digital Library. Obviously, today's students cannot become tomorrow's leaders if they do not have a proper education. We must strive to give our students, the nation, the expertise they need to learn the valuable information they will need for the 21st century.

Additionally, the bill we have on the floor today will eliminate funding for almost 18,000 researchers and science and mathematics educators. These scientists and educators perform cutting edge research on a daily basis, and the elimination of their funding will weaken the United States world leadership in the fields of science and engineering. Furthermore, the bill will severely underfund for basic research, including health care, environmental protection, energy, and food production. Fortunately, Mr. HOLT's amendment will restore this funding and allow the United States to maintain its reputation in the field of international research. Moreover, H.R. 4635 would result in the elimination of 4,000 grants for research and educational endeavors. Through this reduction, investments in the crucial fields of information technology, nanoscale science and engineering, and environmental research will drop, and thus will slow the development of new discoveries. Clearly, these cuts must be restored so that American technology can stay competitive in the global marketplace. Mr. HOLT's amendment will allow American technology to continue to advance and improve.

Finally, we must remember that in the past 50 years, half of U.S. economic productivity can be attributed to technological innovation. In order to maintain our leadership for the next 50 years, we must make this important investment in America's future and support the NSF. As a result, I urge all my colleagues to support this amendment and I commend Mr. HOLT for his steadfast leadership on this issue.

Mr. HOLT. Mr. Chairman, I yield back the balance of my time.

Mr. WALTH. Mr. Chairman, I yield back the balance of my time.

The Chairman. Does the gentleman from New York (Mr. WALTH) insist on his point of order?

Mr. WALTH. Mr. Chairman, I do insist on my point of order. I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974.

The Committee on Appropriations filed a suballocation of budget totals for fiscal year 2001 on June 21, 2000, House Report 106–686. This amendment would provide new budget authority in excess of the subcommittee suballocation made under section 302(b), and is not permitted under section 302(f) of the Act.

The Chairman. I ask for a ruling from the Chair.

The Chairman. Does any Member wish to be heard?

The Chairman. The Chair is authoritatively guided by an estimate of the Committee on the Budget, pursuant to section 312 of the Budget Act, the amendment providing any net increase in discretionary budget authority would cause a breach of the pertinence allocation of such authority.

The amendment offered by the gentleman from New Jersey (Mr. HOLT) would increase the level of new discretionary budget authority in the bill. As such, the amendment violates section 302(f) of the Budget Act.

The point of order is therefore sustained. The amendment is not in order. The Clerk will read. The Clerk reads as follows:

MAJOR RESEARCH EQUIPMENT

SALARIES AND EXPENSES

Provided, That contracts, grants, and agreements made under section 302(f) of the Budget Act, pursuant to section 302(f) of the Budget Act, provided that the amount of this appropriation is in excess of the subcommittee suballocation made under section 302(b), and is not permitted under section 302(f) of the Act.

For necessary expenses of major construction projects pursuant to the National Science Foundation Act of 1950, as amended, including authorized travel, $76,600,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950, as amended, including services as authorized by 5 U.S.C. 3109, authorized travel, and rental of conference rooms in the District of Columbia, $694,310,000, to remain available until September 30, 2002: Provided, That to the extent that the amount of this appropriation is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally.

SALARIES AND EXPENSES

For salaries and expenses necessary in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 5901–5912; hire of passenger motor vehicles; not to exceed $9,000 for official reception and representation expenses; uniforms or allowances therefore; services authorized by 5 U.S.C. 3109; rental of conference rooms in the District of Columbia; reimbursement of the General Services Administration for security guard services, $12,000; $12,000: Provided, That contracts may be entered into under “Salaries and expenses” in fiscal year 2001 for maintenance
and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF INSPECTOR GENERAL


NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood development activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $90,000,000, of which $5,000,000 shall be for a homeownership and the Selective Service System shall be available in the current fiscal year for assistance under the United States Housing Act of 1937.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformly enrolled personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; and not to exceed $150,000 for official reception and representation expenses; $25,000,000: Provided. That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

TITLE IV—GENERAL PROVISIONS

SEC. 401. Where appropriations in titles I, II, and III of this Act are expendable for travel expenses and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amounts set forth therefore in the budget estimates submitted for the appropriations: Provided, That this provision does not apply to accounts that do not contain an object classification for travel: Provided further. That this section shall not apply to travel performed by nonveterans, officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical patients of the Department of Veterans Affairs; to travel performed in connection with major disasters or emergencies declared or determined by the President under the provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; to travel performed by the Offices of Inspector General in connection with audits and investigations; or to payments to interagency motor pools where separately set forth in the budget schedules: Provided further. That if appropriations in titles I, II, and III exceed the amounts set forth in budget estimates initially submitted for such appropriations, the expenditures for travel may correspondingly exceed the amounts therefore set forth in the estimates in the same proportion.

SEC. 402. Appropriations and funds available for the administrative expenses of the Department of Housing and Urban Development and the Selective Service System shall be available in the current fiscal year for purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902, hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109.

The CHAIRMAN (during the reading). The Chair will suspend the reading.

VOTING PROCEEDINGS

Voting on Amendments

The CHAIRMAN. Pursuant to House Resolution 355, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: the amendment offered by the gentleman from New York (Mr. Hinchey); the amendment No. 48 offered by the gentleman from Indiana (Mr. Roemer).

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mrs. Kelly) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Chair will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. Kelly:

Page 25, line 19, after the dollar amount, insert the following: "(increased by $1,000,000)."

Page 45, line 12, after the first dollar amount, insert the following: "(increased by $1,000,000)."

Recorded Vote

Page 45, line 12, after the first dollar amount, insert the following: "(increased by $1,000,000)."

Page 25, line 19, after the dollar amount, insert the following: "(increased by $1,000,000)."

The vote was taken by electronic device, and there were—ayes 250, noes 170, not voting 14, as follows:

AYES—250

Baker, Charles B."Abercrombie, Walter B."

State, CT

Aderholt, Robert B.

Baldacci, Paul J.

Page 45, line 12, after the first dollar amount, insert the following: "(increased by $1,000,000)."

Recorded Vote

AYES—250

Baker, Charles B."Abercrombie, Walter B."

State, CT

Aderholt, Robert B.

Baldacci, Paul J.

Page 45, line 12, after the first dollar amount, insert the following: "(increased by $1,000,000)."

Recorded Vote

AYES—250

Baker, Charles B."Abercrombie, Walter B."

State, CT

Aderholt, Robert B.

Baldacci, Paul J.

Page 45, line 12, after the first dollar amount, insert the following: "(increased by $1,000,000)."

Recorded Vote

AYES—250

Baker, Charles B."Abercrombie, Walter B."

State, CT

Aderholt, Robert B.

Baldacci, Paul J.

Page 45, line 12, after the first dollar amount, insert the following: "(increased by $1,000,000)."

Recorded Vote

AYES—250

Baker, Charles B."Abercrombie, Walter B."

State, CT

Aderholt, Robert B.

Baldacci, Paul J.

Page 45, line 12, after the first dollar amount, insert the following: "(increased by $1,000,000)."

Recorded Vote

AYES—250

Baker, Charles B."Abercrombie, Walter B."

State, CT

Aderholt, Robert B.

Baldacci, Paul J.

Page 45, line 12, after the first dollar amount, insert the following: "(increased by $1,000,000)."

Recorded Vote

AYES—250

Baker, Charles B."Abercrombie, Walter B."

State, CT

Aderholt, Robert B.

Baldacci, Paul J.

Page 45, line 12, after the first dollar amount, insert the following: "(increased by $1,000,000)."

Recorded Vote

AYES—250

Baker, Charles B."Abercrombie, Walter B."

State, CT

Aderholt, Robert B.

Baldacci, Paul J.

Page 45, line 12, after the first dollar amount, insert the following: "(increased by $1,000,000)."

Recorded Vote
The CHAIRMAN. Pursuant to House Resolution 525, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 22 OFFERED BY MR. HINCHEN

Mr. HINCHEN. The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 22 offered by the gentleman from New York (Mr. HINCHEN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 22 offered by Mr. HINCHEN: Page 46, line 21, after the dollar amount, insert the following: "(increased by $4,770,000)".

The vote was taken by electronic device, and there were—ayes 207, noes 211, not voting 16, as follows:

[Roll No. 300] NOES—211

Mr. DAVIS of Florida and Mr. SNYDER changed their vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. DEUTSCH, Mr. Chairman, on rollcall No. 300, had I been present, I would have voted "yea."
The vote was taken by electronic device, and there were—ayes 98, noes 325, not voting 11, as follows:

AYES—98

Barrett (WI)...
Hoeven...
Enisch...
Hefley...
Gutierrez...
Goodlatte...
Goodling...
Ganske...
Goss...
Gehrhart...
Gibbons...
Gillum...
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Mr. WALSH. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 90, line 16, be considered as read and printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the bill from page 81, line 11 through page 90, line 16 is as follows:

SEC. 401. Grants for Research and Development.

Mr. ABERCROMBIE. Mr. Chairman, earlier today, I was unavoidably detained from presence on the House floor as a result of meetings at the White House with respect to the Medal of Honor winners. Had I been present, I would have voted on amendments to H.R. 4633, Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001: on rollover number 300, yes; rollcall number 301, yes; and rollcall number 302, yes.

NOT VOTING—11

Abercrombie
Campbell
McIntosh
Serrano

Cook
Reynolds
Wynn

DeLay
Royal-Allard

H. 4633—Paul
H. 4633—Paul
H. 4633—Paul
H. 4633—Paul
H. 4633—Paul
H. 4633—Paul
H. 4633—Paul
H. 4633—Paul
H. 4633—Paul
H. 4633—Paul

Amendment of the bill from page 81, line 1 through page 90, line 16 is as follows:

SEC. 402. Expenditures for Research and Development.

SEC. 403. Appropriations for Research and Development.


SEC. 405. Appropriations for the National Science Board.

SEC. 406. Appropriations for the National Aeronautics and Space Administration.

SEC. 407. Appropriations for the National Institute of Standards and Technology.

SEC. 408. Appropriations for the National Science Foundation.


SEC. 410. Appropriations for the National Institutes of Health.

SEC. 411. Appropriations for the National Endowment for the Arts.

SEC. 412. Appropriations for the National Endowment for the Humanities.

SEC. 413. Appropriations for the National Endowment for the Arts and the Humanities.

SEC. 414. Appropriations for the National Endowment for the Humanities.

SEC. 415. Appropriations for the National Endowment for the Arts.

SEC. 416. Appropriations for the National Endowment for the Humanities.

SEC. 417. Appropriations for the National Endowment for the Arts.

SEC. 418. Appropriations for the National Endowment for the Humanities.

SEC. 419. Appropriations for the National Endowment for the Arts.

SEC. 420. Appropriations for the National Endowment for the Humanities.

SEC. 421. Appropriations for the National Endowment for the Arts.

SEC. 422. Appropriations for the National Endowment for the Humanities.

SEC. 423. Appropriations for the National Endowment for the Arts.

SEC. 424. Appropriations for the National Endowment for the Humanities.

SEC. 425. Appropriations for the National Endowment for the Arts.

SEC. 426. Appropriations for the National Endowment for the Humanities.

SEC. 427. Appropriations for the National Endowment for the Arts.

SEC. 428. Appropriations for the National Endowment for the Humanities.

SEC. 429. Appropriations for the National Endowment for the Arts.

SEC. 430. Appropriations for the National Endowment for the Humanities.

SEC. 431. Appropriations for the National Endowment for the Arts.

SEC. 432. Appropriations for the National Endowment for the Humanities.

SEC. 433. Appropriations for the National Endowment for the Arts.

SEC. 434. Appropriations for the National Endowment for the Humanities.

SEC. 435. Appropriations for the National Endowment for the Arts.

SEC. 436. Appropriations for the National Endowment for the Humanities.

SEC. 437. Appropriations for the National Endowment for the Arts.

SEC. 438. Appropriations for the National Endowment for the Humanities.

SEC. 439. Appropriations for the National Endowment for the Arts.

SEC. 440. Appropriations for the National Endowment for the Humanities.

SEC. 441. Appropriations for the National Endowment for the Arts.

SEC. 442. Appropriations for the National Endowment for the Humanities.

SEC. 443. Appropriations for the National Endowment for the Arts.
project, or activity, when it is made known to the official to whom the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 419. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Act as may be necessary in carrying out the programs set forth in the budget for 2001 for such corporation or agency except as hereinafter provided: Provided, That collections of fees otherwise made available by this Act shall be used to support the activities of the Federal Consumer Information Center, from the total number of Senior Executive Service positions authorized to the General Services Administration by the Office of Personnel Management: Provided, That said Senior Executive Service slot shall remain hereafter the property of the United States Government.

SEC. 420. NASA FULL COST ACCOUNTING.—Title III of the National Aeronautics and Space Act of 1958, P.L. 85–566, is amended by adding the following new section at the end thereof:

"Sec. 312. (a) Appropriations for the Administration for fiscal year 2002 and thereafter shall be made in three accounts, "Human space flight", "Science, aeronautics and technology," and an account for amounts appropriated for the necessary expenses of the Office of Inspector General. Appropriations shall remain available for two fiscal years. Each account shall include the planned full costs of the Administration’s related activities.

"(b) To ensure the safe, timely, and successful accomplishment of Administration missions, the Administration may transfer amounts for Federal salaries and benefits; training programs; equipment; administrative, support, and related costs; information technology services; publishing services; science, engineering, fabricating and testing services; and other administrative services among accounts, as necessary.

"(c) The Administrator, in consultation with the Director of the Office of Management and Budget, shall determine what balances from the "Mission support" account are to be transferred to the "Human space flight" and "Science, aeronautics and technology" accounts. Such balances shall be transferred and merged with the "Human space flight" and "Science, aeronautics and technology" accounts, and remain available for the period of time for which originally appropriated."
construction of secondary treatment on our side of the border that will ade-
quately address both current and future 
flows of Mexican sewage.

The Federal Government requires upgrades for environmental reasons at
similar private sector and local facili-
ties all over this country, but at the same time this arbitrary cap which was
set by a previous Congress is resulting in the violation by the Federal Govern-
ment of its own Clean Water Act. As the chairman of the subcommittee is
aware, I have prepared an amendment to his bill which would have sought a
lifting of this cap, and the facilitation of the timely construction of the sec-
ondary sewage facility. However, I am informed that the amendment would
have been subject to a point of order as legislation on an appropriation bill.

Mr. WALSH. I thank the gentleman for his statement and I thank him also for
his strong environmental leadership in Southern California. He is noted through-
out this House for his clear thinking. The gentleman is correct that while the intentions of this
amendment are quite clear, because the effect of the amendment would
alter existing law, it would be in viola-
tion of clause 2 of rule XXI, and I would reluctantly be forced to bring a
point of order against the amendment which would be sustained.

Mr. BILBRAY. I thank the gentleman for the clarification. Given this pro-
cedural situation, I will not be of-
fering my amendment at this time but will
continue to work together with the gentleman on his bill to address the cap issue as the legislation moves
forward.

Mr. WALSH. I appreciate the gentleman’s remarks and will certainly con-
tinue to work with him on this issue. The gentleman from California has
made very clear to me the chronic problems his community faces as a re-

sult of the problems of Mexican sewage flows, and he has made clear his desire to
lift the cap in order to help provide the appropriate levels of treatment to
do so.

While we share his interest in resolv-
ing this issue, we remain concerned with the preferred proposal which EPA
has chosen by which to provide sec-
ondary treatment which we believe would not be adequate to protect the
public health. We therefore believe it
would be unwise to raise the cap at this time. As is stated in the report, how-
ever, the committee will be continuing to
examine progress on this issue, in-
cluding the potential for secondary fa-
cilities to be sited in Mexico. We an-
ticipate continuing to revisit this
important issue at a later time.

Mr. BILBRAY. I want to thank the gentleman for his consideration and
commitment. Mr. Chairman, my com-
community is just asking how many more decades have the citizens of Imperial Beach and South San Diego
are protected by their Federal Government
from pollution from a foreign country.

Mr. LEWIS of California. Mr. Chair-
man, I yield to the gentleman from California (Mr. WAXMAN) for a
colloquy between himself and the
gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Chair-
man, I yield to the gentleman from California (Mr. WAXMAN) for a

Mr. MOLLOHAN. I yield to the
gentleman from California (Mr. WAXMAN) to enter into a colloquy to clarify the effects of this legislation on
EPA’s pending radon drinking water regulation. It may surprise some in this body to know that the gentleman from California (Mr. WAXMAN) and I have a long history of working to-
gether on behalf of the environment, particularly in California. The issue of radon gives us another opportunity to
work together in a bipartisan fashion. Water districts across the country are understandably concerned about the high cost of treatment for radon while little is done to address radon in indoor air. EPA’s own science indicates that 98 percent of the threat from radon comes from sources other than drinking water. Is this the gentleman’s understanding?

Mr. WAXMAN. The gentleman is correct. I would also note our history of working together to protect the environment. Radon in indoor air is the second leading cause of lung cancer and is a serious public health concern. Although radon in tap water can pose significant risk, the clear majority of the risk from radon on a national basis comes from radon seeping into homes from soil. For this reason and for the reasons the gentleman stated, the Safe Drinking Water Act was drafted to allow for the implementation of multimedia programs that would allow States to focus on radon more on indoor air than on drinking water. This would allow the States to address radon in the most cost-effective manner possible. If States implement these programs, then public water systems could comply with much less stringent standards while we achieve improved public health protection.

Mr. LEWIS of California. I agree that radon is a serious public health issue and that a multimedia approach is a sensible way to address it. Unfortunately, I have heard many concerns from my constituents about this proposed regulation. I believe other Members have as well. In California alone, if the State does not adopt a multimedia program, the water agencies have stated that this new standard for radon in water would cost water customers some $400 million in the first year of implementation. Would the gentleman agree that it may be appropriate for Congress to pass legislation to provide greater health protection than the proposed radon drinking water rule? My intent is to provide reasonable resources to address radon in indoor air and provide greater certainty to drinking water providers that they will be spending money sensibly.

Mr. WAXMAN. I agree and believe the law could be strengthened in this manner. I want to commit to working together on an expedited basis to develop legislative language that would achieve these goals. I believe we do not need to delay the EPA regulations to achieve this goal and that delaying the regulations may be counterproductive. Will the gentleman agree to work on legislation with technical assistance from EPA?

Mr. LEWIS of California. I certainly will. I appreciate the gentleman extending that hand, for there is little doubt that this problem does not know partisan lines and to be able to work together with him dealing with EPA would be very helpful to me and much appreciated.

Mr. WAXMAN. Will the gentleman also agree to address the radon report language in conference to prevent the rule from being delayed?

Mr. LEWIS of California. Yes, I will if the gentleman will agree to work on a bipartisan approach to this problem that is a good solution. Bipartisan legislation could address the concerns of all stakeholders. I look forward to working with the gentleman.

Mr. WAXMAN. I look forward to working with him in seeing that we can resolve this in a way that will be most productive for protecting public health.

Mr. LEWIS of California. We appreciate the committee’s cooperation.

AMENDMENT OFFERED BY MS. KAPTUR

Mrs. KAPTUR. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. KAPTUR:

Page 19, after line 21, insert the following new section:

SEC. 114. Not later than March 30, 2001, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of the Senate and House of Representatives a report on the program of the Department of Veterans Affairs for the establishment and operation at Department medical centers of Mental Illness Research, Education and Clinical Centers (MIRECCs). The report shall include the following:

(1) Identification of the allocation by the Secretary, from funds appropriated for the Department in this Act and for prior fiscal years, of funds for such Centers, including the number of Centers for which funds were provided and the locations of those Centers.

(2) A description of the research activities carried out by those Centers with respect to major mental illnesses affecting veterans.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 20, 2000, the gentlewoman from Ohio (Ms. KAPTUR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I yield myself such time as I may consume. The amendment I am offering today would require the Department of Veterans Affairs by March 30 of next year to report to the Congress on the establishment and operation of their mental illness research, education and clinical centers. In addition, the report would include an accounting of the funds allocated by the Department for these centers and a description of the research activities carried out by these facilities.

Let me say that serious mental illness remains one of the most debilitating and costly scourges facing individuals who suffer, their families and our Nation’s communities. Among those who suffer are thousands and thousands of veterans. Nearly 2 years ago right outside these doors, Officers Gibson and Chestnut were gunned down just inside this Capitol by a person who had suffered from serious mental illness. I asked myself then when would we as a Nation look at this set of illnesses squarely in the eye and do what is required to unlock the mysteries that shroud medical understanding and treatment?

Importantly, at the direction of this Congress, the Department of Veterans Affairs has now opened eight mental illness research, education and clinical centers across our country. The Department is noted for so many scientific breakthroughs. I just want to also state for the record that three of the centers that currently operate were opened in 1997, three more in 1998, and the last two in 1999. In the 1999 selection process, there were eight applicants and of these, five merited site visits and two were considered outstanding and were approved.

But it is estimated that even with the opening of these centers, the Veterans Affairs budget for mental health research has remained flat for a decade and a half.

VA mental health research remains disproportionate to the utilization of mental illness treatment services by veterans. In fact, in 1988 only 11 percent of all VA research was dedicated to chronic mental illness, substance abuse and post-traumatic stress syndrome, despite the fact that nearly 25 percent of patients in the system receive mental illness treatment. That is one system where people are actually being treated. The problem is we do not have answers to so many of these serious illnesses, illnesses like schizophrenia, illnesses like bipolar disorder, illnesses that do not go away but are in fact chemical imbalances of the central nervous system.

My amendment is an attempt to get the Department of Veterans Affairs to carefully focus on what they are doing to provide this Congress with a better understanding on the mission of each of the centers, their funding as well as their achievements so we can work hand in hand with the Department to help not just find answers for America’s veterans but indeed to use the Department of Veterans Affairs to find answers for all those who suffer from these horrendous diseases here in our country.

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

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

The CHAIRMAN. Does the gentleman from New York (Mr. WALSH) claim the time in opposition?

Mr. WALSH. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. WALSH. Mr. Chairman, I yield myself such time as I may consume.
Mr. Chairman, I am not in opposition, and I thank the gentlewoman from Ohio (Ms. KAPTUR) for her amendment. I thank her for her strong advocacy for the mentally ill. She has always worked extremely hard and with real dedication to this issue to ensure that medical and social services are reached by those in need, especially our veterans.

I know of no objection to this amendment, and for that reason, I would accept the amendment and urge its adoption.

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

Mr. Chairman, I want to thank the chairman of the subcommittee, the gentleman from New York (Mr. WALSH) for his openness and willingness to work hand and hand with us on this and also express my appreciation on behalf of all of those who suffer.

Mr. Chairman, I also want to thank the ranking member of the subcommittee, the gentleman from West Virginia (Mr. MOLLOHAN) for allowing this time early on in this particular title. I genuinely appreciate the acceptance of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

The amendment was agreed to.

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

Mr. Chairman, I rise to enter into a colloquy with a member of the subcommittee, the gentleman from Michigan, a distinguished Member (Mr. KNOLLENBERG).

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

Mr. WALSH. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I appreciate the gentleman for yielding to me on this issue. I want to report to the gentleman from New York (Mr. WALSH) that the NRC, the Nuclear Regulatory Commission, has just contacted me to state their claim that any failure to achieve an MOU, a memorandum of understanding, with the EPA is not for any lack of trying on the part of the NRC.

I hope the conference move to and through the conference that we have an opportunity to look into the matter and examine the facts and merits of their claim.

Mr. WALSH. Mr. Chairman, I thank the gentleman for communicating this matter to me and to the subcommittee and will look into the claim of the Nuclear Regulatory Commission and the attendant report language.

AMENDMENT OFFERED BY MR. EDWARDS

Mr. EDWARDS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. EDWARDS:

At the end of the bill (before the short title), insert the following new section:

SEC. 1. (a) The amount provided in title I for "VETERANS HEALTH ADMINISTRATION—Medical Care" is hereby increased by $500,000,000, and the amount provided in title I for "VETERANS HEALTH ADMINISTRATION—Medical and Prosthetic Research" is hereby increased by $65,000,000.

(b) Any reduction for a taxable year beginning before January 1, 2003, in the rate of tax on estates under the Internal Revenue Code of 1986 that is enacted during 2000 shall not apply to a taxable estate in excess of $20,000,000.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 20, 2000, the gentleman from Texas (Mr. EDWARDS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Texas (Mr. EDWARDS).

Mr. WALSH. Mr. Chairman, I reserve a point of order against the amendment of the gentleman from Texas (Mr. EDWARDS).

The CHAIRMAN. The gentleman from New York (Mr. WALSH) reserves a point of order.

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

Mr. Chairman, I can think of no group that deserves Congress’ support more than America’s veterans, and this amendment is about supporting and keeping our commitment to those veterans.

According to the Disabled American Veterans, the Veterans of Foreign Wars, AMVETS, and the Paralyzed Veterans of America, the $535 million in increased VA medical care and research funding in this amendment is needed and I quote, “to fill the funding gap so the needs of our Nation’s veterans can be properly met.”

Dennis Cullinan, director of the National Legislative Council for the Veterans of Foreign Wars sent me a letter 2 days ago saying the VFW, and I quote, “would like to take this opportunity to extend our support to your amendment.”

Mr. Chairman, why is this amendment needed? The answer is very simple, to keep our commitment to our Nation’s veterans, just as those veterans have kept their commitment to us. As the DAV, VFW, AMVETS and Paralyzed Veterans of America have said, “over the past decade, spending for veterans’ health care has fallen dramatically short of keeping pace with medical inflation and associated cost increases.”

How do we pay for my amendment? We do it by simply delaying the recently passed estate tax reduction for estates only over $20 million. That would save us $1 billion over 2 years, the exact same amount it would take to improve health care for America’s 25 million veterans.

In other words, we can see that millions of veterans receive the health care they need and deserve if this House will simply today say that approximately 6 of the richest families in each State should not receive a $500 million a year tax windfall.

The choice is very clear. We can tell one-tenthousandth of 1 percent of the richest estates in America that we are not going to give you a tax break. Why? So we can take care of the millions of veterans who sacrificed to ensure your family’s freedom and opportunity.

The question today is, whose side are we on? Do we want to help millions of veterans struggling to get better health care, or do we want to help one-tenthousandth of 1 percent of America’s most affluent families?

Mr. Chairman, I have heard a lot of candidate speeches lately about values, but I would suggest that, as Members of Congress, our values are very clear. Our values is that we must place the needs of our Nation’s veterans first and set their policy aside those constraints.

Mr. Chairman, this amendment should be a simple choice. It is a clear choice. If no Member of this House will object this afternoon, we can pass this amendment and help veterans today.

I would point out the Republican leadership did let tax provisions be put in the appropriations bill passed just 2 weeks ago on this floor.

We do not even have to raise taxes on the wealthy, who frankly have already received enormous tax cuts through reductions and capital gains taxes. All we have to do is tell Bill Gates and Steve Forbes and about 300 of America’s richest estates each year that we believe that veterans care of millions of veterans and their health care is more important than giving another tax break.

Mr. Chairman, let me say they have done a very respectable, fine job of supporting veterans given the Republican budget constraints caused by massive regressive tax proposals.

We do not even have to raise taxes on the wealthy, who frankly have already received enormous tax cuts through reductions and capital gains taxes. All we have to do is tell Bill Gates and Steve Forbes and about 300 of America’s richest estates each year that we believe that veterans care of millions of veterans and their health care is more important than giving another tax break.

Mr. Chairman, let me say they have done a very respectable, fine job of supporting veterans given the Republican budget constraints caused by massive regressive tax proposals.

I do want to commend the gentleman from New York (Mr. WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN) for their subcommittee work. They have done well within those constraints.

This amendment though is not about their work on the Appropriations Subcommittee, rather this amendment is about a clear choice of whether Congress should spend an additional $500 million helping one-tenthousandth of 1 percent of America’s families or whether we want to take that same $500 million and help millions of America’s veterans.
It is a clear choice. This amendment is about our priorities in this House. It is about whose side are we on. Let us vote for the Edwards amendment and stand by the veterans who have stood up for all of America’s veterans.

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

The CHAIRMAN. Does the gentleman from New York (Mr. Walsh) continue to reserve his point of order?

Mr. WALSH. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas (Mr. Edwards) has 5 minutes remaining, the gentleman from New York (Mr. Walsh) has reserved his time and his point of order.

Mr. EDWARDS. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. Evans), who is the senior Democrat on the Committee on Veterans Affairs and has been a stalwart fighter on behalf of veterans’ programs in this Congress.

Mr. EVANS. Mr. Chairman, I commend the gentleman from Texas (Mr. Edwards) for his amendment. He is a great advocate for veterans as his amendment again demonstrates.

The Edwards amendment increases funding next year for veterans’ medical care, by $500 million and funding for the VA medical research by $50 million. These increases are needed if veterans are to receive access to timely and high-quality medical care and services, and the research program of VA is to be adequately funded.

Too many veterans are being forced to wait too long to receive the medical care they need and deserve. Today some veterans are waiting as long as 6 months for an appointment with a primary care provider. The waiting list for a CT scan, a CT scan with which the specialist can actually be longer.

The Edwards amendment provides resources to improve the quality and timely delivery of medical care to our Nation’s veterans. VA is recognized worldwide as a leader in medical research.

The Edwards amendment will increase funds for the VA medical research program next year by $55 million. Under the current level of funding for VA medical research, only a small portion of worthwhile projects are funded. The amendment provides needed funding. The Edwards increase in research funding is a sound investment to enable VA researchers to make breakthrough discoveries which will benefit veterans and the general population.

Again, I commend the gentleman from Texas (Mr. Edwards) for offering his amendment, it is a sign of his leadership on these issues. I urge my colleagues to vote for the Edwards amendment.

Mr. EDWARDS. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. Filner), a ranking Democrat on the VA Subcommittee on Benefits. He also has been a real leader on veterans’ programs in this Congress.

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

Mr. Chairman, I rise in strong support of the Edwards amendment and in strong support of our Nation’s veterans. The amendment of the gentleman from Texas (Mr. Edwards) calls for an increase in $500 million in the health budget of the VA. This money was not just pulled from the air, that figure, it comes from this document, the Independent Budget for the Department of Veterans Affairs, a comprehensive policy document created by veterans for veterans.

All of the veterans in this Nation got together to say what do we need for a professional Veterans Administration where care is of the highest quality and quality of our health and our benefits. This is a professional job, an analytical job. Let me just tell Members where that $500 million will go.

Under the section on staff shortages, in this independent budget, let me just read what veterans experts have concluded, faced with severe budget shortfalls, VA facilities have laid off hundreds of employees, including physicians, nurses, physicians assistants, and other clinical staff.

Layoffs combined with staff attrition from retirement, transfer and resignation have left VA facilities with insufficient clinical staff to meet veterans’ needs. In some cases, administrators have had difficulty filling vacant positions compounding their staff shortages.

We have witnessed many cases of poor quality care that are the direct result of inadequate staffing. For example, at a spinal cord injury center, with dangerously low staffing levels, has seen its mortality rate increase threefold during the last 4 years. We are killing veterans because we have inadequate staffing levels.

Adequate numbers of well-trained staff are needed to keep up with the workload to prevent potentially harmful delays in care and to provide appropriate care. At one VA center in our country, for example, a patient faced a 97-day wait for an appointment at the cardiology clinic and a 14-month wait for dental prosthetics at the dental clinic.

One stroke patient at this medical center reported having his outpatient rehabilitation therapy suspended for several weeks, because his therapist went on vacation and there was no one to cover her. Because of staff shortages brought on by budget constraints, VA facilities have drastically reduced services or eliminated them altogether.

After the dental department at one medical center was downsized from 5 to 3, routine oral exams given to veterans as part of their physicals were simply phased out. This was done despite the fact that dentists at the clinic found an unusually high number of oral cancers from veterans during these exams.

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

Mr. Chairman, I have the amendment here in front of me, and I think it needs to be commented on that we have increased veterans’ medical care almost $1.4 billion this year. We increased veterans’ medical care a $1.7 billion last year. Those are record level increases in veterans’ medical care, and they were properly appropriated for. These additional funds, the $500 million included in he amendment, are not offset.

There is no source of these funds available to us. In addition, the gentleman from Texas (Mr. Edwards) provides an additional $35 million for medical and prosthetic research.

We just, last night, added $30 million back into that category for research, which was properly offset. The presenter of the amendment looked into the budget, found some additional funds, we agreed there is a proper use of those funds, and a higher priority went to research.

I just would restate that I think we have done our job. We have done it well within the available funds. If additional funds become available or if later on in the process, we will look at prioritizing those also, but I must oppose the gentleman’s amendment.

Mr. Chairman, I continue to reserve my point of order.

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

Mr. Chairman, let me agree with the gentleman from New York (Mr. Walsh), he has done very well within the constraints that the Republican leadership and the House has put on what we can spend on VA health care. The problem is, that the multibillion dollar tax cut for the wealthiest one-tenth thousandth of 1 percent of families in America that we passed 2 weeks ago provides less money for this bill.

We do have an offset in this bill. We just choose to help 25 million veterans get better health care rather than giving 300 of America’s richest estates a further tax cut, that is a choice we should be allowed to make.

The CHAIRMAN. Does the gentleman from New York insist on his point of order?
Mr. WALSH. Mr. Chairman, is there any time remaining on our side?

The CHAIRMAN. The gentleman has 8 minutes remaining.

Mr. WALSH. Mr. Chairman, I continue to reserve my point of order, and I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I will not take more than 30 seconds.

My friend on the other side has worked diligently. As a matter of fact, this is one of the most bipartisan issues that we have, with the gentleman from California (Mr. FILNER) and the gentleman from Texas (Mr. ENOWARDS) and the ranking minority on this committee. But I would say to my friends, the veterans have served this country, the United States of America, and all the citizens made a promise to keep health care. Subvention is a pilot program and a Band-Aid. TRICARE, keep health care. Subvention is a pilot program, otherwise known as VERA, in spite of its name, is wholly inequitable. Under VERA, we have seen cuts in veterans health care in many parts of the country, particularly throughout New England, New York, Pennsylvania, the Midwest, the far West, and other places as well. In addition, we have seen cuts in Illinois, Michigan, Wisconsin, Missouri, Kansas, Colorado, California, in addition to other States.

This amendment would provide that no money be allowed for the administration of this program.

Mr. CUNNINGHAM. Mr. Chairman, I rise today in support of this amendment, which I offer with my colleague, the gentleman from New York (Mr. HINCHEY), and many others. This amendment would prevent the VA from using the Veterans Equitable Resource Allocation formula, otherwise known as VERA, to allocate funding to 22 Veterans Integrated Service Networks, known as VISNs, throughout the country. Instead, this amendment would send the VA back to the drawing board to develop a formula which would be truly equitable and which would distribute funding across the Nation, so that all of our veterans, regardless of where they live, would be provided with the same access to medical care based on need.

Under the current formula, VISN 3, which includes New York and New Jersey, has seen its funding cut by over 66 percent since 1997. The funding shortfall has hampered VISN 3’s ability to provide a full range of medical services to veterans.

For example, look at the VA’s VERA-based allocation of funding for hepatitis C testing and treatment. The fiscal year 2000 budget provided $190 million. The fiscal year 2001 budget under consideration today would increase that amount to $340 million.

Hepatitis C is a growing problem in our Nation, especially among Vietnam-era veterans. VA is reporting epidemic proportions in VISN 3 in New York and New Jersey, where 26 percent of all veterans tested for hepatitis C have tested positive. The VISN needs approximately $10 million this year just to provide hepatitis C treatment to veterans who test positive for the virus and additional funding to pay for testing, which can cost between $50 and $200 per person.

In March, VA Secretary Togo West told the Subcommittee on Veterans Affairs of the Committee on Appropriations that he had not spent all of the hepatitis C money in the fiscal year 2000 budget because the demand was not there. Because this funding is allocated under the VERA formula, our area has found itself in need of at least an additional $22 million to pay for hepatitis C testing and treatment this year. These are for veterans in need.

Mr. Chairman, because of the skewed distribution of funding under VERA, under that formula, we are faced with a system of winners and losers. When it comes to providing health care for veterans, there should be no winners and losers.

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

The CHAIRMAN. Does the gentleman from New York insist on his point of order?

Mr. WALSH. I do, Mr. Chairman.

The CHAIRMAN. The gentleman will state his point of order.

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

The CHAIRMAN. The Chair finds this amendment indirectly amends existing law. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point is sustained and the amendment is not in order.

Mr. HINCHEY. Mr. Chairman, I offer an amendment.

Mr. CUNNINGHAM. Mr. Chairman, I rise today in support of this amendment, which I offer with my colleague, the gentleman from New York (Mr. HINCHEY), and many others. This amendment would prevent the VA from using the Veterans Equitable Resource Allocation formula, otherwise known as VERA, to allocate funding to 22 Veterans Integrated Service Networks, known as VISNs, throughout the country.

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

The CHAIRMAN. Does any Member claim the time in opposition?

Mrs. MEEK of Florida. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentlewoman from Florida is recognized for 10 minutes.

Mrs. MEEK of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. CUNNINGHAM. Mr. Chairman, as you know, the Veterans Equitable Resource Allocation system, better known as VERA, was implemented to ensure that VA resources followed the veterans who are moving to southern and western States. This VERA formula has come under scrutiny many, many times; and each time it has come under scrutiny, there was no way to skew the figures, because the figures must go wherever the veterans are.

For a decade and a half, as more and more veterans moved to southern and western States, our facilities and our services were overwhelmed by the needs of our new veteran arrivals. Even today, our Florida veterans facilities are finally beginning to get the resources we need after so many years of neglect to care for our ever-growing Vietnam-era veterans population. VERA has been working well, Mr. Speaker; and our committee knows it has been working well because it has been done in a fair and equitable way.
In 1997, the General Accounting Office reported that VERA makes resource allocations more equitable than the previous system that was in effect. In 1998, the PricewaterhouseCoopers accounting firm found that VERA was sound in its concepts and methods and that VERA was also ahead of other global budgeting systems that are based on historical allocations with periodic adjustments.

Let us face it, Mr. Chairman. Whenever there is an allocation formula, everyone cannot be happy. There are two sides of this, but you cannot get away from the statistical evidence that is presented through these studies. It is obvious that the money goes where the veterans go.

VERA is constantly being refined. Seven adjustments are being implemented. Those of us from Nebraska (Mr. BEREUTER) represent the State the gentlewoman from Florida (Ms. Ros-Leitner) represents, the State that the gentleman from Florida (Mr. Diaz-Balart) represents, and many of us, we have the second largest population of veterans among the 50 States. We have 1.7 million veterans, and that is still growing. There are over 435,000 veterans in the seven counties of South Florida alone, and 48 percent of these veterans are over 65 years of age. Forty-eight percent of these veterans are over 65 years of age.

In fact, the population of veterans over 65 in just these seven South Florida counties is greater, and I emphasize greater, than the entire populations of veterans over 65 in 40 other States. That is a very significant statistic, and I will repeat it: that the population of veterans over 65 in just these seven South Florida counties is greater than the entire population of veterans over 65 in 40 other States.

I know that some States that are experiencing decreasing veteran populations, they are very highly critical of VERA, and well they might be; and they have attempted many times to get VERA changed. But, by my demonstration of the facts, everything I have shown today, I have shown you that we have older veterans. These claims are not supported by the facts.

So VERA is statistically sound; it is following the veterans, that allocation is. So, in the overwhelming evidence that VERA is targeting VA resources to veteran populations that would need it most, and doing so in a fair manner, I strongly oppose this amendment and urge my colleagues to do the same, in fairness. Mr. Chairman, it is a simple application of fairness.

Mr. FRELINGHUYSEN. Mr. Chairman, it is my pleasure to yield 1 minute to the gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Chairman, I rise in strong support of the Hinchey amendment. There is nothing fair or equitable about the current VERA allocation formula. If you are from the Northeast, if you are from a sparsely settled part of the country, like my State, veterans are getting the back of hand by the VA. That is what you are getting. There has to be a more equitable distribution of funds.

I will tell Members this, we must support the Hinchey amendment.

Mr. Chairman, this Member rises today in strong support of the amendment offered by the distinguished gentlemen from New York (Mr. HINCHEY) which would prohibit funds in the bill from being used by the Department of Veterans Affairs to administer the Veterans Equitable Resource Allocation (VERA) system. Unfortunately this has turned into a regional legislative battle between northeastern states and especially low-population Great Plans and Rocky Mountain states’ delegations on one hand, and the Sunbelt states with larger numbers of veterans retirees on the other. Those of us representing the former see our veterans left out in the cold while the money flows to the populace Sunbelt states. Once again, we may be out-voted but it certainly isn’t fair to our states.

From the time the Administration announced this new system, this Member has voiced his strong opposition to VERA because of its inherent flaws in inequitable distribution of funds and has supported funding levels of the VA Health Administration above the amount the President recommended.

Continuing action in previous years this Member has also recently co-signed a letter to the Chairman and ranking members of the House and Senate Appropriations Subcommittees on VA/HUD Appropriations on VA/HUD Appropriations and concerns with VERA and VISN 14 shortsfalls.

This Member was proud to support the increase in funding Congress provided for veterans health care in FY2000. Congress provided $1.7 billion over the President’s request which was far more than ever provided for VA hospitals. The increase of over a $1 billion over a President’s budget request for veterans health care. However, the veterans health care system in Nebraska continues to experience growing service and funding shortfalls each year even after the forced closing of two of our three inpatient facilities, reducing the number of full time employees fourteen percent and completing integration of all three VA medical centers. In FY1999, the VISN 14 area (consisting of Nebraska and Iowa) experienced a $6 million shortfall, and in FY2000 the shortfall is $17 million and the project shortfall for FY2001 will be between $35 and $45 million. While VISN 14 continues to experience shortfalls in funding, the number of patients continues to increase. Despite the regrettably ruling of non-eligibility for in-patient care for large numbers of Nebraska veterans, the number of patients grew from 59,412 in FY1996 to 75,101 in FY1999.

Clearly the VERA system has had a very negative impact on Nebraska and other sparsely populated areas of the country and on the smallest part of our nation. All members of Congress should agree, Mr. Chairman, that the VA must provide adequate services and facilities for veterans across the country regardless of whether they live in sparsely populated areas with resultant low usage numbers for VA hospitals. The funding distribution unfairly reallocates the VA’s health care budget based strictly on a per capita veteran usage of facilities. There must be at least a basic level of acceptable national infrastructure of facilities, medical personnel, and services for meeting the very real medical needs faced by our veterans wherever they live. There must be a threshold funding level for VA medical services in each state and region before any per-capita funding formula is applied. That is only common sense, but this Administration has too little of that valuable common sense when it comes to treating our veterans humanely and equitably.

In closing Mr. Chairman, this Member urges his colleagues to support the Hinchey amendment and fulfill the obligation to provide care to all those veterans who have so honorably served our country—no matter where they live in this country.

Mrs. MEEK of Florida. Mr. Chairman, if I may yield myself 1 minute again, I would like to say we cannot base this on opinion. Each of us is opinionated because of where we live and the people we serve. We must deal with the facts. That is what VERA does.

Mr. Chairman, I yield 4 minutes to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Chairman, this amendment by the gentleman from New York (Mr. HINCHEY) was on the floor last year, and it was defeated soundly. I have here, Mr. Chairman, several letters, one from the Department of Veterans Affairs which I will make part of the RECORD, from Dr. Garthwaithe, which indicates that we should not, should not, adopt the Hinchey amendment.
Mr. Chairman, obviously I rise in opposition to this amendment. Basically it aims to dismantle what this House overwhelmingly approved. It was one of the most important reforms in the VA health care system.

VERA is a system for distributing VA health care funds equitably, to ensure that veterans have similar access to care, regardless of the region they live in. Before 1996, when Congress directed VA to establish this system, veterans experienced enormous disparity in access to care. Veterans who received all needed care from VA facilities in New York, for example, found when returning to Florida the VA’s doors were closed to them.

This happened because a system for distributing funds did not take into account the demographic changes that occurred.

According to the General Accounting Office, VA’s former allocation system not only resulted in unequal access to care, it also encouraged inefficiency. GAO cited the need for such a system as VERA. So my colleagues, the GAO has studied this carefully, and they have cited the need for such a system as VERA, which the gentleman from New York (Mr. Hinchey) would like to remove and dismantle. Price Waterhouse did an analysis of this as well. They validated the methodology that was used and indicated that it was sound. VERA recognizes that there is variability in labor costs and other factors from region to region and makes adjustments accordingly. It is fundamentally a fair system.

Mr. Chairman, that is not just me speaking. Price Waterhouse has validated this system, and GAO cited the methodology that we passed overwhelmingly in the House.

As I mentioned earlier, I have this letter from the VA’s acting Under Secretary of Health who confirms that the VERA system is working and that the VA administration itself continues to support it, and I will include that for the Record at this time.

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION


Hon. Bob Stump,
Chairman, Committee on Veterans Affairs,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am pleased to affirm the Veterans Health Administration’s (VHA) continued support for the Veterans Equitable Resource Allocation (VERA) system.

Implemented in April 1997, the VERA methodology remains an equitable model for distributing funds to the 22 networks. During the past two and a half years independent reviews by both the General Accounting Office and PriceWaterhouseCoopers LLP have validated the VERA methodology as meeting the intent of Congress. In fact, PriceWaterhouseCoopers LLP concluded that VERA is ahead of other global health care funding system around the world. In addition to these external VERA assessments, since the beginning of VERA, the VHA has established internal workgroups, comprising clinical and administrative staff from both Headquarters and the Field, to provide input to the VHA Policy Board for VERA refinement and to ensure congruence and effectiveness of the VERA methodology.

Ongoing improvements and refinements to the VERA methodology have been identified as of the FY 2001 allocation are listed below.

Non-recurring Maintenance (NRM)—FY 2001 work will complete the three-year phase-in of NRM being fully based on patient care workload and the cost of construction using the Boosch Index (a geographically-based, nationwide standard).

Geographic Price Adjustment (labor index)—A change in the workload factor for computing the labor index that would weight Basic and Complex Care workload consistent with recent costs is under review. A recommendation was presented to the VHA Policy Board in May 2000 and was approved June 15, 2000.

Research Support—A decision to again pass through research support funds directly to VA medical centers for FY 2001 will be reviewed by the VHA Policy Board in July 2000. A decision on these recommendations will be made subsequent to Policy Board discussion well ahead of the time to allocate FY 2001 funding.

Care Across Networks—A Care Across Networks Workgroup studied the need for a transfer pricing system to cover veterans who receive care outside of their region’s networks (e.g., northeast networks would reimburse southern networks for the care provided to veterans who travel south in the winter). The group recommended implementation of a default pricing system based on Medicare rates, modification of the current billing system, and preauthorization to ensure that care provided is clinically appropriate. Because concerns were expressed about the adequacy of the infrastructure to handle transfer pricing and possible impediments imposed by preauthorization, VA tested the proposed transfer pricing system. The Workgroup considered several key issues: the impact on improving coordination of care; whether the level of effort to effect transfer pricing is worth the benefit; and the technical and software challenges to implement. A recommendation by the Workgroup not to go forward with transfer pricing in FY 2001 was approved in March 2000. VA will continue to use the existing pro-rated person (PRP) concept to ensure that care across networks continues. The default pricing system will be completed and made available to networks that are trying to understand care patterns as well as other issues.

Additionally, VHA Headquarters has maintained a national reserve fund to assist networks that are experiencing fiscal difficulties. VHA has established a process whereby a network’s request for additional funding is first reviewed by a team of VHA field-based managers. The VISN’s request and the recommendation to the VHA Policy Board, which in turn makes recommendations to the Under Secretary for Health. Once a final decision is made, the results are communicated to the requesting VISN.

Enclosed is a chart with text to show that VERA is not moving all networks to an average expenditure per patient dollar; VERA adjusts network allocations for differences in patient mix, labor costs, research and education support costs, equipment and non-recurring maintenance activities.

Please note that all major VERA shifts in funding have been completed. Beginning with the FY 2001 VERA distribution to the networks, change in VERA funding will depend on the following factors:

The change in the Medical Care Appropriation from one year to the next.

Each VISN’s change in the number and mix of veterans provided care relative to the system-wide change in total veteran patient workload.

VERA re-estimations that may be made during the year.

Thank you for the opportunity to comment on VERA.

Sincerely,

THOMAS L. GARTHWAITE, M.D.

Acting Under Secretary for Health.

Enclosure

The chart that follows displays the average VERA price for each network, based on the preliminary FY 2001 VERA Allocation. It should be noted that these actual numbers will change; workload data continues to undergo data validation, Specific Purpose funding continues to be reviewed, and final decisions about funding levels are dependent on the Congressional Appropriation.

<table>
<thead>
<tr>
<th>Network</th>
<th>Average Price</th>
<th>Percent variation from national average</th>
</tr>
</thead>
<tbody>
<tr>
<td>06 Baltimore</td>
<td>$5,671</td>
<td>17.74</td>
</tr>
<tr>
<td>02 San Francisco</td>
<td>$5,544</td>
<td>15.04</td>
</tr>
<tr>
<td>03 Boston</td>
<td>$5,496</td>
<td>13.90</td>
</tr>
<tr>
<td>04 Boston</td>
<td>$5,375</td>
<td>11.56</td>
</tr>
<tr>
<td>05 Cleveland</td>
<td>$5,454</td>
<td>10.24</td>
</tr>
<tr>
<td>06 Chicago</td>
<td>$5,437</td>
<td>9.31</td>
</tr>
<tr>
<td>10 Denver</td>
<td>$5,457</td>
<td>8.14</td>
</tr>
<tr>
<td>11 Kansas City</td>
<td>$5,393</td>
<td>7.80</td>
</tr>
<tr>
<td>12 Denver</td>
<td>$5,393</td>
<td>7.80</td>
</tr>
<tr>
<td>13 Los Angeles</td>
<td>$5,348</td>
<td>7.31</td>
</tr>
<tr>
<td>14 Miami</td>
<td>$5,348</td>
<td>7.31</td>
</tr>
<tr>
<td>15 Philadelphia</td>
<td>$5,393</td>
<td>7.09</td>
</tr>
<tr>
<td>16 Phoenix</td>
<td>$5,393</td>
<td>7.09</td>
</tr>
<tr>
<td>01 Boston</td>
<td>$5,418</td>
<td>6.60</td>
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<tr>
<td>07 Atlanta</td>
<td>$5,418</td>
<td>6.60</td>
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<tr>
<td>08 Bay Pines</td>
<td>$5,418</td>
<td>6.60</td>
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<tr>
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<tr>
<td>11 Kansas City</td>
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<tr>
<td>15 Philadelphia</td>
<td>$5,438</td>
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<tr>
<td>16 Phoenix</td>
<td>$5,438</td>
<td>5.81</td>
</tr>
</tbody>
</table>

The chart shows that overall VERA funding for networks is not a simple national average rate, for example, in FY 2001 four networks receive more than 10% above the national average price.

Since its inception in FY 1997, VERA has been effective in reducing the amount of variation between networks in average cost per patient. In FY96, one network had a 33% variation above the average; in FY99 that variation from average cost per patient was reduced to 22%. At the other end of the spectrum. In FY96 there was a network that was 38% below the national average cost per patient; in FY99 this variation had been reduced, so the network with the lowest average cost per patient was 22% below the national average. This has not been an arbitrary movement toward a single national mean; some networks above the national average have appropriately moved even further above the national average due to completion of their patient population and other workload factors.

VERA has completed the shifting of dollars among networks based on workload that began in FY 1997. When VERA was implemented, nearly $500M was identified by the VERA model as needing to be shifted among
networks; in the FY 2001 allocation, there are no dollars to remaining by be shifted. All networks are remaining increase to their FY2000 VAERA allocation.

Mr. STEARNS. Mr. Chairman, we have a similar debate on this amendment last year when the gentleman offered it. I urge the gentleman not to dismantle a system that is working for the veterans in this country. I also note that the VA maintains a reserve fund to handle the kind of problems that the gentleman has raised, and I am sure others will raise from the north. In fact, the New York-New Jersey Network received $60 million last year from that reserve fund that was set up just to handle problems that they are going to get on the floor and talk about.

For those areas of the country that have legitimate funding problems, there is this safety mechanism with the reserve fund. We need not and should not, I say to my colleagues, take the extreme step that the gentleman proposes. Adopting the Hinchey amendment will hurt veterans all across this country.

Mr. Chairman, I urge my colleagues to reject this amendment.

Mrs. MEEK of Florida. Mr. Chairman, I yield 55 seconds to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Chairman, I would merely say that Congress enacted VERA for a very simple reason: equity. No matter where they live or what circumstances they face, all veterans deserve to have equal access to quality health care.

The author of this amendment argues that the veterans in New York are not being treated equitably. VERA takes all of that into consideration, and under VERA, veterans in the metropolitan New York area will receive an average of $5,339 per veteran patient. That is 16 percent-plus higher than the national average. The Florida VISN will receive $4,485 per patient under VERA, an average payment that is 2.5 percent below the national average.

Certainly we should ask ourselves how is this unfair to New York veterans.

Mr. Chairman, I urge that we oppose this amendment.

Mr. Chairman, I rise in strong opposition to the Hinchey amendment which would prohibit the use of VA funds to further implement the Veterans' Equitable Resource Allocation system.

VERA, as it is called, corrects historic geographic imbalances in funding for VA health care services and ensures equatable access to care for all veterans.

Florida has the second largest veterans population in the country with 1.7 million veterans. Approximately 100 veterans move to Florida every day. Since coming to Congress, I have heard from veterans who were denied care at Florida VA medical facilities. In many instances, these veterans had been receiving care at their local VA medical center. However, once they moved to Florida, the VA was forced to turn them away because the facilities in our state simply did not have the resources to meet the high demand for care. This lack of adequate resources is further compounded in the winter months when Florida veterans are literally crowded out of the system by individuals who travel south to enjoy our warm weather.

With the use of VA funds to further implement the Veterans' Integrated Service Network (VISN) has experienced a forty percent increase in its workload. The Florida network estimates that it will treat a total of 300,000 veterans by the end of Fiscal Year 2000.

The Florida network has also opened 18 new community based outpatient clinics since VERA's implementation. It plans to open additional clinics in the near future. None of this could have happened without VERA.

The author of this amendment argues that veterans in New York are not being treated equitably. The VERA system already takes regional differences into account by making adjustments for labor costs, differences in patient mix and differing levels of support for research and education.

According to the Department of Veterans Affairs, VA facilities in the metropolitan New York area will receive an average of $5,339 per veteran patient. That means that these facilities will receive an average payment for each patient that is 16.07 percent higher than the national average. On the other hand, the Florida VISN will receive $4,485 per patient—an average payment that is 2.5 percent below the national average. How is this unfair to New York veterans?

VERA ensures that veterans across the country have equal access to VA health care services and that tax dollars are spent wisely. If the Hinchey amendment passes, continued funding for VERA will be in doubt. All veterans will suffer. It is a disgrace.

And that is because of VERA, the Veterans Equitable Resource Allocation program, which redirects money from some regions of the country to pay for veterans who live in other parts of the country.

Our veterans deserve better.

The fact is that the VERA system is not equitable to all veterans. This amendment sends the message that VERA is not working. The VA should develop a truly equitable plan.

Members of the military have put themselves at great risk to protect American interests around the world. In return for this service, the federal government has made a commitment to both active duty and retired military personnel to provide certain benefits.

Our veterans helped shaped the prosperity we enjoy our warm weather. It is OUR duty to ensure that commitments made to those who served are kept.

The VERA system is simply not working. I urge my colleagues to support this important amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I rise in strong support for the Hinchey-Frelinghuyzen amendment, and I urge my colleagues to do the same.

We want to suspend the VERA program. It is not working, and it is certainly not working for New Jersey. We are the only VISN to lose money. It is unacceptable to the veterans in New Jersey. It is unacceptable to me.

According to this year's bill, our VISN will receive $22 million less than we did in Fiscal Year 1999, and $14 million less than we did in Fiscal Year 2000. In fact, when we consider the supplemental appropriation, New Jersey will receive $52 million less than we received for the entire fiscal year 2000.

This is not a question of making everybody happy; it is a question of equity. The program is not working. What are we going to do is we have veterans' groups against the other. That is not acceptable to us in New Jersey, and I am sure to the gentlewoman from Florida (Mrs. MEEK) and to the gentleman from New Jersey (Mr. FRELINGHUYSEN), it is not acceptable to them as well.

Mr. Chairman, I rise today to voice my strong support for the Hinchey, Frelinghuyzen amendment and I urge my colleagues to do the same.

The amendment is simple; it suspends the VERA program. What we need to do is go back to the drawing board and come up with a program that is fair to ALL veterans.

In Fiscal Year 2000, Congress provided $1.7 billion more for veteran's medical care. Yet, in New Jersey we lost $36 million in funding.

We were the only VISN to lose money. It is unacceptable to the veterans of New Jersey. It is unacceptable to me.

According to this year's bill, our VISN will receive $22 million less than we did in Fiscal Year 1999 and $14 million less than we did in Fiscal Year 2000.

In fact, when we consider the supplemental appropriation we received this year, New Jersey will receive $52 million less than we received for the entirety of Fiscal Year 2000. This is a disgrace.

And that is because of VERA, the Veterans Equitable Resource Allocation program, which redirects money from some regions of the country to pay for veterans who live in other parts of the country.

Our veterans deserve better.

The fact is that the VERA system is not equitable to all veterans. This amendment sends the message that VERA is not working. The VA should develop a truly equitable plan.

To the gentleman from New Jersey (Mr. PASCRELL), I yield 1 minute to the gentleman from New York (Mr. GILMAN), the dean of the New York Congressional Delegation.

Mr. GILMAN. Mr. Chairman, I am pleased to rise today in strong support of the Hinchey-Frelinghuyzen amendment prohibiting funds from being used.
to implement VERA, the Veterans Equity Resource Allocation system, which was created to correct an inequity in the manner in which veterans’ health care funds were being distributed across the country. While conceived as a sound effort, VERA was fundamentally flawed in that it did not look at the quality of care being delivered to veterans in any given region. Moreover, it also failed to consider the effect of regional costs in providing health care.

Under VERA, the watchword was efficiency: deliver the most care at the least cost. While ideal for outpatient care, VERA has unfairly penalized those VISNs that provide vital services such as substance abuse treatment, services for the homeless, veterans’ mental health services, and spinal cord injury treatments. Under VERA, those services are all deemed too expensive and inefficient.

VERA was implemented at a time when the VA budget was essentially flat lined. VISN directors were not provided additional funds to offset the cost of annual pay raises for VA staff and annual medical inflation costs.

The CHAIRMAN. The time of the gentleman from New York (Mr. GILMAN) has expired.

Mr. GILMAN. Mr. Chairman, I thank the gentleman.

This was not a problem for those directors of VISNs who received money under VERA. However, for those directors of VISNs that were losing money under VERA, it was a double hit that crowded out additional funds needed for other vital services.

It is commendable that the subcommittee was able to find an additional $1.3 billion for veterans’ medical care. Yet, due to VERA, very little of that money was found to support the care of veterans in the Northeast where it is vitally needed. Instead, it will be sent to those VISNs that have already seen increases.

Accordingly, I urge my colleagues to support the Hinchey-Frelinghuysen amendment.

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. MARTINEZ).

Mr. MARTINEZ. Mr. Chairman, I very much regret that I have to come down here to remark on some of these, and the reason is that most of us have made up our minds already and nobody is going to convince us to change.

Let me give my colleagues some information. If my colleagues think that reforms have been instituted recently in veterans’ health services, they are wrong. In L.A., they have caused nothing but disruption. You have closed offices where people need the offices, and in L.A., the patients in L.A. there is terrific. There are log jams all the time. Veterans have a hard time getting to the centers as it is now. So you close some. Then you close administrative offices and then you move them to Phoenix, Arizona, when the population is in L.A.

What is the matter with you in this reform. You need to open your eyes and see that there is something very, very wrong with the reform. In other words, the care they are getting from the veterans and veterans are not getting the attention they need. I am sorry if my colleagues cannot see that, but they ought to realize it; they ought to take a better look. My colleagues ought to go back to their districts and talk to their veterans and ask them if they are getting the services they need, because they are not.

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Ms. MALONEY).

Mrs. MALONEY of New York. Mr. Chairman, I stand here in strong support of the Hinchey amendment. I think the bottom line that we have heard from both sides, and there should not be any arguments here, is that we are supposed to take care of our veterans. I have been out to my VA hospital, and let me tell my colleagues, they have cut the budget as far as they can go. Yes, a lot of my veterans do go to Florida. That is where they are part of the time of the year. But they are still using the services in my North Port hospital.

This should not be a fight among colleagues. We are supposed to take care of our veterans. That is the bottom line. We have made promises to our veterans. This should not even be a budget fight.

Mr. Chairman, I strongly support the Hinchey amendment; and we should certainly, in the future, start allotting more money for veterans. We have an incentive to improve. Some regions see a substantial change in their health care allocations under VERA, but all VA network administrators agree that this reform is crucial to the sustainability of VA programs. The amendment proposes to prohibit funding for the VERA allocation model, creating a significant question about what model the VA would use instead. Presumably, the authors of the amendment would support a return to the allocations of FY96. When FY00 levels are compared to FY96 allocations, such an adjustment would mean that 20 of 22 VISNs would lose money.

Some areas would be particularly devastated by such a reallocation: the Pacific Northwest, which would be cut 23 percent, and the Southwest, which would be cut 14 percent. To restore funding for these 2 VISNs at FY96 levels, all 20 other VISNs would take an approximate hit totaling $132 million. If VA was forced to recompute allocations according to the old model, the cuts would be even more severe. The two VA medical centers I represent would see their budget cut by more than $9 million this year if we restored the old formula.

Such a budget hit would cripple the vast majority of VISNs across the country. VERA was tested in the 22 VISNs; only ONE, in the Bronx, saw its overall allocation decrease from FY99 to FY00. I believe that we should encourage the VA to continue moving forward with this successful initiative. Please join me in opposing the Hinchey Amendment.

Mrs. MEEK of Florida. Mr. Chairman, I yield myself such time as I may consume.

First of all, we in Florida, we have visual acuity, I want to let my colleagues know. We can see, and when we see, we will see. We will see Mr. Chairman. We have the numbers. There is no question about it, we all want veterans served. But should we yield because we have to satisfy one part of
the Nation? We have to satisfy all of the veterans.

Vote against the Hinchey amendment.

Mrs. LOWEY. Mr. Chairman, I rise in strong support of the Hinchey Amendment to suspend the Department of Veterans' Affairs misguided Veterans' Equitable Resource Allocation (VERA) plan.

The VERA plan takes scarce resources away from the veterans in my district and other areas of the Northeast based on flawed data about veteran populations around the country.

The veterans who use the VA health care system in New York deserve better than the VERA plan gives them. Each year, about 150,000 veterans use the eight VA facilities in the New York Metropolitan region. These veterans have come to rely on the excellent services provided by these facilities, and the cuts in these services under VERA have been disastrous.

Since the implementation of VERA began, I have received reports from many veterans in my district of diminished quality of care at VA medical centers. In fact, the VA's own Office of the Medical Inspector investigated the Hudson Valley VA hospitals and found more than 150 violations of health and safety rules at those hospitals alone. It is not a coincidence that these violations came at a time when these hospitals were trying to cut costs to comply with VERA.

And the situation is getting worse. The service network that serves New York and New Jersey will receive a cut of over $40 million. This means the quality of care will suffer and more services will be cut as hospitals and clinics face even more reductions in force. All of our veterans, regardless of where they live, deserve better.

Mr. Chairman, I understand the need to provide services to growing veterans populations in other regions of the country, but that must not be at the expense of New York's veterans. An assessment of the VERA plan by Price Waterhouse highlighted a major flaw in the fundamental assumptions of the plan. The report stated that "basing resource allocation on patient volume is only an interim solution because patient volume indicates which veterans the VHA (Veterans Health Administration) is serving, not which veterans have the highest care needs." This is especially relevant to the New York region, which has the highest proportion of specialty care veterans in the country.

We cannot turn our backs on our proud veterans, but that is exactly what will happen if we allow VERA to continue. I urge my colleagues to treat our veterans with the dignity and the respect they deserve. Support the Hinchey Amendment.

Mrs. KELLY. Mr. Chairman, I rise today in strong support for the Hinchey amendment.

Under the Veterans Equitable Resource Allocation plan, I have witnessed the results of cuts that have effectively removed nearly $300 million from the lower New York area veterans network.

VERA is fundamentally flawed. These flaws permeate VERA's methodology, its implementation, and the VA's oversight of this new spending plan.

Our veteran's network has the oldest veterans population, the highest number of veterans with spinal cord injuries, the highest number of veterans suffering from mental illness, the highest incidence of hepatitis C in its veterans population, and the highest number of homeless veterans. It is inconceivable and intolerable that the VA would continually reduce our regions funding.

VERA 3 has required reserve funding for the last 3 years because our veterans hospitals keep running out of money. In this fiscal year, VERA 3 required $102 million in reserve funding. In the next fiscal year it expects to request even more. When will we realize that the VA should fund our hospitals properly the first time and leave reserve funds for emergencies?

I beseech my colleagues on both sides of the aisle to support this amendment and make the investment in our veterans hospitals necessary to serve our veterans. The veterans of this Nation gave their best for us. Now we need to do our best for them.

Mr. GOSS. Mr. Chairman, I rise today in strong opposition to this amendment. My home state of Florida has 1.7 million veterans and served as home to thousands of veterans during the busy winter season. Given the age and special needs to this population, many of these men and women require extensive medical attention.

The lack of timely, quality health care for our veterans has reached a crisis point across the country, but the problem is particularly acute in southwest Florida. Every year more and more veterans flock to Florida to enjoy their golden years; and every year the veteran clinics and hospitals in my state are hard pressed to meet the demand. Sadly, the need far exceeds our resources in southwest Florida. Veterans routinely wait months—and sometimes over a year—just to get an appointment for something as simple as vision and hearing care. This is an unacceptable way to treat those who served our country honorably.

VERA begins to address this injustice by allocating funds according to the number of veterans having the highest priority for health care. VERA is a fair and just system: it puts the money where the vets are. This is straightforward, commonsense policy. I urge my colleagues to reject the Hinchey amendment and support a fair and equitable policy of providing for our veterans.

Mr. ALLEN. Mr. Chairman, I rise in support of the Frelinghuysen/Hinchey amendment to prohibit the VA from distributing veterans' health care funds through the Veterans Equitable Resource Allocation (VERA) formula.

As I have said many times in the past, VERA has negatively impacted the VA's ability to meet the health care needs of veterans in the Northeast. I understand that VERA has benefited certain regions of the country, but the level of care in those regions has been raised at the expense of Northeast veterans. The situation continues to get worse, not better for the 150,000 veterans living in the Northeast.

Veterans in my district rely on Togus VA hospital in Augusta. Those veterans who are treated at Togus cannot say enough about the quality of care. There is no question about it, if you can get in to see a doctor, the care is exceptional. Doctors and nurses have dedicated their careers and lives to serving this population and recognize the unique care veterans need.

But Mr. Chairman, Togus is located within VISN 1. Despite this bill's $1.35 billion increase in the fiscal year 2001 VA health care budget, VISN 1 will only receive a $15 million increase. Togus alone already has a $9 million shortfall in Fiscal Year 2000. There is clearly a need for increased funding, and yet VISN 1 is one of only two VISNs that has lost funding since 1996 when VERA was implemented.

While the quality of medical care remains high, budget constraints have forced Togus to reduce staff, causing severe strains on access to care, as well as staff morale.

The excessive waiting time makes it difficult to make a greater commitment to funding increases through VERA are tied to the number of patients seen, veterans in the Northeast regions are put at an automatic disadvantage.

I am told over and over by the VA Undersecretary for Health, Dr. Thomas Garthwaite, that the numbers work out. I am told that each VISN receives the appropriate amount of money to cover its costs.

Mr. Chairman, the numbers are not working out. The former Acting Director of VISN 1 recently said that over the past few years equipment and construction funds were used to supplement funds for direct medical care.

VERA simply does not provide the means to cover the facility costs of hospitals in the Northeast and still provide quality care.

Recently, two Boston VA hospitals, West Roxbury and Jamaica Plain, began to consolidate their operations. However, there is no money to complete this kind of transition without affecting the care to veterans. Because Boston serves as the major surgical center for the VISN, the patient population who receives care is going to suffer. The VISN does not have the $40 million required to complete this process smoothly.

The cost of providing health care in aging facilities is not adequately accounted for in VERA. The formula must be reexamined.

I am tired of hearing, "the numbers work out." Anyone who visits Togus, or any hospital in the Northeast will clearly see that it is not working out for those veterans seeking care.

There is simply no excuse, Mr. Chairman, for the hurdles our veterans must now face to access high quality health care. We need to make a greater commitment to funding veterans' health care programs and we must find a new and better way to direct those resources to those in need.

This Congress' fixation on huge tax cuts for the wealthy is endangering funding for veterans' health care programs, for housing and for other domestic programs.

We must get our priorities straight, and keep our promise to the veterans in this country. Support the Frelinghuysen/Hinchey amendment.

Mr. MILLER of Florida. Mr. Chairman, I rise in opposition to this amendment to change the VERA formula and return to an obsolete method of allocating veterans funding in this nation.
VERA, the Veterans Equitable Resource Allocation system is one of the smartest, fairest, and simplest things we've done at VA.

Mr. Chairman, the VERA issue is more than just abstract numbers and percentages on paper. For regions like VISN 3, the Veterans Equitable Resource Allocation formula has not been equitable, and it has resulted in serious delays in health care delivery for area veterans. It has also forced these veterans to live under the fear that crucial specialty services offered under the VERA formula would be cut from the VA's frontline clinic in Brick, New Jersey—located in my district—could be slashed. This nearly happened two years ago, when the VA responded to VERA-imposed budget cuts by seeking to close the clinic. I am still grateful for the efforts of Monmouth and Ocean County veterans who fought side by side with me to keep the facility open. If the Brick clinic were unable to provide rheumatology, podiatry, and a range of other services, these veterans would have had to take much longer drives for desperately needed treatment.

As the vice chairman of the Veterans' Affairs Committee, I have questioned VA officials about the VERA system, and the explanations I have received are not satisfactory. The solution is to adopt the Hinchey amendment and force the VA to halt the VERA formula, so that we can measure the full impact of this questionable system on veterans nationwide.

Mr. SMITH of New Jersey. Mr. Chairman, I rise today as a cosponsor of this amendment.

Mr. FRANKS of New Jersey. Mr. Chairman, I rise today as a cosponsor of this amendment.

The Veterans Equitable Resource Allocation is anything but what its name indicates. VERA is not equitable. In fact, it has had a disastrous effect on veteran health care in New Jersey.

VERA was intended to direct VA health resources to the areas with the highest veteran population. However, the VERA equation fails to calculate the level of care required by the patients.

Well intended? Yes. Well thought-out? Not in the slightest, Mr. Chairman.

VERA, 3, of which my district is a part, has the second oldest veteran population in the country. Clearly, these veterans have the greatest need for medical care and pay the highest health care costs of all veterans. Without this amendment, they will suffer across the board cuts in all brick.

While I appreciate the fact that after years of shortchanging veterans' health services, the President has finally proposed a budget that increases funding for veteran's health care. However, that increase will provide no additional benefits to the veterans in my state. Our veterans deserve no less.

Mr. SMITH of New Jersey. Mr. Chairman, I rise in strong support of this amendment. Send the VA back to the drawing board and tell them to come up with a system that meets the needs of ALL veterans. Our veterans deserve no less.

Mr. SMITH of New Jersey. Mr. Chairman, I rise today in strong support of this amendment.

The VERA formula punishes regions like the Northeast and Midwest by calculating need solely on the basis of the number of veterans served—without any regard for the type of individualized or specialized care given to these veterans. Patients in the New York/New Jersey area (which makes up Veterans Integrated Service Network or VISN 3 in my district) for example, are older than former service men and women in other parts of the country. Because age is usually accompanied by more severe health problems, these veterans often require more extensive care than veterans elsewhere.

In addition, New York/New Jersey veterans have a higher-than-average incidence rate of Hepatitis C (HCV) and AIDS, which we all know are very costly treatments. As the VA continues to make HCV diagnosis and treatment a priority—which it should—the costs associated with these procedures will rise. A March, 1999 one-day prevalence study found that six percent of veterans who were tested for Hepatitis C tested positive. In VISN 3 that number was 13 percent—almost double the national rate. And the going rate for one Hepatitis C treatment cycle, for one patient, is between $15,000 and $20,000. Yet the VERA formula does not factor this treatment cost into its allocation.

Finally, with the migration of veterans to the Sunbelt, those remaining in regions like the Northeast and Midwest are left to pay out of pocket for medical care, if not physical condition, to move to a warmer climate. VERA should not penalize those neediest of veterans for remaining where they are.

Mr. Chairman, the VERA issue is more than just abstract numbers and percentages on paper. For regions like VISN 3, the Veterans Equitable Resource Allocation formula has not been equitable, and it has resulted in serious delays in health care delivery for area veterans. It has also forced these veterans to live under the fear that crucial specialty services offered under the VERA formula would be cut from the VA's frontline clinic in Brick, New Jersey located in my district—could be slashed. This nearly happened two years ago, when the VA responded to VERA-imposed budget cuts by seeking to close the clinic. I am still grateful for the efforts of Monmouth and Ocean County veterans who fought side by side with me to keep the facility open. If the Brick clinic were unable to provide rheumatology, podiatry, and a range of other services, these veterans would have had to take much longer drives for desperately needed treatment.

As the vice chairman of the Veterans' Affairs Committee, I have questioned VA officials about the VERA system, and the explanations I have received are not satisfactory. The solution is to adopt the Hinchey amendment and stop implementing the VERA formula, so that we can measure the full impact of this questionable system on veterans nationwide.

Mrs. ROUKEMA, Mr. Chairman, I rise today in strong support of this bipartisan amendment.

VERA unfairly pits veteran against veteran for just a desperately needed health care services depending on which state they live in. Under VERA, even with the historic $1.7 billion for veterans' health care provided last year, VISN 3, which encompasses New Jersey and New York was cut by $33 million.

Let me give you another example of how unfair VERA truly is. VISN 3 has the second highest rate of Hepatitis C in the nation. But because of VERA, our veterans will not receive any money to combat the disease.

How is this fair? How is this equitable? New Jersey has one of the oldest veterans' populations and the highest number of special needs veterans. The funding reduction caused by VERA is taking a tragic toll on the veterans of New Jersey and the Northeast.

VERA unfairly punishes regions like the Northeast and Midwest by calculating need solely on the basis of the number of veterans served—without any regard for the type of individualized or specialized care given to these veterans. Patients in the New York/New Jersey area (which makes up Veterans Integrated Service Network or VISN 3 in my district) for example, are older than former service men and women in other parts of the country. Because age is usually accompanied by more severe health problems, these veterans often require more extensive care than veterans elsewhere.

In addition, New York/New Jersey veterans have a higher-than-average incidence rate of Hepatitis C (HCV) and AIDS, which we all know are very costly treatments. As the VA continues to make HCV diagnosis and treatment a priority—which it should—the costs associated with these procedures will rise. A March, 1999 one-day prevalence study found that six percent of veterans who were tested for Hepatitis C tested positive. In VISN 3 that number was 13 percent—almost double the national rate. And the going rate for one Hepatitis C treatment cycle, for one patient, is between $15,000 and $20,000. Yet the VERA formula does not factor this treatment cost into its allocation.

Finally, with the migration of veterans to the Sunbelt, those remaining in regions like the Northeast and Midwest are left to pay out of pocket for medical care, if not physical condition, to move to a warmer climate. VERA should not penalize those neediest of veterans for remaining where they are.

Mr. Chairman, the VERA issue is more than just abstract numbers and percentages on paper. For regions like VISN 3, the Veterans Equitable Resource Allocation formula has not been equitable, and it has resulted in serious delays in health care delivery for area veterans. It has also forced these veterans to live under the fear that crucial specialty services offered under the VERA formula would be cut from the VA's frontline clinic in Brick, New Jersey—located in my district—could be slashed. This nearly happened two years ago, when the VA responded to VERA-imposed budget cuts by seeking to close the clinic. I am still grateful for the efforts of Monmouth and Ocean County veterans who fought side by side with me to keep the facility open. If the Brick clinic were unable to provide rheumatology, podiatry, and a range of other services, these veterans would have had to take much longer drives for desperately needed treatment.

As the vice chairman of the Veterans' Affairs Committee, I have questioned VA officials about the VERA system, and the explanations I have received are not satisfactory. The solution is to adopt the Hinchey amendment and force the VA to halt the VERA formula, so that we can measure the full impact of this questionable system on veterans nationwide.

Mrs. ROUKEMA, Mr. Chairman, I rise today in strong support of this bipartisan amendment. This amendment will stop implementing the VERA formula, so that we can measure the full impact of this questionable system on veterans nationwide.
those who suffer from Post Traumatic Stress Disorder (PTSD) and reduced the number of medical professionals in the various health centers.

As a result of these cuts, there has been erosion of confidence between veterans and the VA. I can not describe the anger and pain I see in the faces of veterans in my district because of the reduction in health services. This erosion threatens to destroy the solemn commitment that this nation made to its veterans when they were called to duty.

We can not allow the VA to use VERA to save money by destroying the health care of veterans in New Jersey. We can not allow the VA to use VERA to use managed care to reduce quality. And we can not allow the VA to use VERA to close veterans' hospitals just because they are within sixty miles of each other.

CONCLUSION

The bottom line is: VERA is unacceptable and must change to a fairer more equitable system.

Let me state as firm as possible: There can be no compromise when it comes to veterans' health care. The promise made to veterans must be kept. We must do everything in our power to ensure that veterans receive the best health care possible.

Defending the Constitution of the United States on foreign soil is the greatest duty the nation can ask of its citizens. Our veterans answered the call to duty and performed it to the highest standard. We must keep our promise to our veterans regardless if they live in Florida, Texas, Maine or New Jersey. I believe a veteran is a veteran, period. The VA must have the same view. I strongly urge you to support this important amendment. Thank you.

Mr. BARRETT of Nebraska. Mr. Chairman, I rise today in support of this amendment. I understand the goal of VERA is to distribute money according to the number of veterans using veterans facilities, but it doesn't take into consideration the basic overhead expenses of operating medical care facilities in rural, less populated states.

Despite the fact that Congress has fully funded the President's request for the VA next year, at least four VISNs are projecting serious shortfalls. One of these VISNs, VISN 14, which includes Iowa and my home state of Nebraska, is projecting a $40–40 million shortfall.

Although Congress has increased the VA's budget 23.5 percent since Fiscal Year 1996, VISN 14 has only received a 6.2 percent increase—less than the cost of medical inflation. These shortfalls will continue until we are able to find a fairer way to allocate funds.

I believe VISN 14 has taken significant steps to lower costs—in fact, despite the increase in patient load of 26 percent, VISN 14 has closed two inpatient facilities and the number of full time employees has dropped 16 percent. Unfortunately, these changes will not save enough to make up for the large projected shortfall.

Mr. Chairman, when the VA closed the Grand Island inpatient wards, I was assured that the VA would put the money to good use to improve services to Nebraska's veterans, but the opposite has been true—services have gotten worse. Many veterans in my district are forced to travel hundreds of miles to receive the care they were promised. Veterans often wait weeks or even months for appointments to see VA doctors. This is unacceptable. Eligible veterans should have reasonable access to VA facilities no matter where they live.

I urge a yes vote on this amendment.

Mr. EVERETT. Mr. Chairman, I rise in strong opposition to this amendment offered by Mr. HINCHY to basically gut the present veterans' medical fund allocation system Congress established a little over three years ago. The reason we established the so-called VERA or Veterans Equitable Resource Allocation was to correct the arbitrary funding for veterans' medical care in various parts of the United States. As the name says, it is about equitable resource allocation—it is about fairness and putting and the health care money where the veterans are.

My veterans in Alabama deserve the same adjusted basic per capital funding as any other veteran in this country, not more and certainly not less. I don't know how anyone could object to that.

But here's what we should object to: having unneeded VA hospitals in a number of large metropolitan areas, including New York and Chicago. Hearings by the Oversight and Investigations Subcommittee, which I chair, established that the VA is wasting more than a million dollars a day by operating unneeded buildings and facilities. Personally, I think that number is underestimated, but that is what the General Accounting Office reported, and the VA did not deny it.

Any way you look at it, a million dollars a day is a lot of waste. We shouldn't be supporting waste by sending extra money to certain areas to support unneeded VA facilities. That's what this amendment would do. We should be encouraging the efficient expenditure of veterans' health care dollars. Taxpayers want the men and women who have served their country in uniform to have quality health care, and they want Congress to take care that their money is well spent.

Mr. Chairman, I firmly believe for this amendment is a vote for waste of veterans' health care money, pure and simple. It would be a step backward that would hurt most veterans by virtue of where they live. I urge my colleagues to do right for both veterans and taxpayers by defeating it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. HINCHY).

The question was taken; and the Clerk read as follows:

The amendment as amended is as follows: Page 90, after line 15, insert:

SEC. 426. Any limitation in this Act on funds made available in this Act for the Environmental Protection Agency shall not apply to—
(1) the use of dredging or other invasive sediment remediation technologies;
(2) enforcing drinking water standards for arsenic; or
(3) promulgation of a drinking water standard for radon where such activities are authorized by law.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 20, 2000, the gentleman from New York (Mr. HINCHY) and a Member opposed each will control 10 minutes.

Mr. HINCHY. Mr. Chairman, I ask unanimous consent to modify the amendment in accordance with the submission that is at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

MODIFICATION TO AMENDMENT NO. 35 OFFERED BY MR. HINCHY

The amendment as modified is as follows: Page 90, after line 15, insert:

(1) enforcing drinking water standards for arsenic where such activities are authorized by law.

The CHAIRMAN. Is there objection to the modification offered by the gentleman from New York?

There was no objection.

Mr. HINCHY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the purpose of this amendment is to strike from the bill language which is anti-environmental in intent. It is a rider which is contrary to environmental protection, which I believe has been inappropriately placed in the bill.

First of all, this language would make it impossible for the EPA to conduct activities which are designed to find out what exactly exists in certain areas that are contaminated, in river, lakes, streams and the oceans in and adjacent to the country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

Mr. HINCHY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Pursuant to House Resolution 525, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 35 OFFERED BY MR. HINCHY

Mr. HINCHY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 35 offered by Mr. HINCHY: Page 90, after line 15, insert:

SEC. 426. Any limitation in this Act on funds made available in this Act for the Environmental Protection Agency shall not apply to—
(1) the use of dredging or other invasive sediment remediation technologies;
(2) enforcing drinking water standards for arsenic; or
(3) promulgation of a drinking water standard for radon where such activities are authorized by law.

The importance of this is simply to discover what threat these sediments pose. In many instances, these sediments are cancer-causing agents such as polychlorinated biphenyls, heavy metals, and other agents.

The intention of the amendment is to make it impossible for the EPA to proceed with its program to remediate these bodies of water. I believe, which is in dire need of that remediation. In some cases, this situation has been carried on for decades.

So the purpose of the amendment is to strike that language, and also to
strike language which involves the issue of arsenic in drinking water. This language would prevent the EPA from establishing standards with regard to arsenic in drinking water.

I need not point out to the Members of the House that arsenic is indeed a particularly vitriolic poison. In fact, it occurs in many water bodies and public water supplies in a number of places around the country. So the EPA, in carrying out its responsibilities to protect public health, the EPA is establishing these standards in order to protect the environment, but even more particularly, in order to protect public health.

This language prevents us from dredging and from finding out what is in the bottom of water bodies around the country and taking appropriate remedial action on any of these issues. Establishing standards with regard to arsenic in drinking water.

I ask the majority of the Members of the House to join me in striking this anti-environment rider from this bill.

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

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

Mr. Chairman, first of all, I want to say that this is an amendment that does not do what the author would like it to do. Very simply, the author would like to strike language contained in the committee report, not in the bill but in the report, dealing with direction to the EPA on dredging and in enforcing strict arsenic regulations from.

Although he and others will allege that this language somehow reaches in and cancels report language, certainly no reasonable interpretation would come to that conclusion. Specifically, the language refers to limitations in this Act on funds made available in this Act.

I would say to the gentleman that there is no limitation in the Act on any of the above-mentioned issues. There is in particular no limitation of funds in the Act on arsenic regulations from. Moreover, there is not even a limitation of funds on either of the issues contained in the report language.

Despite the author's best intentions to somehow link what he would hope to accomplish with this language, it plainly and simply cannot and does not do what he would like it to do.

I would like to shift now from a technical interpretation of the amendment to specific comments on the issues that the gentleman objects to. I will confine my comments to the issue of dredging.

This is a very controversial issue. The EPA itself, up until just recently, had rejected the option of dredging because of the resultant pollution downstream from the dredging site. As we all know, when we stir up mud in the river, they travel with the current, so other parts of these rivers would be affected as that dredging began to occur.

The EPA was opposed to dredging for many, many years. Now there has been a change of heart and they want to proceed. Mr. Chairman, we all agree that the toxins that are in our bodies of water need to be dealt with. They need to be dealt with in the safest, most effective ways. We do not want our fish and our wildlife and our vegetative growth and our fellow human beings poisoned by these toxins.

But there is much to sit and debate about the drinking water Act and I am willing to proceed. Mr. Chairman, we all agree that the toxins that are in our bodies of water need to be dealt with. They need to be dealt with in the safest, most effective ways. We do not want our fish and our wildlife and our vegetative growth and our fellow human beings poisoned by these toxins.

There is much to sit and debate about the drinking water Act and I am willing to proceed.

Once they have accomplished that, they can proceed, so we want them to get the benefit of the good science and incorporate that into their plan and make a good decision and go forward.

I would just state lastly that this is the last time that this issue will be dealt with in this bill because the body of knowledge will be available for informed decision-making by the end of this year, so this is the last time we will deal with this in this bill.

I would urge rejection of this amendment. Let us make sure we have good science before we proceed.

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

Mr. HINCHHEY. Mr. Chairman, I yield 90 seconds to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Chairman, I rise in strong support of the Hinchev-Brown-Waxman amendment.

As the ranking member of the Subcommittee on Health and Environment, which has jurisdiction over the Safe Drinking Water Act, I am very concerned about the report language of the Committee on Appropriations with respect to arsenic.

The committee report language essentially tells the EPA not to enforce current law regarding arsenic. The current standard of 50 parts per billion was established in 1975 based on a public health standard originally established in 1942. However, arsenic is now understood to be much more toxic than was thought even 10 years ago.

In addition to more evidence on skin cancer, sufficient evidence has been found to link arsenic to fatal lung and bladder cancers and to other organ cancers. Arsenic is a known human carcinogen.

The EPA is in the process of revising the arsenic drinking water standard to be more stringent, but the new standard will not go into effect until 2004 at the earliest. It would be irresponsible for Congress to instruct the EPA to ignore cases in which drinking water supplies do not even achieve the current standards of 50 parts per billion.

This appropriations rider makes a significant change in national policy on drinking water, but the Subcommittee on Health and Environment, which successfully reauthorized the Safe Drinking Water Act just 4 years ago, has not been given the opportunity to review it, nor have any bills introduced in this Congress on arsenic in drinking water.

Here this anti-environment rider in the report is bad procedure and bad policy. I strongly urge my colleagues to vote yes on the amendment.

Mr. WALSH. Mr. Chairman, I yield 3 minutes to my colleague and good friend the gentleman from New York (Mr. SWEENEY).

Mr. SWEENEY. Mr. Chairman, the gentleman from New York (Mr. HINCHHEY) would like us to believe that dredging over 1 million tons of sediment from the Hudson River, disrupting the recovering ecosystem, releasing PCBs downstream, shutting off recreational use of the river, and landfilling 85,000 truckloads of dredged material on dairy farms in the Upper Hudson region is somehow the only reasonable action to be taken in the best interests of New Yorkers in order to remediate the Hudson River.

I would advise the gentleman that neither he nor the EPA should feel it necessary nor appropriate to lecture our residents on what is best for their communities. I do not believe we should let politics dictate our efforts to remediate the Hudson River. Simply put, I want to see science and facts applied here.

Mr. Chairman, the public has lost confidence in the EPA and in this endeavor. As the chairman mentions, it has gone on way too long. I have brought a couple of charts that will exemplify what we are talking about.

In the first chart here, the level of 10 exists. These are the past dredging experiences that the EPA has conducted. In each of the dredging experiences they have conducted the level of 10, which is now what the upper Hudson River level is, has been met in their most successful operations, meaning that if they dredge now they will have to realize unprecedented successes.

The second chart, using EPA science, shows the three ways, the natural recovery, the source control natural recovery, the source control dredging recovery, in terms of remediation of the river. If we look at those lines, we will
notice that there is barely a distinction in terms of the kind of recovery.

The EPA has lied to the citizens in the upper Hudson valley. They began a covert study to look at landfills those dredge materials. They have lost the confidence of those people in that area.

As the chairman pointed out, the National Academy of Sciences report due out in September needs to be incorporated in so that we have the public confidence regained in this endeavor. I urge a no vote, a strong no vote in this effort.

Mr. HINCHHEY. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. VISCOLOSKY).

Mr. VISCOLOSKY. Mr. Chairman, I thank the gentleman for yielding time to me. I strongly rise in support of the Hinchey amendment.

Mr. Chairman, the concern I have is that we are seeking knowledge and seeking better ways to do clean-ups with the National Academy studies. On the other hand, we have existing technologies and we have problems that are endangering people's health today.

I think we ought to use the knowledge and technology that is available today to help our fellow citizens in cleaning up these waterways while we continue to seek better ways to do so. I am very concerned about the potential delay.

I have a similar situation in my own district that has been studied for 24 years. One of the elements we have incorporated in the project cooperative agreement is a review every 5 years so we can incorporate new technologies as they come online, but I think it would be a mistake today to delay improvements in cleaning up our waterways that today endanger people's health.

Mr. WALSH. Mr. Chairman, I yield 1 1/2 minutes to the gentleman from New York (Mr. BORSKI), ranking member of the Subcommittee on Water Resources and Environment.

Mr. BORSKI. Mr. Chairman, I rise to support the Hinchey amendment and express my opposition to the antienvironment provisions contained in the bill and its report. It seems as though we go down this road every year fighting riders and report language designed specifically to stop the Environment Protection Agency from advancing the protection of human health and the environment.

Just a few short weeks ago, the majority claimed to have adopted a policy of no antienvironmental riders in appropriations bills. Unfortunately for human health and the environment, this is not the case. Instead, the majority has determined to place antienvironmental provisions in the committee report. This amendment is necessary to undo that harm.
Mr. Chairman, I am particularly concerned that the report accompanying this bill would provide EPA with the tools it needs to clean up our nation’s polluted waters comprehensively and equitably. We urge you to uphold the mandates of the Clean Water Act and the value of the TMDL program by opposing this rider.

Sincerely,

Elizaanna McEvoy, Center for Marine Conservation; Daniel Rosenberg, Natural Resources Defense Council; Ted Morton, American Oceans Campaign; Paul Schwartz, Clean Water Action; Steve Moyer, Trout Unlimited; James S. Lyon, National Wildlife Federation; Rick Parrish, Southern Environmental Law Center; and the Clean Water Advocates; Ann Mills, American Rivers; David Anderson, Chesapeake Bay Foundation; Jackie Saritz, Coast Alliance; Barry Carter, Blue Mountain Native Forest Alliance; Norma Grier, NW Coalition for Alps to Pesticides; Daniel Hall, American Lands; Jim Rogers, Friends of Elkh River; Bruce Wishart, People for Puget Sound; Jennifer Schemm, Grand Ronde Resource Council; Ric Bailey, Hell’s Gate Environmental Club; Steve Huddleston, Central Oregon Forest Issues Committee; Mary Scurluck, Pacific Rivers Council; Mick Garvin, Minnesota Rivers Club; Fiona Ferber, Friends of Little River, Francis Eatherington, Umpqua Watersheds, Inc.; James Johnston, Cascadia Wildlands Project; Hillary Abraham, Oregon Environmental Council; Asanta Desert Association; Mr. Benson, Association of Wetlands Conservators; Elizabeth E. Stolkey, Organization for the Assabet River; Maria Van Duzen, Massachusetts Riverways Program; Pepper Trip, Rogue Valley Audubon Society; Glen Spain, Pacific Coast Federation of Fishermen’s Associations; Ed Himlan, Massachusetts Watershed Council; John R. Fontenot, Coeur d’Alene River, Watershed Association; Michael Toomey, Friends of Douglas State Forest; Ellen Mass, Friends of Alewife Reservoir.

Association of Metropolitan Sewerage Agencies

June 16, 2000

Re: Municipalities Support EPA’s Revised TMDL Program.

Hon. Robert A. Borski,
House of Representatives,
Washington, DC.

Dear Representative Borski: In August 1999, EPA released proposed regulatory revisions to clarify and redefine the current regulatory requirements for establishing Total Maximum Daily Loads (TMDLs) under the Clean Water Act (CWA) §303(d). Recognizing that the proposed rule has undergone some significant changes in the past year, the Association of Metropolitan Sewerage Agencies (AMSA) — AMSA represents the interests of 2600 wastewater treatment agencies. Together, AMSA member agencies serve the majority of the sewered population and treat and reclaim more than 20 billion gallons of wastewater every day — supports EPA’s efforts to revise the existing TMDL program, as well as its schedule for finalizing the revisions by June 30, 2000.

AMSA anticipates that the final rule will be a major improvement over the existing TMDL program, which has traditionally focused solely on controlling point sources, i.e., municipalities, rather than developing comprehensive solutions to the nation’s water quality problems. During the past 30 years, point sources of water pollution have been the focus of the industry, and others — have met the challenges of the Clean Water Act to achieve our national water quality goals. The investment in wastewater treatment has revitalized America’s rivers and streams, and the nation has experienced a dramatic resurgence in water quality. However, according to the Environmental Protection Agency (EPA) 40 percent of our waters remain polluted — largely by nonpoint source pollution. The situation will not improve until we include all sources in the cleanup equation.

EPA’s revised rule is expected to encourage the development of implementation plans for TMDLs that provide as “reasonable assurance” that all sources of pollution, point and nonpoint, will be addressed as part of a cleanup plan. Development of implementation plans will ensure that the community and the public have an opportunity to review and understand how the regulatory agencies will respond to local water quality problems. Implementation plans will also help to ensure that municipalities, which hold many of the nation’s existing discharge permits, are not forced to remove increasingly minimal amounts of pollutants from their discharge at significant expense, while the major pollution contributions from uncontrolled sources remain unabated.

In addition to ensuring more involvement from all sources of pollution, EPA’s revised rule is also expected to improve the existing TMDL program in several other areas including:

- Improved ability for the regulated community to respond to the public — supported by state and federal regulatory agencies to include or exclude waters on TMDL lists. Currently, this lack of protocol has led to the listing of many impaired waters upon outdated or very limited data, with very little ability for public input or review. Requirements to develop and follow these protocols will help to ensure that TMDLs are properly developed using technically-based, scientific approaches, which are supported by data of adequate quality and quantity.
- Allowing new or expanded discharges on impaired waters. —Current regulations at 40 CFR Part 122.4 effectively prohibit new discharges to impaired waters during TMDL development. EPA’s revised proposal should provide more flexibility for new dischargers, or the expansion of existing discharges during the 8 to 15-year TMDL development process by allowing new or increased discharges where adjustments in source controls will result in reasonable progress toward environmental improvements. Given that 40,000 waters currently on EPA’s impaired waters list, this flexibility is critical if we are to allow for the continued economic viability and growth of our nation.
- Meeting more reasonable deadlines. —The existing TMDL program is currently being driven by the courts, with extremely ambitious schedules and deadlines for a developing implementation plan. Realistic deadlines will likely result in poorly developed TMDLs based on little or inadequate data, or...
Mr. CHAIRMAN. The gentleman from New York (Mr. HINCHEY) has 1½ minutes remaining.

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, for over 25 years, the General Electric Company in New York has been thwarting any effort to clean up the Hudson River of the tons and tons of PCB they dumped into that river. For 20 years, they demanded study after study after study. For 20 years, they told us the river itself would eliminate the sediments. It has been studied. It has been studied and studied and studied to death for 20 years. We know that the river itself did not eliminate the sediments. We know they must be required to do so.

The EPA, having finished its findings, is now required to prepare a report to the Congress to get to the crux of the matter. A 1980 document from the EPA’s Office of Water Quality concerning the roles and responsibilities of all stakeholders in the TMDL process, and would make significant improvements in our effort to improve the nation’s water quality. We therefore urge you to oppose any legislative efforts that interfere with EPA’s ability to issue and implement its comprehensive TMDL program revisions.

If AMSA’s staff or member POTWs in your home state can assist you in any way, please call me at (202) 833–4653. Thank you for your consideration of my request.

Sincerely,

Ken Kirk, Executive Director.

Mr. HINCHEY. Mr. Chairman, may I inquire as to the time that is remaining.

The CHAIRMAN. The gentleman from New York (Mr. HINCHEY) has 1½ minutes remaining.

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. BROWN).

Mr. BROWN. Mr. Chairman, I rise today to speak against this amendment and in favor of the report language included in this bill. As a member of the Appropriations Committee and the VA–HUD Subcommittee, I support the common-sense approach the Committee has already taken to address the problem of contaminated sediments in our rivers.

Three years ago, Congress directed the EPA not to issue dredging or capping regulations in the TMDL development processes until the National Academy of Sciences completes a study on the risks of such actions. Qualified scientists are working to finish this report to determine the best way to clean up rivers with minimal impact to the surrounding environment. This has been an open process, allowing input from the public, environmental organizations, and from the EPA itself.

Mr. Chairman, I agree that this is an environmentally sensitive issue, and it is important that most qualified, independent scientists weigh in on this regulation. This is why I support the existing language, which directs the EPA not to act prematurely and wait until the NAS study is complete. I encourage a “no” vote on this amendment.

The CHAIRMAN. The question is on the amendment, as modified, offered by the gentleman from New York (Mr. HINCHEY).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. WAXMAN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 525, further proceedings on the amendment, as modified, offered by the gentleman from New York (Mr. HINCHEY) will be put to a vote.

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

Mr. Chairman, pursuant to an agreement that we reached earlier in the day, I yield 2 minutes to the gentleman from Indiana (Mr. ROEMER) only for purposes of discussing his amendment No. 7.

Mr. ROEMER. Mr. Chairman, I thank the gentleman from West Virginia and will briefly discuss an amendment that was subject to a point of order and, therefore, legislatively on appropriations bill, and I could not offer it.

This body just decided to go forward and fund a Space Station that is $90 billion over budget. Now, if this body is going to proceed with that kind of decision, I would hope that they would do it prudently and with our taxpayers in mind and with science at the forefront.

My amendment would simply say get the Russians out of the critical path and build it with the American interest in the forefront.

Right now, according to this graph, this is the pie graph of how the Space Station is built. The United States funds about 74 percent of it; Europe, 11 percent; Canada, 3 percent; Russia has a question mark. Why? The General Accounting Office has just come out with a new study saying that the Russian participation will cost the American taxpayer $5 billion in the future because they are not coming forward with their money, with their time, with their components. The U.S. taxpayers in Indiana, Illinois, Massachusetts, New York, and West Virginia are going to have to fund this.

So I encourage this committee to address this very critical issue and get the Russians out of the critical path, get them out of the critical path so that they cannot gum up the works and they cannot force the American taxpayer to send their hard-earned money over to Russia.

Mr. Chairman, will the gentleman from West Virginia (Mr. MOLLOHAN) yield to me for the second amendment?

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. ROEMER) for the purpose of speaking on his amendment No. 8.

Mr. ROEMER. Mr. Chairman, the other amendment would simply again look at the U.S. taxpayers’ interest, and it would cap the overall costs of the Space Station.

According to a graph put together by CRS back in about 1988, the Space Station took about 4 percent of NASA’s budget. So out of an overall spending of $13 billion, $13.2 billion, the Space Station consumed about 2 percent.

Today, in the year 2000, that spending level is up to almost 20 percent of the NASA budget. So NASA is starting to cannibalize, cancel, withdraw from,
Mr. Chairman, in 1999, the U.S. Court of Appeals ruled the EPA had unconstitutionally usurped Congress' legislative authority by establishing strict new Federal air quality standards. Reasonable persons expected the agency to delay further implementation of these standards until the Supreme Court rules on the agency's appeal early next year. The EPA has decided to go forward with the process of designating hundreds of new areas in non-attainment status despite the legal uncertainty.

This amendment is simple. It does not affect existing air quality standards, nor does it render judgment on new standards. It only requires the EPA to postpone further action until the Supreme Court issues its final ruling. The only common sense reasonable approach is to delay this process until the Supreme Court renders its decision in early 2001.

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

The CHAIRMAN. The gentleman from New York (Mr. WALSH) is recognized.

Mr. WALSH. Mr. Chairman, I yield 5 1/2 minutes to the gentleman from New York (Mr. BOEHLENT), my colleague and neighbor to the east.

Mr. BOEHLENT. Mr. Chairman, I thank the gentleman from New York for yielding me this time.

Mr. Chairman, I rise in strong, strong opposition to this amendment. Let me begin by explaining what the debate over this amendment is not about. This is not a referendum on the underlying ozone standards. The Supreme Court will review those standards later this year. This amendment takes no stand on whether those standards should move forward or not.

Second, and even more importantly, this amendment has nothing, absolutely nothing to do with whether the Environmental Protection Agency can impose sanctions on communities under the 8-hour ozone standard. The D.C. Circuit Court decision already prohibits EPA from imposing any sanctions before the Supreme Court hands down its decision.

Let me emphasize this again. With or without this amendment, no community will lose its highway funding, no community will face new restrictions on plant expansions, no community will face any new penalty or regulation under the new ozone rules before the Supreme Court decision.

Mr. Chairman, in 1999, the U.S. Court of Appeals ruled the EPA had unconstitutionaly usurped Congress' legislative authority by establishing strict new Federal air quality standards. Reasonable persons expected the agency to delay further implementation of these standards until the Supreme Court rules on the agency's appeal early next year. The EPA has decided to go forward with the process of designating hundreds of new areas in non-attainment status despite the legal uncertainty.

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The CHAIRMAN. The gentleman from New York (Mr. WALSH) is recognized.

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The CHAIRMAN. The gentleman from New York (Mr. WALSH) is recognized.

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Mr. BOEHLENT. Mr. Chairman, I thank the gentleman from New York for yielding me this time.

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Let me emphasize this again. With or without this amendment, no community will lose its highway funding, no community will face new restrictions on plant expansions, no community will face any new penalty or regulation under the new ozone rules before the Supreme Court decision.

There is no cost issue here. Voting for the amendment will not save much, if any, money. Cost savings are illusory. But approving the amendment would have very real human cost. The amendment will delay clean air efforts, resulting in more hospital admissions, more lost days of work, more misery, more suffering for American families. Those are real costs.

The sponsors of this amendment also suggest that this measure is needed because otherwise communities would get a damaging black mark. The idea here, I guess, is that dirty air does not exist if it is not officially recognized. But, unfortunately, our lungs do not react to political designations; they react to the chemicals actually present in the air. All the official designation does is to enable the new rules to move forward if, and only if, they are upheld by the Supreme Court.

Also, this black mark argument is a bit of a joke. It is not exactly a secret which counties may be out of attainment. EPA released a list of those

Amendment offered by Mr. COLLINS

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

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 20, 2000, the gentleman from Georgia (Mr. COLLINS) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS. Mr. Chairman, I yield myself such time as I may consume.
more than 3 years ago, and the sponsors themselves have been circulating lists of out-of-attainment counties for weeks. In both instances, without this amendment, communities can begin to figure out how to remove the black marks by actually cleaning up their air.

Mr. Chairman, I urge all of my colleagues to oppose this amendment. It is not necessary and it is contrary to the best interests of American families.

Mr. COLLINS. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. LINDER), cosponsor of this amendment.

Mr. LINDER. Mr. Chairman, I thank the gentleman for yielding me this time.

I think the crocodile tears the gentleman from New York has for the number of hospital admissions must come from bad dream, because the EPA said to the court there is no way for us to quantify the health statistics with their new rule.

The EPA wants to move forward with designating areas, and the gentleman says that is not going to hurt anyone. But let me tell my colleagues what happens when designations are made. Highway funds stop under the Clean Air Act. Yes, highway funds stop, not because of enforcement but because of designation. Fewer loans are extended to businesses. A mountain of lawsuits from environmental groups, who are now given standing, are filed against States and localities. Many more thousands of dollars are spent by States and localities to comply with the designation process, not the enforcement process. News articles labeling regions as polluted, using standards that are unenforceable, will occur, and businesses moving or expanding will go elsewhere.

Finally, an effective designation triggers a conformity process under the Clean Air Act. That clearly means hundreds of billions of dollars in highway funds lost. This is real. The EPA ought to abide by the court decision.

Mr. COLLINS. Mr. Chairman, I yield 1½ minutes to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP. Mr. Chairman, I ask the House to support my colleagues from Georgia and vote in favor of this amendment.

Mr. Chairman, the EPA's new standards could potentially triple the number of counties nationwide in violation of the Clean Air Act. Chattahoochee County, in my congressional district, could possibly be one of those counties impacted by the new National Ambient Air Quality Standards.

Mr. Chairman, Chattahoochee County is not an industrial county. It is a small poor rural county that is trying to build its economic base. EPA's new standards, no matter how well intentioned, could seriously damage this effort.

Last year, the United States Court of Appeals ruled that EPA's standards are legally unenforceable. The Supreme Court announced that they would consider EPA's appeal and all the arguments involved. Due to this legal uncertainty, I truly believe that the EPA should delay further implementation of the standards in order to allow time for the Supreme Court to rule on the pending appeal.

Mr. Chairman, if the Supreme Court upholds the Court of Appeals and does rule that the new standards are unconstitutional, our States and our local communities will have spent tax dollars to comply with illegal requirements and will have nothing to show for their investment in a federally mandated process. That is why I urge my colleagues to vote in favor of this amendment.

Mr. COLLINS. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. NORWOOD).

Mr. NORWOOD. Mr. Chairman, I rise in strong, strong support of the Collins-Linder amendment.

Now, I am sure we are going to hear today the standard EPA mantra that the new air quality standards would prevent thousands of asthma attacks and hospital admissions. We have already heard it. The problem is that was determined with very faulty studies and bad science. These were precisely the studies, the faulty studies, that the D.C. District Court found were not backed by credible evidence and violated Congress's legislative authority, and that led the court to overrule this agency. That is the first branch of the government saying to this Federal Court that they must stop.

Furthermore, the Committee on Commerce listened hours on end to a debate with EPA on this and found the same thing: this science is not credible. We should not go forward with something until we know exactly what we are doing because there are negative consequences of this.

Everybody needs to vote for this amendment and tell the EPA to cut it out.

Mr. WALSH. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Chairman, I thank the gentleman for yielding me this time.

It is my understanding, and I will address this to the gentleman from Georgia, that the courts did rule or they did say that the science was reasonable.

The other gentleman from Georgia, for whom I have great respect, made a comment about the gentleman from New York (Mr. BOEHLER) having crocodile tears. Well, I can tell my colleagues that I have crocodile tears because of some of the ozone days that we have here in the State of Maryland. One of the counties in my district, Anne Arundel County, it was way it for all to hear, is the 11th worst county in the United States for these kinds of ozone particulate problems. When that came out in the press, and it was substantiated, the people did not get angry that that information was there. The people were happy that they had that information so they could talk to the local county executive and figure out ways maybe they could help resolve that issue.

We have, in the State of Maryland, I do not know if it is worse than anybody else, but we happen to be in the jet stream, the confluence of the westerly winds that blow from the Midwest, and they come right across the mid-Atlantic adverse health effects associated with ozone air pollution. When that came out in the press, and it was substan-

ienced, could seriously damage this effort.

Now, because of that, we do not want to not know that information. We want to know that information because, number one, we put up a lot of pollution ourselves. We have coal-fired power plants; we have the I-95 corridor that runs right through the State of Maryland and brings all that traffic and all those problems. So we want to know what we can do with our own situation here in the State of Maryland. Not placing the blame anywhere else, and saying we have a problem, we have the information, we want to learn about how we can solve it.

Mr. WALSH. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, I thank the gentleman for yielding me this time.

Scientists have been studying the effects of ozone on human health for many years, and we know there are serious adverse health effects associated with ozone air pollution. Ozone can trigger asthma attacks, reduce lung function, inflame and damage the lining of the lung. Prolonged exposure can lead to permanent damage in the way human lungs function. So we have a serious health issue associated with ozone.

In 1997, EPA finalized new standards for ozone and fine particulate matters. In May of 1999, in a court case, the U.S. Court of Appeals for the District of Columbia remanded these standards back to EPA, and there is an appeal now going on to the Supreme Court. But an issue that is not under contention is...
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whether ozone is harmful or whether EPA had the science to promulgate these standards. No one disagreed with that, and the court was not addressing EPA’s decision that it was based on the science.

What is at issue before the Supreme Court is an issue under the nondelegation doctrine. And the Supreme Court is going to be looking at that question. It is really quite an unprecedented matter of law. But in the meantime, areas have been designated under this new standard. This Linder-Collins amendment would stop the designation.

Well, the designation ought to go forward. It does not require expenditure of money for costly monitoring. It does not require a loss of highway funding. It is not EPA disregarding the court case. This is important to go forward with the designations so the areas can be prepared to move once the Supreme Court has decided the issue.

If this amendment were agreed to, it would set us years further along before the localities would be in line to meet the standards and would be prepared to do what is necessary to meet those standards. I would hope Members would oppose the Linder-Collins amendment.

Mr. COLLINS. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. TAUZIN).

Mr. TAUZIN. Mr. Chairman, I rise in strong support of this amendment, and I start with one question: Have we walked through the looking glass with Alice? Have we now entered Wonderland?

I want my colleagues to follow this with me. The Clean Air Act Amendments of 1990 specify in section 181 that EPA is to put in place a 1-hour standard for ground-level ozone and particulate protection, and it is the responsibility of those communities out of attainment based upon that standard.

EPA decided on its own to revise that standard. The court of appeals here in Washington said that was unconstitutional.

It further held that their standards were arbitrary and capricious and they use not an intelligible standard by which to address the science to this new formula they came up with. So they have got an unconstitutional formula standard on their hands. They are told they cannot enforce it. And yet today they are demanding that States declare communities across America out of the attainment on a standard that has been declared unconstitutional.

Have we entered Wonderland? Now we are told this is not going to cost anything. EPA says this is going to cost $9.6 billion to implement. Have we got $9.6 billion to throw away, designating nonattainment communities on a standard that the Supreme Court might indeed declare unconstitutional?

I ask my colleagues, who of them in their district has $9.6 billion to give to this worthless effort?

Secondly, the Supreme Court is going to rule on this next year. We are going to get an answer as to whether this is real or not. In the meantime, EPA wants to designate communities across America in 324 congressional districts, 324, three-quarters of the congressional districts of this House, are going to be designated out of attainment. For what? For a standard that has been declared unconstitutional.

Every one of those communities and congressional districts will be stigmatized for economic growth and development and will be told they are out of attainment, they are not in compliance with Federal law. And my colleagues tell me damage will not be done.

This is Wonderland. We need to adopt this amendment.

Mr. COLLINS. Mr. Chairman, I yield 1½ minutes to the gentleman from Missouri (Mr. BLUNT).

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

Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Georgia (Mr. COLLINS) and the gentleman from Georgia (Mr. LINDER).

Mr. Chairman, this amendment would rightly supersede and suspend a bureaucratic fiat by unelected agency officials that could cost our States and communities billions of dollars as they struggle to comply with an unattainable, unsubstantiated, and unconstitutional standard.

We should protect our constituents from the significant costs of EPA’s decision to mandate a new, highly restrictive ozone standard until the Supreme Court decides whether or not they have the legal and enforceable right to do so.

Already, the Court of Appeals has rejected the reasoning underlying the EPA’s decision to mandate these standards. Taxpayers should not be burdened by premature enforcement of an agency’s standard that cannot be enforceable and should not be issued.

Exposing taxpayers to the increased costs of regulations erected on a highly unstable constitutional footing makes little sense.

Let me be clear. This amendment is not a referendum on the Clean Air Act. It simply protects taxpayers by postponing further action by the EPA from prematurely designating these communities until the court has decided that the EPA has the right to do that.

Congress should protect its own prerogatives and the taxpayers by supporting this amendment and allowing the Supreme Court to render a final determination.

Support common sense and fairness. Require the Congress to accept our full responsibility in this area and allow the Supreme Court to make its decision.

Mr. COLLINS. Mr. Chairman, I yield 1 minute to the gentlewoman from Indiana (Ms. CARSON).

Ms. CARSON. Mr. Chairman, I thank the gentleman very much for yielding me this time. Mr. Chairman, America is only as strong as its communities; and by placing a giant question mark over our communities, we do a disservice to community growth.

My district, obviously, is one of the communities that would be adversely impacted by the implementation of the EPA standards.

The United States Court of Appeals has ruled that the EPA label for new air standards are legally unenforceable until to October and is going to place a badge of inferiority over our Nation’s cities.

Indianapolis, from which I am elected, is a badge that the U.S. Court has viewed as having no merit. I support clean air. However, it is not a standard that has the legal sanction of the U.S. court system.

If allowed, this badge of inferiority that lacks legal precedent could have an adverse impact on new businesses that may be less likely to open new facilities in areas designated as contaminated. It may have an impact on the hiring of new employees and community growth in that people may not desire to move into an area that has been deemed to be polluted.

Let us not place an illegal badge of inferiority on our American citizens.

Mr. WALSH. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN) a distinguished member of the subcommittee.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

As one of the 325 Members who could have all or part of our congressional districts included in the nonattainment areas under the EPA’s 8-hour ozone standard, I want my constituents, especially seniors, children and those with asthma, to have cleaner air sooner rather than later.

In New Jersey, the months from April to October are not only the summer season, but they are also known as the ozone season. During this period, the Garden State will see an average of 240,000 asthma attacks; 2,000 related hospital admissions; and 6,000 related emergency room visits. These statistics are from the New Jersey Department of Health.

The 8-hour standard is 10 percent more stringent than the current 1-hour standard and incorporates larger geographic areas. This forces up-wind polluting States, such as those in the Midwest, to do more of their fair share to help down-wind receiving States, such as mine, come into compliance.
EPA’s implementation of the Clean Air Act should go forward. I urge that the amendment be not one penny will be spent by any community. No community loses highway funds. No community loses any support from the Federal Government for economic development activities.

The gentleman from Maryland (Mr. GILCHREST) was absolutely correct. It all boils down to this: The American people have a right to know. The American people have a right to know.

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

Mr. CHAIRMAN. The gentleman is right, there is a lot of misinformation about this; and he just delivered some more.

Mr. CHAIRMAN. I yield 1 minute to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Chairman, I rise in strong support of the Linder-Collins amendment.

We are all supporters of clean air. This debate is not whether or not ozone is harmful. We all know it is. This debate is about fairness. It is a debate about whether or not we should all be able to play by the same rules.

Over a year ago, the Federal Circuit court found that the EPA acted without authorization in drafting these new 8-hour ozone standards. We know that that matter is on appeal. But we also know that the EPA is continuing to use these standards to label our communities and to designate some of them as nonattainment areas.

What does this nonattainment label mean? It means a suspension of Federal highway funds. It could mean the imposition of auto emissions testing programs. And it certainly means restrictions on all of our local industries. It is like a bright neon sign at the county line saying “stay out” to every business and industry that is looking for a new place to invest.

We believe that everybody should be able to play by the same rules and that we should wait until the Supreme Court rules.

Mr. WALSH. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the courtesy of the gentleman and I strongly associate myself with the comments from my colleague the gentleman from New York (Mr. BOEHLERT). He has it right. The ozone problems are proven.

This amendment would be a significant step backward. It is, in fact, legal and required to be done by the EPA. It would be wrong to set back this work up to 2 years while some of the legal issues are, in fact, being hashed out.

In Atlanta, failure to comply with the Clean Air Act provided much-needed catalyst for making a serious examination of the impacts of unplanned, rapid growth in its metropolitan area. I think what is happening in Atlanta in Georgia is part of the success stories. Because the new governor had the courage to move through a comprehensive approach they have not yet lost one dime of Federal highway money, they have been able to channel it for things that are in compliance with the plan, and they are able to move ahead and move forward. It would be a disservice to Atlanta and to other areas of the country to not give people the best information, to not move forward as rapidly as we can, and not be ready to implement this if, as I believe it is in fact going to be the case, this is sustained by the Supreme Court.

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

Mr. BLUMENAUER. I yield to the gentleman from Oregon (Mr. BLUMENAUER) for yielding.

Mr. CHAIRMAN. Mr. Chairman, I would just like to make a comment on the previous speaker, the gentleman from Texas (Mr. TURNER), as far as putting a neon sign on his area that was considered in a nonattainment area for business purposes.

New York and Atlanta are both in nonattainment areas, and their economies are prospering. So I think that is a nonargument.

And, also, the gentleman from Oregon (Mr. BLUMENAUER) said no highway funds would be withheld as a result of this, and that is also true. I think that people should know the quality of their air.

Mr. COLLINS. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. HALL).

Mr. HALL of Texas. Mr. Chairman, I rise in strong support of the amendment.

The EPA has already acted. The energy and commerce committee acted in 1990, laid it out fairly specifically.

I certainly respect the gentleman from New York (Mr. BOEHLERT) but I differ with him on his interpretation of what the Court of Appeals said. He relayed some information that they had seemed something reasonable, but they also deemed it unconstitutional and they wrote I think very clearly.

Now, where the mistake is here, the gentleman from New York (Mr. BOEHLERT) says that to pass this amendment would unduly delay implementation. Of course it would. That is the whole idea of the amendment, asking them not to be unconstitutional, not to usurp the congressional authority here.

They are presuming that the Supreme Court is going to bail them out. I presume the Supreme Court is going to follow the law and tell the EPA that they acted unconstitutionally, not to act. I think it is just that clear.

Mr. COLLINS. Mr. Chairman, I yield 1½ minutes to the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Chairman, I yield the gentleman for yielding me the time.

Mr. CHAIRMAN. Mr. Chairman, throughout the VA/HUD appropriations hearings this year, I have had occasion to engage both EPA Administrator Carol Browner and Assistant Administrator for Air and Radiation Bob Perciasepe in a dialogue about their legal troubles and their faulty standards and their flips and their reversals and their scientific troubles.

In light of all of that, let me explain a little personal experience we are having with EPA in Michigan.

The EPA implemented national restrictive mandates on air using a 1-hour measurement. Then EPA revoked the 1-hour measurement and switched to an 8-hour measurement. Next the courts explained to EPA that their actions were unconstitutional. Then the EPA flipped back again to the first restrictive mandate.

As my colleagues can imagine, the States and the regulated community are frustrated and harmed by EPA’s failures.

Now the EPA is ignoring the most recent air quality data and is instead relying on old, out-of-date designations that were in place at the time the 1-hour measurement was revoked the first time.

Now, if my colleagues are lost, we have lost and so are we.

Now, this bad action by EPA violates the long-standing legal principle of fairness known as “detrimental reliance.”

As my colleagues can imagine, the States and the regulated community are frustrated and harmed by EPA’s failures.

We can do a whole lot better than this. For just such examples as these, I support the amendment and congratulate the gentleman from Georgia (Mr. COLLINS) and the gentleman from Georgia (Mr. LINDER) for their leadership.

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

Mr. CHAIRMAN. Mr. Chairman, a lot has been said about gathering information. And information is important. It is important for everybody in our communities to know just exactly what kind of quality of air they have there for their citizenry. But this does not stop information gathering.
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What we are concerned about is the designation, the mark, the stigma, the red scarlet letter that so many people will look at and say, "Don’t want to be in that county as a place to locate a business or even to locate themselves."

Mr. Chairman, I yield the balance of my time to the gentleman from Georgia (Mr. LINDER).

The CHAIRMAN. The gentleman from Georgia is recognized for 1 1/2 minutes.

Mr. LINDER. I thank my colleague for yielding me this time.

Mr. Chairman, let me just deal with three points. None of us want our constituents to suffer illness because of air. But let us talk about what actually went on in the court. The D.C. Circuit specifically noted that EPA’s arguments on the health effects of changing from the 1-hour rule to the 8-hour rule for the 1997 standard were bizarre. That is the court’s response. Bizarre. The EPA itself argued during the trial that the health effects were irrelevant to the development of the rule, and EPA’s own final rule on the 8-hour standard notes that quantitative risk assessment could not be developed. This is the EPA speaking.

With respect to the transportation issue and the highway funds, in the Clean Air Act a nonattainment designation, which the gentleman from Georgia (Mr. COLLINS) referred to, triggers the conformity process. Under this process, a region can lose all access to its Federal highway funds even if it is in conformity. No EPA enforcement actions are necessary to trigger conformity. Only a nonattainment designation is needed to threaten a region’s highway funding. The Federal DOT directs all enforcement during this process.

Finally, let me say that this is not unprecedented. The gentleman from New York voted for this 2 years ago. In TEA-21, we had a provision that stayed the rule, that stayed the designation process for 1 year; and we had that because we thought the court would be completed within 1 year. All Members who voted for TEA-21 voted for this moratorium. 297 Members strong. Unfortunately, the delay was not long enough. We will just be extending it until the court finally decides.

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

I would just like to congratulate both sides on the debate. It thought the debate was conducted at a high level. Solid points were made on both sides. My view is that we should, when we have a decision to make, make it based on facts; and I think we should err on the side of caution. Caution in the sense of human health would dictate that we oppose the amendment.

Mr. Chairman, I yield the balance of my time to the gentleman from New York (Mr. BOEHLERT), who has been a leader and one of the reasons that New York’s air and water are cleaner than ever.

Mr. BOEHLERT. Mr. Chairman, the Collins-Linder amendment is nothing less than an effort to unnecessarily undermine clean air efforts by dragging them out forever. All the designation does is give the public information, information that they need to protect their families. Nothing can go forward until the Supreme Court acts.

Are the sponsors afraid that a simple listing of a nonattainment area will do damage? Are they worried that communities might start planning to clean up their air? Are they afraid the citizens might start agitating for cleaner air? Do they think that pretending that an area has clean air by delaying its listing will make it easier to breathe? We want to equip the American public with the information they need to make intelligent decisions. If all we do is continue to study these problems, we will end up with the best documented environmental disaster in history.

Mr. ALLEN. Mr. Chairman, I rise in opposition to this amendment, which could delay health protections for millions of Americans.

National ozone standards are a key tool in the fight against respiratory disease.

Last year the D.C. Circuit court ruled that the new 8-hour ozone standards cannot be implemented in their current form.

However, it did not question their scientific basis, and it recognized that current law requires EPA to designate non-attainment areas for the new standards.

Because the case is under appeal to the Supreme Court, the EPA cannot impose sanctions or restrictions on non-attainment areas.

EPA cannot even do anything until the Court has ruled on the appeal, so this amendment will not save any counties or states from paying federal penalties.

This amendment will only prevent us from knowing just how polluted our air really is. . . and needlessly delay ozone reductions that will improve air quality for every American.

Opponents of tighter standards say that designating non-attainment areas will be too costly.

They say that gathering air quality information is not worth our time or money.

But with rising asthma rates and soaring health care costs, delaying tough ozone standards will be far more expensive.

Today 30 million Americans live with lung disease, and their conditions worsen with each breath of unhealthy air.

It costs more than $10 billion a year to treat the 17 million Americans who suffer from asthma.

Asthma rates are growing most quickly among young children, so there is every reason to believe that costs will continue to climb.

But health care costs alone don’t tell the whole story.

Unhealthy air hurts everyone’s quality of life.

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Unhealthy air hurts everyone’s quality of life.
Officials in Kentucky stated in media reports that the technology is not available to determine the source of ozone, only its current location. The counties in my district that could become non-compliant will likely become so because of moving ozone. If the science is not available to know where the higher ozone comes from, how are these areas expected to eliminate it?

All of us support clean air. But air standards must have a scientific background, be set according to the law and be evaluated on their costs and benefits. Regulations for regulation's sake, such as these, produce no benefits. EPA's job is to enforce the law, not create it. EPA should enforce the provisions of the Clean Air Act, but it should do so in accordance with the law and scientific standards. EPA has not presented sufficient reasons for regulations beyond the 1990 standards.

Until the Supreme Court has issued its judgement on the validity of the EPA's 1997 air quality regulation, we need to support this amendment and keep state and local communities from bearing the costs of this invalid regulation. Until a regulation that can legally be enforced is in effect, this designation process must be postponed. This is a simple, common sense request.

I urge support for this amendment.

Mr. BARR of Georgia. Mr. Chairman, I would like to commend both Mr. COLLINS and Mr. LINDER for offering this extremely important amendment to stop EPA from implementing the National Ambient Air Quality Standards (NAAQS) until resolution of the matter by the Supreme Court.

The suburbs of Atlanta have, since 1997, been grappling with the problems created by Atlanta’s non-attainment of Clean Air Act standards. The EPA has attempted to include these outlying areas in their enforcement of these non-attainment standards, wreaking havoc on the citizens, governments, and industries located in these areas. Last year, a federal court ruled EPA acted constitutionally in proposing the new NAAQS in 1997, because Congress had not empowered EPA to act unilaterally on the matter. The Supreme Court has agreed to hear the case, but it may not issue a decision until early 2001.

The resulting situation is one of increasing uncertainty. First, communities already out of attainment are left shooting at a moving target, because they have no idea whether the changes they are making today will conform with the standards of tomorrow. Secondly, EPA may end up including additional regions of the state in the non-attainment area, in an effort to force them to change zoning and development practices before the Court issues a ruling. Obviously, either situation is extremely unfair, especially since EPA lost the first round of litigation in court.

The Linder-Collins amendment simply states that EPA cannot enforce the new standards until the Court determines whether the federal agency acted constitutionally. By passing this amendment, we can ensure that reasonable, common sense development practices are not supplanted by a last-ditch effort by EPA to enforce its unconstitutional mandates in the face of judicial and congressional opposition. The bottom line is that EPA’s games will cost taxpayers dollars, make local planning impossible, create gridlock and increases pollution from idling cars. Let’s put a stop to this, and see what the Supreme Court has to say on the issue.

I urge you to support passage of this amendment, to bring fairness and accountability to the process whereby EPA sets mandated clear air standards. Citizens cannot be allowed to flout the law and judicial processes, and neither should a federal regulatory agency.

Vote yes for the Linder-Collins amendment to VA-HUD Appropriations.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. COLLINS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. COLLINS. Mr. Chairman, I demand a roll call.

The CHAIRMAN. Mr. Chairman, I demand a roll call.

The CHAIRMAN. Pursuant to House Resolution 525, further proceedings on the amendment offered by the gentleman from Georgia (Mr. COLLINS) will be postponed.

AMENDMENT OFFERED BY MR. PASCRELL.

Mr. PASCRELL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PASCRELL:

At the end of the bill (page 90, after line 16) insert the following new section:

"SEC. 103. The second dollar amount otherwise provided in title I under the heading "DEPARTMENTAL ADMINISTRATION—GENERAL OPERATING EXPENSES", is hereby reduced by $100,000 and increased by $100,000.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 20, 2000, the gentleman from New Jersey (Mr. PASCRELL), offered an amendment. The Chair recognizes the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I yield myself such time as I may consume. With this amendment I seek to correct the great neglect, Mr. Chairman, with which the Veterans Administration treats many of our Nation’s veterans. The neglect to which I refer is the VA’s lack of effort in reaching out to our veterans and informing them of what benefits they are entitled to. Too often our Nation’s heroes are not adequately informed as to what benefits they are entitled to receive. It is our responsibility to inform our veterans as to what benefits they are entitled to receive. Abraham Lincoln spoke of this responsibility in his second inaugural address, saying we must "care for him who shall have borne the battle, and for his widow and his orphan."

Throughout our Nation’s history, millions of men and women have served in our Armed Forces, during times of peace and in times of war. They have defended the very freedoms our country was founded upon. My legislation honors that commitment. I am going to fight to make it the law of the land.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

Mr. WALSH. Mr. Chairman, I move to strike the last word. I thank the gentleman for his hard work in this area. We share his concerns regarding veterans and their ability to know all the benefits and that their dependents are entitled to that. This legislation is before the authorizing committee. We would urge them to consider it in a timely manner. I thank the gentleman for withdrawing the amendment.

AMENDMENT NO. 31 OFFERED BY MR. HOSTETTLER.

Mr. HOSTETTLER. Mr. Chairman, I offer an amendment.
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The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. HOSTETTLER:
At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. None of the funds made available in this Act may be used to administer the Communities for Safer Guns Coalition.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 20, 2000, the gentleman from Indiana (Mr. HOSTETTLER) and the gentlewoman from New York (Mrs. MCCARTHY) each will control 15 minutes.

The Chair recognizes the gentleman from Indiana (Mr. HOSTETTLER).

Mr. HOSTETTLER. Mr. Chairman, I yield myself such time as I may consume. In fact, the amendment that would prohibit the Department of Housing and Urban Development from spending any Federal funds on the Communities for Safer Guns Coalition. This unauthorized program implemented by HUD could have adverse consequences on State and local law enforcement. According to HUD’s press releases, coalition members sign a pledge and agree to show buying preferences to gun manufacturers who agree to impose gun control on themselves, their dealers and their customers. In other words, HUD and the communities signing these pledges are willing to sacrifice the requirements of law enforcement in order to coerce manufacturers into gun control agreements that they in turn impose upon their dealers and their customers. But you need not take my word for it. Two major law enforcement groups oppose these preferences.

Let me share with Members a few of their docket entries. The Law Enforcement Alliance of America, or LEAA, states this in their opposition to these preferences and I quote: “LEAA disapproves of any attempt by the Clinton administration to strip law enforcement agencies of their right to choose the firearms for their officers. Each individual law enforcement agency is wholly qualified to decide the firearm manufacturers and models that they deem best suited for the needs of their officers. The individual law enforcement agencies are the most qualified to understand their particular needs. They do not need the Federal Government’s partisan politics manipulating this or any other officer safety decisions made at the local level.”

The Fraternal Order of Police states: “The top concern of any law enforcement agency purchasing firearms is officer safety, not adherence to a particular political philosophy. Law enforcement have to spend much every dollar and they need to get the best weapons for their officers that their budget allows. Reducing their choices by imposing a requirement that they buy only from gunmakers who agree to certain HUD stipulations does not help the law enforcement mission.”

We cannot allow those who lay their lives on the line each and every day to go into the field with equipment ill-suited for their mission. We owe it to them to ensure that they have the best equipment they can afford without regard to HUD’s end run around this legislation to legislate by litigation and coercion.

I urge all Members to support my amendment and show their support for law enforcement. Do not allow HUD to overrule officer safety for the purpose of a political agenda. Support the ability of law enforcement to choose the best equipment for themselves. Vote yes on my amendment.

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

Mrs. MCCARTHY of New York. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to the amendment. The Hostettler amendment will prevent the Department of Housing and Urban Development from working with the Community for Safer Guns Coalition. The coalition consists of more than 41 State and local governments around the Nation that have signed on to reduce gun violence in their communities. Those governments came together following Smith & Wesson’s agreement with HUD in which the manufacturer agreed to make safer guns and to prevent guns from being sold to criminals. Some communities in the coalition include Syracuse, New York; Bloomington, Indiana; Daytona Beach, Florida; Los Angeles, Oakland; Wilmington, Delaware; and Princeton, New Jersey, and many others.

Mr. Chairman, I incline to the complete list for the record:

COMMUNITIES FOR SAFER GUNS COALITION

ALABAMA
Mitchell, Quitman, Mayor, Bessemer.
Price, Julian, Mayor, Decatur.
Snow, Willie, Mayor, Hoobson City.
Phillips, Leon, Mayor, Lake View.
Daniel, Edward, Mayor, Marion.
Dow, Michael, Mayor, Mobile.
May, James, Mayor, Uniontown.
ARKANSAS
Hays, Patrick, Mayor, North Little Rock.
ARIZONA
Grijalva, Raul, Board of Supervisors Chair, Maricopa County.
Wilcox, Mary Rose, Board of Supervisors, Maricopa County.
CALIFORNIA
Chan, Wilma, President of the Board of Supervisors, Alameda County.
Rocha, Mary, Mayor, Antioch.
Shoup, Mark, Mayor, Apple Valley.
Cruz-Madrid, Christina, Mayor, Azusa.
Dean, Shirley, Mayor, Berkeley.
Cleeg, Lagrand, City Attorney, Compton.
Wilson, Sharifa, Mayor, East Palo Alto.
Morrison, Gus, Mayor, Fremont.
Cooper, Roberta, Mayor, Hayward.
Van Arsdale, Lori, Mayor, Hemet.
Dom, Roosevelt, Mayor, Inglewood.
Hahn, James, City Attorney, Los Angeles.
Brown, Jerry, Mayor, Oakland.
Bogaard, Bill, Mayor, Pasadena.
Gardner, Garth, Mayor, Rice River.
Corbin, Rosemary, Mayor, Richmond.
Yee, Jimmie, Mayor, Sacramento.
Renne, Louise, City Attorney, San Francisco.
Miller, Harriet, Mayor, Santa Barbara.
Valles, Judith, Mayor, San Bernadino.
Carlson, Brenda, County Supervisor, San Mateo County.
Trindale, Greg, LT, San Mateo County Police Chief.
Lunde, Curt, Mayor, Turlock.
Nolan, Robert, Mayor, Upland.
Intintoli, A.J., Mayor, Vallejo.
COLORADO
Richards, Rachel, Mayor, Aspen.
Markalunas, James, Councilman, Aspen Council.
Toor, Will, Mayor, Boulder.
Parsons, Donald, Mayor, Northglenn.
CONNECTICUT
Ganim, Joseph, Mayor, Bridgeport.
Errique, Gene, Mayor, Danbury.
Larson, Timothy, Mayor, East Hartford.
Amento, Carl, Mayor, Hamden.
Peters, Michael, Mayor, Hartford.
Marlin, Joseph, Mayor, Meriden.
Destefano, John, Mayor, New Haven.
Malloy, Dannel, Mayor, Stamford.
Blumenthal, Richard, Mr., State of Connecticut.
Borer, Jr., Richard, Mayor, West Haven.
DELAWARE
Sills, James, Mayor, Wilmington.
DISTRICT OF COLUMBIA
Williams, Anthony, Mayor, Washington, DC.
FLORIDA
Augst, Brian, Mayor, Clearwater.
Hanson, Carol, Mayor, Boca Raton.
Jackson, Robert, Mayor, Largo.
Brown, Samuel, Mayor, Lauderdale Lakes.
Schwartz, Arlene, Mayor, Margate.
Wolland, Frank, Mayor, North Miami.
Foster, E., Mayor, Ocala.
Miller, Alvin, Mayor, Opa-Locka.
Hickson, Linda, Deputy Clerk, Palm Beach County.
ARMSTRONG, Rae, Mayor, Plantation.
Reeder, Dottie, Mayor, Pembroke Pines.
Anthony, Clarence, Mayor, South Bay.
Fischer, David, Mayor, St. Petersburg.
Feren, Steven, Mayor, Sunrise.
Schreiber, Joe, Mayor, Tamarac.
Daves, Joel, Mayor, West Palm Beach.
Penelas, Alexander, Mayor, Miami-Dade County.
GEORGIA
Campbell, William, Mayor, Atlanta.
Abritten, Robert, Mayor, Dawson.
Hillard, Patsy, Mayor, East Point.
Hightower, Michael, County Commissioner, Fulton County.
Gresham, Emma, Mayor Keysville.
Ellis, Jack, Mayor, Macon.
Adams, Floyd, Mayor, Savannah.
Gurriss, Chuck, Mayor, Stone Mountain.
Davis, Willie, Mayor, Vienna.
Johnson, BA, Mayor, Waldy.
Carter, James, Mayor, Woodland.
HAWAII
Cayetano, Benjamin, Governor, Hawaii.
Harris, Jereny, Mayor, City and County of Honolulu.
IOWA
Crews, Jon, Mayor, Cedar Falls.
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Sacco, Nicholas, Mayor, North Bergen.
Scarpetti, Joseph, Mayor, Township of Brick.
Pirroli, Michael, Mayor, Bridgetown.
Sandve, Edward, Borough Administrator, Caldwell.
Milan, Milton, Honorable, Camden.
Kurzenknabe, George, Chief of Police, Chatham.
Poindeexter, Arland, Mayor, Cheshire.
Ellenport, Robert, Mayor, Clark.
Morin, III, Philip, Mayor, Cranford.
Fisher, Douglas, Chair, Cumberland County
Musso, Carol, Mayor, Deerfield.
Vittorino, Victor, Mayor, Delanco.
Colasurdo, Lawrence, Mayor, East Hanover.
Bowser, Robert, Mayor, East Orange.
Bollwage, J., Mayor, Elizabeth.
Jung, Louis, Mayor, Fanwood.
Chizukula, Upendra, Mayor, Franklin Township.
Seaman, Annette, Mayor, Fredon Township.
De Rienzo, John, Mayor, Haworth.
Russ, Anthony, Mayor, Hoboken.
Bost, Sara, Mayor, Irvington.
Deluccia, Jr., Frank, Mayor, Lindenwold.
Schneider, Adam, Mayor, Long Branch.
Corradino, Angelo, Mayor, Manville.
Dobies, Ronald, Mayor, Millstone.
Thompson, Lewis, City Clerk, Administrator, Millville.
James, Sharpe, Mayor, Newark.
Cahill, James, Mayor, New Brunswick.
Morgan, Allen, Mayor, New Providence.
George, Randy, Mayor, North Haledon.
Weldon, Terrance, Mayor, Ocean.
Letts, Mimi, Mayor, Parsippany.
Barnes, Martin, Mayor, Paterson.
Wyant, Jr., Harry, Mayor, Phillipsburg.
McWilliams, Albert, Mayor, Plainfield.
Kennedy, James, Mayor, Rahway.
Nolan, Brian, Mayor, Rocky Hill.
Debell, Louis, Mayor, Roseland.
Gage, Earl, Mayor, Salem City.
Harelk, Clara, Mayor, Springfield.
Adams, Frank, Mayor, Spring Lake Heights.
Palmer, Douglas, Mayor, Trenton.
Garcia, Raul, Mayor, Union City.
Force, Maria, Mayor, Verona.
Riga, Raymond, Chief of Police, Wayne Township Police Department.
Wright, David, Mayor, Winfield.
McGeevy, James, Mayor, Woodbridge.
Higgins, Josephine, Mayor, Woodcliff Lake.

NEW MEXICO

Baca, Jim, Mayor, Albuquerque.
Smith, Ruben, Mayor, Las Cruces.
Hunting, Louis, Mayor, Los Lunas.
Delgado, Larry, Mayor, Santa Fe.

NEVADA

Mack, Michael, Mayor, Las Vegas.
Griffin, Jeff, Mayor, Reno.

NEW YORK

Charles, Michael, Mayor, Akron, Erie County.
Jennings, Gerald, Mayor, Albany.
Breslin, Mike, County Executive, Albany.
Duchesler, John, Mayor, Amsterdam.
Deangelis, Christopher, Mayor, Auburn.
Cayuga County.
Schaffer, Richard, Mr., Babylon Township.
Engelbracht, J.C., Town Attorney.
Baldwinsville, Oneida County.
O'Hara, Dan, Mayor, Baldwinsville, Onondaga County.
Hollwedel, John, Town Supervisor, Town of Bethany.
Flaia, Anthony, Majority Leader, Binghamton.
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Fiala, Barbara, County Clerk, Binghamton, Broome County.
Harder, Leroy, Sheriff, Binghamton, Broome County.
Passaule, Vincent, Minority Leader, Binghamton, Broome County.
Whalen, Mark, Binghamton, Broome County.
Frankel, Sandra, Ms., Brighton Township.
Engel, Eliot, Congressman, Bronx.
Espada, Pedro, NYC Council, Bronx.
Ortiz, Felix, State Assembly, Bronx.
Rivera, Jose, NYC Council, Bronx.
Brennan, James, State Assembly, Brooklyn, Kings County.
Cymbrowitz, Lena, Assembly Member, Brooklyn, Kings County.
Jacobs, Rhoda, State Assembly, Brooklyn, Kings County.
Perry, Nick, State Assembly, Brooklyn, Kings County.
Maselli, Anthony, Mayor, Buffalo, Erie County.
Hoyt, Sam, State Assembly, Buffalo.
Eichenberger, Robert, Supervisor, Town of Byron.
Bilow, Donald, Supervisor, Chateaugay.
Battista, Joseph, Mayor, Cheektowaga.
Kobre, Jerome, Mayor, Village of Chestnut Ridge.
Deno, George, Town Supervisor, Chazy.
Leak, Frank, Mayor, Village of Colonie.
Phillips, Harold, Supervisor, Town of Constable.
O'Shea, Don, Supervisor, Town of Coventry.
Elliot, Robert, Mayor, Croton-on-Hudson.
Drew, K, John, Mayor, Darien.
Schnederman, Jay, Supervisor, East Hampton, Suffolk County.
Hughes, Stephen, Mayor, Elmira.
Clark, Frank, District Attorney, Erie County.
Catalino, Robert, Supervisor, Town of Evans.
Glacken, William, Mayor, Village of Freeport Incorporated.
Kennison, Weston, Town Supervisor, Geneseo, Livingston County.
Feiner, Paul, Supervisor, Greenburgh.
Westchester County.
McNulty, Jack, Mayor, Green Island, Albany County.
Suzoz, Thomas, Mayor, Glen Cove.
Garnier, James, Mayor, Hempstead.
Dowley, Frances, Supervisor, Town of Riverhead, Suffolk County.
Passarell, Lewis, Mayor, Holley, Orleans County.
Hogan, Shaw, Mayor, Hornell, Steuben County.
Cohen, Alan, Mayor, Ithaca.
Blumenthal, Susan, Alderperson, Ithaca.
Wade, George, Mayor, LaGrange.
Taylor, Donald, Town Supervisor, Leray.
Mullen, Kevin, Mayor, Village of Liberty.
Crystal, Joel, City Council Vice President, Long Beach.
Salone, John, Mayor, Village of Lyons.
DiVeronica, Rocco, Mr., Madison County.
Gottfried, Richard, State Assembly, Manhattan.
Miller, A. Gifford, Council Mbr, Manhattan.
DeStefano, Joseph, Mayor, Middletown.
George, Thomas, Supervisor, Town of Monilith.
Christiano, Joseph, Mayor, Mount Morris.
Davis, Ernest, Mayor, Mount Vernon.
Altmann, Lisanne, Legislator, Nassau County.
Idoni, Timothy, Mayor, New Rochelle.
Spitzer, Israel, Deputy Mayor, New Square.
Carrion, Adolfo, Council Mbr, New York.
Michaels, Stanley, City Council, New York City.
Stringer, Scott, Assembly Mbr, New York.
Vallone, Peter, City Council, New York.
Spitzer, Eliot, Mr., State of New York.
Keller, John, Chief, Niagara Police Department.
Newburgh, Mayor, Supervisor, Town of Newburgh.
Kahalsialian, Mary, Mayor, North Tonawanda.
Leifeld, Berndt, Supervisor, Town of Olde.
Muller, Kim, Mayor, Oneonta, Otsego County.
Kleiner, Thom, Mr., Orangemust.
Cudney, Tony, Town Supervisor, Orchard Park, Erie County.
Cambiari, Thomas, Mayor, Ossining.
Eiser, Bonnie, Council Mbr, Town of Oyster Bay.
Venditto, John, Supervisor, Town of Oyster Bay.
Mayle, Judith, Town Supervisor, Plattekill.
Stewart, Daniel, Mayor, Plattsburgh.
Marshall, Herbert, Mayor, Village of Po.
Clark, Barbara, Assemblywoman, Queens, Queens County.
Cohen, Michael, State Assembly, Queens County.
Pheffer, Audrey, State Assembly, Queens, Queens County.
Scarbrough, William, Assembly Member, Queens.
Reisman, Herbert, Town Supervisor, Ramapo/Rockland County.
Murray, Eugene, Mayor, Rockville Center.
Klotz, Kenneth, Mayor, Saratoga Springs.
Jurczynski, Albert, Mayor, Schenectady.
Cannuscio, Vincent, Supervisor, Southampton, Suffolk County.
Cochran, Jean, Supervisor, Town of Southold.
Armstrong, Thomas, Town Supervisor, Town of Southold, Suffolk County.
Thompson, Alan, Mayor, Spring Valley, Rockland County.
Pattison, Mark, Mayor, Troy.
Ludwick, Richard, Mayor, Village of Unionville.
Hanna, Edward, Mayor, Utica.
Spano, Andrew, County Executive, Westchester County.
Klein, John, Mayor, Wurtsboro.
Fuller, Richard, Supervisor, Town of York.

OHIO

Plusquellec, Donald, Mayor, Akron.
Watkins, Richard, Mayor, Canton.
Omonwur, Emmanuel, Mayor, East Cleveland.
Campbell, Jane, County Commissioner, Cuyahoga County.
Grace, W., Mayor, Elyria.
Oyasaki, Paul, Mayor, Euclid.
Stare, Frank, Mayor, Newark.
Lieberh, Raymond, Chief of Police, Fairborn Police Department.
Mills, James, Mayor, Lebanon.
Salter, Shirley, Mayor, Lincoln Heights.
Boldt, Gerald, Mayor, Parma.
Rawson, Judith, Mayor, Shaker Heights.
Copeland, Warren, Mayor, Springfield.
Schaffer, Lee Ann, Mayor, Stow.
Pinkbeiner, Carlston, Mayor, Toledo.
Fudge, Marcia, Mayor, Warrensville Heights.
Farley, Susan, Mayor, Woodlawn.
Rice, Robert, Mayor, Woodmere.

OKLAHOMA

Fox, Helen, Mayor, Grayson.
Murrell, Marilyn, Mayor, Arcadia.

OREGON

Torrey, Jim, Mayor, Eugene.
Stein, Beverly, Mayor, County of Multnomah.

PALESTINE

DiGirolamo, Joseph, Mayor, Bensalem.
Goldsmith, Thomas, Mayor, Easton.
Street, John, Mayor, Philadelphia.
Shadle, Forest, County Commissioner, Schuylkill County.
Young, Wilbert, Mayor, Wilkinsburg.
Roberts, Charles, Mayor, York.

PUERTO RICO

Marin, William, Mayor, Caguas.
Lozano, Julio, Mayor, Humacao.
Cordero Satigao, Rafael, Mayor, Ponce.

RHODE ISLAND

O’Leary, John, Mayor, Cranston.
Clanci, Vincent, Mayor, Providence.
Avedian, Scott, Mayor, Warwick.

SOUTH CAROLINA

Anderson, Lovith, Mayor, Andrews.
Carter, John, Mayor, Gray Court.
Tailey, James, Mayor, Spartanburg.

TENNESSEE

Fulmar, Ken, Mayor, Bartlett.
Dotson, J., Chief, Chattanooga Police Department.

TEXAS

White, John, Mayor, Ames.
Aranda, Jose, Mayor, Eagle Pass.
Saleh, Mary, Mayor, Eules.
Thurston, Cathy, Mayor, Everman.
Carreathers, Raymond, Mayor, Prairie View.
Beatty, Chuck, Mayor, Waxahachie.

UTAH

Anderson, Ross, Mayor, Salt Lake City.

VIRGINIA

Ward, William, Mayor, Chesapeake.
Hedgepeth, Roger, Mayor, Blacksburg.
Archer, Ruby, Mayor, Danville.
Warren, Drue, Mayor, Lynchburg.
Frank, Joe, Mayor, Newport News.
Frazin, Paul, Mayor, Norfolk.
Holley, James, Mayor, Portsmouth.
Kaine, Timothy, Mayor, Richmond.
Oliver, Jerry, Mr., Richmond.
Bowser, David, Mayor, Roanoke.
Gaskins, A.L. (Joe), Mr., Roanoke.

VERMONT

Clavelle, Peter, Mayor, Burlington.

WASHINGTON

Asmundson, Mark, Mayor, Bellingham.
Sims, Ron, County Executive, King County.

WEST VIRGINIA

Colombo, Jimmy, Mayor, Parkersburg.

WISCONSIN

Bauman, Susan, Mayor, Madison.
Smith, James, Mayor, Racine.

Mrs. McCARTHY of New York. Mr. Chairman, officials in the coalition sign a pledge saying they support giving a preference to making purchases from gun manufacturers that have adopted a set of new gun safety and dealer feasibility standards, 411 participants. Cities, counties, States and some police departments have joined the coalition voluntarily. What do they get from HUD in exchange for their membership? Absolutely nothing. Except they know that their police departments are buying from a company
that is manufacturing safer guns. They know that this company has worked to prevent gun injuries and keeping guns criminals from getting guns. It simply says if firearms are the same in price and quality, then the locality would give a preference to the manufacturer that makes safer guns. This is a preference, not a straitjacket. It is up to the locality to determine how to implement it. This is really a matter of local control.

If Members believe their local officials in Nassau County, New York, or Knox, Indiana, should have the option to promote gun safety through participation in the coalition, which they have, then they will oppose the amendment. This amendment says that communities cannot come together to stop gun violence. I again say this amendment says that we can’t come together to buy the guns there is a political agenda. The amendment says that it is permissible to ignore the gun violence that has affected our schools and made our communities into killing zones. The Congress should not micromanage how 411 communities around the Nation manage their business. The Congress should not be able to mandate how a locality does business.

If a city wants to conduct its business in the society in a responsible way, that is the city’s business, not the Congress. We should do the right thing and vote no on the amendment.

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

Mr. HOSTETTLER. Mr. Chairman, I yield 4 minutes to my colleague, the gentleman from Maryland, (Mr. BARTLETT).

Mr. BARTLETT of Maryland. Mr. Chairman, I rise in strong support of this amendment.

Mr. Chairman, I would first like to note that LEAA is in support of this amendment. They oppose any legislation which would limit the sources from which firearms could be procured. If this is really gun safety, the police should be the first in the country to want this. I understand that a third of the policemen who are shot are shot with their own gun. When this technology is mature, the police will be the first to support it. The fact that they are not supporting this should send a message to us that we do not need to be supporting planning in this bill which the Secretary of Housing and Urban Development could use to require or influence the purchase of guns only from those companies that have been coerced into a settlement with the government to avoid a long and expensive lawsuit.

When this technology is mature, it will be there. And us passing silly legislation that this amendment would be is not going to hasten the orderly development of that technology. There is nobody that I know of who does not want safe guns, and the police should be the first who would want this, because it would assure their safety because a third of them when they are shot are shot with their own gun.

Furthermore, what this does is to clearly violate longstanding Federal procurement regulations, which require that what we are doing to purchase is going to be the best value for the dollar, not going to be something that supports a political agenda. What this amendment does is to make sure that the best firearms are going to be procured to meet the requirements of those who are procuring them without any political pressure, to give preference to a company that has been coerced by the Federal Government into agreeing to something to avoid a lawsuit which would cost them a lot of money.

This could just be the first step. What next? Will the FBI and other law enforcement agencies follow HUD if we permit this to go forward. I would hope not, but every day in this country one of these agencies wants, what every one of their members wants is the best firearm, the safest firearm to protect them.

We cannot just legislate safety. Safety has to come from development. And when that development is there, the first people who are going to support this are the law enforcement officials themselves. They are now opposing what is in this legislation. They are not supporting this amendment. That should send a clear message to us that the right vote on this amendment is a yes vote.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield 4 minutes to my distinguished colleague, the gentleman from Massachusetts (Mr. NEAL of Massachusetts).

Mr. NEAL of Massachusetts. Mr. Chairman, I yield 4 minutes to my distinguished colleague, the gentleman from Maryland (Mr. BARTLETT). Mr. Chairman, before I enter into my formal remarks, the gentleman said we cannot legislate safety. We do with automobiles. We decide what kind of sheets and pillows cases infants sleep on.

We make sure that all sorts of precautions are taken every day for the youngest among us, to ensure their safety. The argument we somehow cannot legislate safety is totally false.

Let us be clear about the purpose of this amendment that is offered by the gentleman from Indiana (Mr. HOSTETTLER). His objective is very simple and it is to put Smith & Wesson out of business. I represent the city where Smith & Wesson is located. They essentially are being punished for doing the right thing. This is sound public policy, not policy that was put upon them. It was negotiated after months of intense conversations back and forth.

What Smith & Wesson said in this historic agreement is this, and I want everybody to listen to this, they want to change the way guns are designed, distributed and marketed.

They want to add locking devices and other safety features, and they wanted to develop landmark smart gun technology. We ask ourselves in this Chamber who could be against all of that? Then we look to the other side; and we see who could be against this sensible public policy position, for their courage, Smith & Wesson is now being penalized by the gun lobby, House Republicans who adamantly oppose common sense safety selling, they are a great option that the vast majority of the American people overwhelmingly support. Every year, 30,000 Americans including almost 12 children a day are killed by gun violence.

Why do Members of this House fear the advancement of smart gun technology? Who could be opposed to the meaningful development of a firearm that can only be used by its rightful owner, and who would prevent children from having an opportunity to discharge these weapons? Why are the people on the other side of the aisle in this Chamber trying to thwart the unprecedented agreement between Smith & Wesson and the Clinton administration.

Many times I have found myself on the other side of an initiative that Smith & Wesson would not be comfortable with, but I want to tell my colleagues something; they are a great employer. And that term Smith & Wesson is synonymous over many, many years of American history with a quality product that they, indeed, want to make better to speak to the concerns the American people.

It is no threat to the second amendment, which we frequently hear in this Chamber, and the Clinton administration has proceeded with wise and warranted public policy that speaks to the concerns of the American people in advancing what most people would believe to be a highly sensible initiative, smart gun technology, trigger locks.

But the idea that Smith & Wesson would enter into protracted negotiations with the administration, come up with a marvelous solution that we would think everybody in this Chamber could come to agreement upon, they find themselves isolated. They find themselves set up by the gun lobby. They find themselves set up by an element that wants no sort of gun legislation in this country.

In the end, all of us this evening have an opportunity to vote up or down on what is perhaps the most sensible initiative that has come forth over many years on the whole question of how to deal with guns in this society, and we will have a chance to be recorded later on, and that is that people out to remember in November.

Mr. HOSTETTLER. Mr. Chairman, I yield myself such time as I may consume.
Mr. Chairman, I would like to address some comments that have been made by the other side in this argument, and that is that Congress should not micromanage local law enforcement. I would agree with that 100 percent, but neither should HUD, and that is exactly what is happening in this process that is why this Congress is defending the micromanagement of local law enforcement by HUD through this amendment.

Secondly, the argument is made that Congress should not tie the hands of local government, and that is not what this amendment does either. This amendment merely states that Federal taxpayers will not give money to HUD to micromanage local law enforcement. We are not saying, for example, that if local government wishes to deprive their law enforcement personnel of the best equipment and, therefore, compromise the safety of their law enforcement officers and the public safety, they are more than welcome to do so. I just do not think that the majority of this House does not believe that the Congress should be a party to that.

Thirdly, the gentleman from Massachusetts (Mr. NEAL) just spoke just said that as a result of this amendment, we are going to run Smith & Wesson out of business. It could not be further from the truth. In fact, Smith & Wesson will still be able to continue to compete and potentially win contracts.

We simply do not believe there should be a preference in those contracts; and if Smith & Wesson does indeed have the best product at the best price, without the authorization of Congress, we have an agreement between the administration and a company. We did not pass any legislation for the Clinton administration to come to that agreement. This is something the gentleman should support. The gentleman is proactive about it.

The Communities for Safer Guns Coalition keeps guns out of the hands of criminals and children. I know the gentleman supports that. How can the gentleman support this amendment? It closes the gun show loophole. I do not know if the gentleman supports that. It cuts down on straw purchasing. The gentleman supports that, do you not? It mandates full background checks for all purchases.

I think these are important steps towards making our streets safer. Does it take one gun away from anybody? One percent of the program's strengths is that it starts in the community and stays in the community. This is a movement of local and State leaders who have pledged to support giving a preference in firearm purchases to companies who follow a code of responsible conduct.

These advances that you have heard today are not a one-time program. Go ahead and prohibit local law enforcement from using funds to administer HUD's Community for Safer Guns Coalition. What does that do? It allows the gentleman (Mr. HOSTETTLER) have against the Communities for Safer Guns Coalition? I cannot figure it out.

First, the gentleman was against every legislative mandate. The gentleman is against it. Now, we do not have a mandate, what we are saying is we have an agreement between the administration and a company. We did not pass any legislation for the Clinton administration to come to that agreement. This is something the gentleman should support. The gentleman is proactive about it.

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other provisions aimed at reducing the number of accidental shootings and deaths due to gun violence. Smith & Wesson has also pledged, in my judgment, to send the wrong message to manufacturers trying to demonstrate their own accountability for the safety of those who use their products.

Codes of conduct by firearm manufacturers will make our communities and streets safer. They will strengthen law enforcement’s efforts to enforce our Nation’s firearms laws by ensuring that background checks are performed and improving ballistics technology; they will well protect one child against this tragic accidental shootings that end far too many innocent lives.

Congress should heed the call of the American people, who have told us loud and clear that they support common sense initiatives to make firearms safer and to keep them out of the hands of children. I urge my colleagues, listen to your neighbors, listen to our friends. Let us defeat this amendment.

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

Mr. Chairman, I would simply say that the naming of this coalition, The Communities for Safer Guns Coalition, is simply a name given to it by an entity which seeks to forward a political agenda. If the truth be told, according to our correspondence from the Law Enforcement Alliance of America and the Fraternal Order of Police, that have blocked trigger locks and failed to cooperate with and support these communities in the struggle to limit gun violence. The Republican leadership in the House has done everything in its power to promote the NRA agenda. They have killed the common sense gun safety measures that the American people have demanded for over a year. They have blocked trigger locks and failed to close the gun show loophole. They have blatantly ignored the request of the Million Mom March for licensing and registration of firearms.

Now the Republicans are trying to prevent gun makers from making safer products. The gentleman from Indiana (Mr. HOSTETTLER) wants to prevent Smith & Wesson from developing safer guns with internal trigger locks and safe gun technology. I guess the purpose must be the guns should be as unsafe and dangerous as possible. It is truly unbelievable.

Over 400 communities are participating in HUD’s Communities for Safer Guns initiative, working to make our streets a little safer. Because of their actions at local levels, Smith & Wesson agreed to require their dealers to close the gun show loophole, require background checks for all sales, limit the delivery of multiple purchases, limit children’s access to weapons, and a few other things to keep guns out of the hands of criminals and children.

We should be doing everything we can to support these communities in the struggle to limit gun violence. The Hostettler amendment is actually worse than anything else the Republican leadership has proposed this year in this respect. In the past, we were fighting for additional protections to save our people from gun violence. Today, we are fighting to preserve even a little protection we have managed to achieve already.

This is a dangerous proposal, and I fear the American people will pay for it dearly in communities across the Nation. Secretary Cuomo and HUD should be commended, and this amendment should be defeated.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as he may consume to my good friend, the gentleman from Massachusetts (Mr. FRANK).

The CHAIRMAN. The gentleman is recognized for 2 minutes.

Mr. FRANK of Massachusetts. Mr. Chairman, I appreciate the leadership once again of the gentlewoman from New York.

I was surprised by this. We have debated gun regulations and the arguments have always been we should not interfere with the right of an individual to own a gun. This has got nothing to do with that. What we now see is that what we have got is an animus against trying to improve gun technology.

This does not interfere with anybody’s right to own a gun. This is not an amendment; it is a dangling part. It rewrite the second amendment. The second amendment will now say, “A well-regulated militia being necessary for the security of the people, let’s not have any smart guns in local police forces.”

This is a dangerous proposal, and I urge my colleagues, listen to your neighbors, listen to your friends. Let us defeat this amendment. We should be doing everything we can to support these communities in the struggle to limit gun violence. The Hostettler amendment is actually worse than anything else the Republican leadership has proposed this year in this respect. In the past, we were fighting for additional protections to save our people from gun violence. Today, we are fighting to preserve even a little protection we have managed to achieve already.

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This is total disconnect between all of the previous arguments about gun regulation. Individuals will be totally free to buy guns. What this says is HUD will not coerce, but will work with and cooperate with local police departments and local governments that want to purchase safer guns.

It is not an accident that two of the previous speakers against this amendment were former mayors of tough urban areas, who understand the importance of law enforcement. This is a cooperative effort, and as my colleague, the gentleman from Massachusetts, said, there is an animus against Smith & Wesson.

The gentleman from Indiana said, “Well, you won’t have competition if this happens, because if Smith & Wesson gets a preference for selling smart gun technology, where will the incentive be to improve it?”

I will tell you where it will be from, all of the other manufacturers. That is precisely what we want. We want to encourage a competition for the best smart gun technology. One way you do that, one way to increase that supply, is to increase the demand. So what this is a cooperative effort, led by HUD but fully voluntary on the part of the other manufacturers. One way you do that, one way to increase that supply, is to increase the demand.
concerned, although I do not agree; but this can only be an objection to the principle of efficiency.

Mr. HOSTETTLER. The question is on the amendment offered by the gentleman from Indiana (Mr. HOSTETTLER).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. HOSTETTLER. Mr. Chairman, I demand a recorded vote.

The Chairman. Pursuant to House Resolution 525, further proceedings on the amendment offered by the gentleman from Indiana (Mr. HOSTETTLER) will be postponed.

Amendment No. 4 offered by Mr. NADLER

Mr. NADLER. Mr. Chairman, I offer an amendment.

The Chairman. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. NADLER: At the end of title IV (relating to General Provisions), add the following new section:

Successors of any facilities provided by this Act are revised by reducing the amount made available for "INDEPENDENT AGENCIES—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—HUMAN SPACE FLIGHT", and increasing the amount made available for "DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND (HCF)" for use only for incremental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), by $344,000,000.

The Chairman. Pursuant to the order of the House of Tuesday, June 20, 2000, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from New York (Mr. NADLER).

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

Mr. NADLER. Mr. Chairman, I rise in strong opposition to the gentleman's amendment, which is a proposed reduction of $344 million, or a 20 percent cut, from the International Space Station budget. That is an astounding cut and would cripple the program.

There are currently two elements of the Space Station in orbit. Most of the remaining elements have been constructed and are in Florida waiting for final testing. In the next few weeks, Russia is going to be launching the third element of the Space Station, which will enable the United States to move forward with launch and assembly of the station.

The reduction proposed by the amendment would severely disrupt the revised assembly schedule and cause significant cost increases to the program. Specifically, the cuts proposed by the amendment would result in the following programmatic change: cancellation of the U.S. Propulsion Module program, cancellation of the Crew Return Vehicle Development program, and cancellation of logistics flight hardware support.

On the transfer to section 8, first of all, I am delighted to know that the gentleman from New York (Mr. NADLER) is a fan of Richard Nixon. I was not aware of that, and I am proud of his acknowledgment of that fact. Very few people are willing to acknowledge that today.

Secondly, can we imagine if a Republican President had a housing administration that, in effect, denied 237,000 Americans access to housing vouchers. Can we imagine the outcry from a Republican President had this terrible record of not providing 237,000 American citizens housing, funds appropriated by the Congress. It would be unbelievable.

The fact of the matter is, we have provided and fully funded the section 8 voucher program. If we put more money into that program with this attack on the Space Station, it will not be spent. Over $1 billion last year was provided to HUD for section 8 vouchers; they did not spend it. The Administration came back, recaptured those funds and then spent it somewhere else. We cannot continue to allow HUD to be the bank for the Administration's priorities, especially at this late point in the process. We cannot steal money from NASA, providing it to HUD, and allow it to go unspent and then God knows where it goes if a reprogramming.

So this is not a wise amendment. We have strongly supported section 8
vouchers. It is a Republican idea. We are proud of that fact. But let us make this program work better to benefit all of those Americans out there who need and deserve good housing.

So, Mr. Chairman, I strongly urge a no vote on this amendment.

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

Mr. NADLER. Mr. Chairman, I yield 4 minutes to the distinguished gentlewoman from Colorado (Ms. DeGETTE), the cosponsor of this amendment.

Ms. DeGETTE. Mr. Chairman, it is a privilege to offer this amendment with the gentleman from New York (Mr. NADLER), my esteemed colleague, who has worked for many years on affordable housing issues.

Mr. Chairman, one of the greatest mistakes we can make during a time of great prosperity is to turn our backs on those who have been left out of the economic mainstream. This country is experiencing an economic boom, the likes of which we have not seen in a generation. But it would be a grave mistake to forget that many people have not been included in this financial good fortune. It is times like this when it is more important than ever to help with issues like this.

The last time the VA–HUD bill was being debated on the floor, I spoke about the affordable housing emergency we were facing. Well, Mr. Chairman, it is a year later, and the predicament in this country has increased. One of the lifelines that low-income families count on is the section 8 voucher program, and the bill before us today does not allot one more dollar for new vouchers. This is not acceptable for the harsh reality we are facing today.

During this debate, we will undoubtedly hear the argument, in fact, just a little bit more while earlier this evening, to support the Space Station, unlike many of my colleagues on this side of the aisle.

However, if we have to make the choice between our citizens, our low-income citizens in housing and having section 8 vouchers and taking a little money away from the Space Station, the choice is clear to me.

The international Space Station is $2.1 billion, and this offset is $344 million. We do not need the Space Station; and I always argue that we need to do that, and we will only hope that as the process moves forward, we will get additional allocation, and money will come; and certainly with the performance of the economy, that is justified. But we do not need and we do not wish to see the cut in discretionary programs in this time of prosperity. We do not need to have people in need of housing; we do not need to have homeless that are not being taken care of. We do not need to choose between Space Station and the science programs and housing or any other programs.

Mr. Chairman, I urge support of the Nadler-DeGette amendment.

Mr. WALSH. Mr. Chairman, I yield myself such time as I may consume to point out to the gentlewoman that we put $13 billion in this bill for 8 section vouchers.

Ms. DeGETTE. Mr. Chairman, will the gentleman yield?

Mr. WALSH. I yield to the gentlewoman from Colorado.

Ms. DeGETTE. Mr. Chairman, the gentleman would, and we would assume, that none of the money in the bill is for new section 8 vouchers.

Mr. WALSH. Mr. Chairman, reclaiming my time, we put in 10,000 additional vouchers by using the recapture money from last year.

Mr. Chairman, I yield 4 minutes to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Chairman, I appreciate the gentleman yielding me the time.

I would like to, in part, associate myself with the remarks of the gentlewoman from Colorado. While I do not agree with her ultimate position, I would suggest that the reason we are in this tough position is because of the budget that the majority has come forward with and the stingy allocation that it results in for not only this subcommittee, but for all appropriation subcommittees.

That is what the distinguished gentleman from Wisconsin (Mr. OBEE), the ranking member, has spoken to so eloquently throughout this process, the fact that we have a budget agreement supported and written by the majority which is totally unrealistic and totally inadequate when we come over to the other part of the budget process, and that is the appropriation process. That is why we do not have enough money in this bill for vouchers and for NASA and for science research. That is the problem that we are really concerned with; and we all can only hope that as the process moves forward, we will get additional allocation, and money will come; and certainly with the performance of the economy, that is justified. But we do not need and we do not wish to see any cut in discretionary programs in this time of prosperity. We do not need to have people in need of housing; we do not need to have homeless that are not being taken care of. We do not need to choose between Space Station and the science programs and housing or any other programs.

Mr. Chairman, I do not know how much of my time I have used in speaking to that, but I want to suggest that I have no disagreement with the gentleman’s objective of adding funding for incremental section 8 housing vouchers, housing assistance vouchers. I suggest that the way that has been supported that; and hopefully, as time goes forward and we get that additional allocation, we can be more responsive to that.

Unfortunately, my disagreement with the gentleman stems from his proposition to cut the appropriation for human space flight. This is the account that funds the Space Station and the Space Shuttle, and it is hard to see how a cut of this proportion will not have a severe impact on both of these programs.

His offering the amendment and the concerns expressed by the gentlewoman from Colorado are just expressions of the frustration we are hav- ing in having to deal with a totally unrealistic budget resolution. The inadequacies reflect themselves when we come to the appropriations process.

Unfortunately, the gentleman is going to rise in opposition to the gentleman’s amendment, while still being supportive of the objective of the amendments.
Mr. NADLER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Massachusetts (Mr. FRANK). Mr. FRANK of Massachusetts. Mr. Chairman, the ranking minority member of the subcommittee has quite cogently pointed out the fundamental problem with this budget. I would say to the gentleman from New York (Mr. WALSH), although I am about to disagree with his most recent arguments, that none of us have any criticism to make of the very good job he did in a very bad situation. We believe he did the best he could with what he was handed. What he was handed, probably the EPA should not let anyone hand him, but he did not have any choice about that.

Now, the one thing that I disagree with that he said, suppose a Republican President had a Secretary of HUD: can we imagine a Republican President having a Secretary of HUD who handled the program so badly. I do not have to imagine it. I remember Sam Pierce in the golden days of Ronald Reagan, when Sam Pierce was the Secretary of HUD for 8 years. Ronald Reagan thought he was a mayor, the only time he apparently ever met him; and Sam Pierce was, to use a technical term, disgraceful. He was incompetent, he enabled corruption. More people from that administration went to prison for misuse of HUD. So the notion that somehow we want to get back to the golden days of the Republican administration of HUD is not persuasive.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from New York. Mr. WALSH. Mr. Chairman, the point that I make today, the entire thing was, there should be an outcry today also. As then, there should be now.

Mr. FRANK of Massachusetts. Mr. Chairman, reclaiming my time, I would have to say to the gentleman if that was the point he was trying to make, I do not understand why he made a totally different one. I was quoting him when he said, if a Republican President did this, we would have an outcry. A Republican President did much worse. In fact, I think the current administration, HUD is doing a very good job in difficult circumstances. I think there is a misperception about the section 8 program.

The section 8 program is not one undifferentiated pile here in Washington that is doled out from Washington. It is broken up, it is allocated among thousands of jurisdictions, and the rate at which section 8 is utilized depends on the jurisdictions, the administrative efficiency of the jurisdictions, the rents that go up in the jurisdictions, the difficulty that people have in those jurisdictions of finding housing. I know of section 8 vouchers that have gone unused in my own district because the rents have been so high. Indeed, there is probably a logic in linking this to then, there should be now.

Mr. WALSH. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the chairman for yielding time to me.

Mr. Chairman, this is an uncomfortable position when we have to match oranges and apples, and we have to stretch a penny for programs that we advocate for. Let me also acknowledge that this debate on the appropriations bill for VA-HUD has been one of the more civil debates, because there is a lot of agreement on money issues. One is we need more money for needed programs. I happen to be a very strong supporter of what section 8 vouchers do. In fact, I was on the floor recently saying that the provision that allows section 8 vouchers to be utilized for the purchasing of homes is a very important new feature of this housing program to allow low-income to buy homes.

But I am saddened to rise to oppose this amendment because of the $344 million that is taken out of the International Space Station. I think this amendment offsets this appropriation. It is a project that most Americans support or do support, beyond that. It defines a whole new kind of research that we ultimately need in finding cures for diabetes, heart disease, and stroke; and other difficult diseases, so there is a viable role for the Space Station. It helps us with creating work for the 21st century in the research that can be done there.

This $344 million, 20 percent of its budget would literally kill that program. This is not to say that there is not a need for section 8 vouchers. I do recognize the need for section 8.

Mr. Chairman, what I would hope is that we will find our way in conference to be able to respond to the needs for affordable housing for Americans. I will support that effort. That should be the commitment of this House. But I also believe, Mr. Chairman, that to gut an independent agency program that has been efficient and consistently doing its job with the monies that have been allocated would be unfair and would be unwise.

I support the Space Station. I unfortunately have to oppose this amendment. I would ask my colleagues to vote no on this amendment, and let's work together to pass a final VA–HUD bill that puts more money for housing in the Conference Report.

Mr. Chairman, I rise today to oppose the Nadler-Degette amendment to H.R. 4635, the VA–HUD-Independent Agencies Appropriations Act.

We cannot squander this historic opportunity to invest in America's future; if approved, this amendment to the VA–HUD Appropriations measure measure risks doing just that.

Despite the shortcomings of the VA–HUD Appropriations Act, there are some commitments that have been secured and need to be preserved. Our ability to reach the stars is an important priority, which will ensure that America remains the preeminent country for space exploration. Although this measure is destined to be vetoed in its current form, I believe the $137 billion appropriation, $322 million (2%) less than requested by the administration, could have been even more generous.

The Nadler-Degette amendment seeks to appropriate $344 million for 120,000 section 8 incremental (new) vouchers to provide assistance to additional low-income families. Regrettably, the amendment offsets this appropriation by slashing funding for the international space station by an equal amount. Mr. Chairman, the adoption of such a funding decrease for the international space station would essentially destroy the program.

Although many of us would have clearly preferred to vote on a bill that includes more funding for vouchers to provide assistance to low-income families, the Veterans Administration and
National Science Foundation programs, such increases should not offset the money appropriated for our international space station.

The measure provides $2.1 billion for continued development of the international space station, and $3.2 billion for space shuttle operations. We need to devote additional personnel at NASA's Human Flight Centers to ensure that the high skill and staffing levels are in place to operate the Space Shuttle safely and to launch, as well as assemble the International Space Station.

Mr. Chairman, I am proud the Johnson Space Center and its many accomplishments, and I promise to remain a vocal supporter of NASA and its creative programs. NASA has had a brilliant 40 years, and I see no reason why it cannot have another 40 years. It has made a tremendous impact on the business and residential communities of the 18th Congressional District of Texas, and the rest of the nation.

In closing, I hope my colleagues will vote against this amendment and the bill so that we can get back to work on a common sense measure that invests in America's future, makes affordable housing a reality across America, and keeps our vital NASA program strong well into the 21st century.

Mr. NADLER. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I rise very enthusiastically to support the Nadler-DeGette amendment to increase funding for incremental Section 8 housing vouchers.

President Clinton requested 120,000 new or incremental Section 8 housing vouchers to alleviate America's housing crisis. The majority's 2001 appropriations bill provides zero funding for new this-year vouchers. Given America's shortage of affordable housing, this bill should provide funding to expand the amount of Section 8 housing assistance available to America's families.

I know that the gentleman from New York and the distinguished ranking member, the gentleman from West Virginia (Mr. WELDON), have both spoken and spoken well about the gentleman from New York (Mr. WALSH) did the best he could with what he had.

However, sadly, the budget figures that went into this produced a bad result. As I have said over and over again in this appropriations process, the reason so many great mathematicians come out of MIT is that so many great mathematicians go into MIT. If we have a bad budget allocation that goes into the bill, we can only come out with a bad appropriations bill. That is just most unfortunate.

What is the need for this? This amendment adds 60,000 incremental Section 8 housing vouchers, half of what the President requested, for a total of $944 million. HUD estimates the number of Americans who suffer worse-case housing needs, pay more than half their income for rent, or are living in substandard housing.

This amendment will assist only a small percentage of those in worst-case households. We should do more. Nonetheless, this amendment is very important and would help low-income renters afford rental housing.

According to HUD's most recent 2000 State of the Cities report, California is experiencing an inequitable economic growth and an inequitable distribution of wealth. As the gentlewoman from Colorado pointed out, we are having problems with our success. As our economy rises, our housing costs rise, making problems for those who need affordable housing. This amendment would go a long way to help them.

Mr. WALSH. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, I will work on the assumption that there is some misunderstanding, as opposed to the direct attempt to confuse. I really believe that, I think there is just some misunderstanding here.

It has been said twice now that there is no money in this budget for new incremental vouchers. I will read from the bill, page 23 of the bill, that says, "Provided further, that the total amount provided under this heading, up to $60 million shall be made available for incremental vouchers under Section 8 of the Act on a fair share basis to those public housing authorities that have 97 percent occupancy rate.

Mr. Chairman, that translates into over 14,000 new. I would emphasize new, Section 8 housing vouchers. So I understand that we have disagreements over priorities, but we really have to deal on the floor on the basis of fact. The facts are that we have provided $60 million for new incremental vouchers to the tune of 14,000.

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

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

Mr. Chairman, in the last 2 years we, this Congress, funded respectively 50,000 new vouchers and 60,000 new vouchers, after a number of years at zero. Now we are told we are going back to zero.

The Administration requested 120,000 new Section 8 vouchers. The bill provides none. The amendment asks for 60,000. We are told that the bill does provide for new vouchers from recapture. I think the expected amount of recapture money available is already anticipated in the bill and has been given to four other priorities before new Section 8 vouchers, so we do not expect that there will be any new substantial amount of money from those recaptures available for new vouchers, number one.

Number two, there are millions and millions of people at need. We should be doing hundreds of thousands, and even if some of that money is recaptured, it is not nearly sufficient for the need.

Now we are told we should not take this money, 16 percent, we should not reduce the budget for the Space Station by 16 percent in order to provide half as many new vouchers as the administration requested. I voted against the Space Station, so I cannot say I would like to see the money given.

But the fact is, even if Members support the Space Station, a 16 percent reduction will not materially delay it. It is certainly not putting 60,000 people with decent housing.

Mr. Chairman, I will also say that this is a decentralized program. Not every local housing authority is tremendously efficient. Therefore, they do not use every one. Also, very often when people get a Section 8 voucher it takes them months to find housing within the limits, or maybe they cannot even afford it. That is why money is not spent, necessarily. It does not mean we do not need the money.

I would urge that we adopt this amendment and provide the money we need.

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

Mr. NADLER. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I would just ask the gentleman rhetorically if he would rather have the Administration use those recaptured funds for Kosovo, like they did last year?

Mr. NADLER. Reclaiming my time, I am not here to defend the Administration, whatever it uses or does not use recaptured funds for. I am simply saying, 60,000 new Section 8 units, even if we could recapture some and get 10,000 more, that is little enough, a piddling sum. We should not be in the position of having to choose between the Space Station and 60,000 new vouchers.

Mr. WALSH. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. WELDON), and then I will close.

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in opposition to this amendment. I understand very well the gentleman's concern from New York City, but if we take this amount of money out of the Space Station program, we are effectively going to kill it. This program is operating on absolutely no margin. It has been cut repeatedly by this Congress.

We have a load of hardware built and ready to fly. The Russian module was supposed to launch next month. The missions are essentially stacked up.
Cutting this amount of money in my opinion is going to be potentially lethal to the space program. The gentleman has admitted that he is voted against the space station, so a cutting amendment like this that is going to kill it I am sure is no offense to him.

Might I just add, I understand there are some legitimate issues in housing, but I believe HUD is being plused up $4 billion in this VA-HUD bill that we are taking up today. NASA has been declining for the past 7 years. I would support the chairman on this issue.

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

Mr. Chairman, I would strongly urge we reject this amendment. The space station is ready to go. This 20 percent cut in the program would kill the program, and all the science and good will that goes with it.

It is a very important program. As I mentioned earlier, we have young people all over the world who will participate in this. Seeing their parents and their country cooperating globally to conduct a major science project is an inspiration.

We need to inspire young people today, especially certainly towards idealism and altruism, but also towards math and science, which is what this program is all about.

Lastly, to take the funds out of a program that needs the money and put it into a program that is, for all intents and purposes, fully funded is a mistake. So I would strongly urge that we reject this amendment.

Ms. VELÁZQUEZ. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I rise today in strong support of the Nadler-DeGette Amendment to increase funding for new Section 8 housing vouchers. For the first time in 7 years, HUD estimates that over 5.4 million low-income renter families spend more than half of their incomes on housing or live in severely substandard housing.

In New York City we are experiencing a severe shortage of affordable housing. The need for the Section 8 vouchers is so overwhelming that the New York City Housing Authority closed the waiting list for this program in December of 1994. No other applications have been accepted for 66 months. Yet despite this drastic measure, as of January 1st of this year, there were still 215,385 families on the Section 8 waiting list in New York City.

We are experiencing a housing crisis in our nation’s urban communities. Section 8 vouchers serve as a safety net for thousands of working families. The Nadler/DeGette Amendment ensures that this safety net continues to be available. In a time of unprecedented economic prosperity, it is shameful to continue to ignore the basic needs of our poorest citizens.

I strongly urge all of my colleagues to vote in favor of the Nadler/DeGette Amendment.

Mr. SENSENBRUNNER. Mr. Chairman, I rise in opposition to the amendments offered by the gentleman from New York. Quite simply, they threaten our long-term future. This amendment will transfer $344 million out of NASA’s Human Space Flight account and put it in HUD’s Section 8 program.

The space program is part of our national science and technology enterprise. We all know that our current economy owes much of its success to forty years of federal investments in science and technology. That federal effort generates the pre-competitive breakthroughs in science and technology that make day-to-day applications possible in the future. Because that benefit is long-term, most of us will not be in this Chamber to see the benefits of the decisions we make today, just as the Members who nurtured our science and technology program forty years ago have left this body to enjoy the political benefits of their support for the space program. Thus, there’s little political pay-off in advocating science and technology.

That’s why science and technology demand statesmanship and long-term vision. Federal investments serve the good of the country and the future of our grandchildren. Fortunately, this Chamber has repeatedly demonstrated the long-term view needed for our nation’s science and technology programs in space. It did so last year by rejecting similar amendments and preserving funding for the space program. It should do so again this year, by maintaining the space program as a high priority and voting against the Nadler amendment.

Mr. DAVIS of Illinois. Mr. Chairman, I rise in strong support of the Nadler-DeGette Amendment to appropriate $344 million for 60,000 section 8 incremental (new vouchers) to provide housing assistance to low income families.

First of all Mr. Chairman, we know that the overall appropriation recommended for VA-HUD is too low, which forces us into an either-or situation. Either we shortchange some of the pressing needs which are most immediate or we delay development of new horizons and new opportunities like space exploration; and I tell you Mr. Chairman, I, like countless others want to see us space as much, as often and as many Asians as possible.

But, Mr. Chairman, I also recognize that there are thousands of people in my district alone who live in dilapidated buildings with vermin, termites, and hopelessness all around them. I know that there are more than 165,000 people in my district who live at, or below the poverty level and I know, I know Mr. Chairman that they need relief; they need help, they need a chance to live decently and they need it now.

I met last week with a group of residents at the Boulevard Commons on the Southside of Chicago. Boulevard is a project based section 8 program where the building is going to be vacated because of need for repair. They are frustrated, filled with uncertainty, and not sure about what their future will be. I am also working with a group of senior citizens on the near Northside of Chicago at Commonwealth Com-

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

Mr. Chairman, on April 7 I joined with 62 other Members in a bipartisan fashion to write to the chairman of the Subcommittee on VA, HUD and Independent Agencies and the Subcommittee on Treasury, Postal Service and General Government of the Committee on Appropriations. We asked that they prohibit HUD and the BATF from using taxpayers’ money to implement a settlement agreement entered into between HUD and Smith & Wesson.

As we said in our letter, this settlement agreement sets terms for the continued operation of Smith & Wesson that affect many retail customers and wholesale distributors. This agreement has been widely touted in the media as an agreement for Smith & Wesson to include trigger locks with the firearms they sell.

In reality, however, this agreement is much, much more. This 22 page settlement agreement requires Smith & Wesson to implement gun control measures and for Smith & Wesson to require their dealers to implement the same gun control measures. Smith & Wesson received in exchange HUD’s promise not to sue.

The last time I checked, Mr. Chairman, the Congress is the legislative body of the United States government. I suppose former Labor Secretary Robert Reich was prophetic in his statement in USA Today when he said in
February of 1999, "The era of big government may be over, but the era of regulation through litigation has just begun."

Let me give a few examples of this new regulation, or, more properly defined as legislation, contained in this agreement. Keep in mind that this body did not agree to these provisions, and in some cases we have rejected similar provisions.

Also keep in mind that in the agreement, Smith & Wesson agrees to bind all those dealers who wish to sell Smith & Wesson products to the restrictions in the agreement. In other words, Smith & Wesson dealers must include the following restrictions on all firearms sales, regardless of make. This includes Smith & Wesson, Ruger, Beretta, Colt, and so on.

In order to continue selling Smith & Wesson products, dealers must agree to, one, impose a 14-day waiting period on any purchaser who wants to buy more than one firearm; again, all makes. Did Congress authorize such a restriction?

Two, transfer firearms only to individuals who have passed a certified safety examination or training course. Once again, all makes are covered. Did Congress authorize this restriction?

Three, the agreement authorizes the Bureau of Alcohol, Tobacco and Firearms to sit on an oversight commission to enforce provisions of the coerced agreement. When did Congress authorize the BATF to enforce private civil settlement agreements?

Four, this agreement requires the BATF or an agreed upon proofing entity to test firearms. Did we do this in this agreement?

Five, the agreement mandates that Smith & Wesson commit 2 percent of their revenues to develop authorized user technology and within 36 months, not immediately, 36 months to incorporate this technology in all new firearm designs.

I would say as an aside, with regard to the debate that happened concerning my previous amendment, some speaker said that this would happen immediately. But, in fact, the agreement says that 36 months from now this must happen.

It appears HUD likes unfunded mandates. Did Congress authorize this unfunded mandate? I could go on and on, but time prevents me from doing so.

What is the result of this legislation through litigation tactic employed by HUD? Well, a few days ago, Smith & Wesson announced that it would shut down two of its plants for a month, leaving 500 workers with an unscheduled vacation. But is this not really what HUD wants? We should not allow HUD to legislate through litigation.

I ask my colleagues to support my amendment, to take the power of legislation out of HUD's hands, and return it where the Constitution requires, the Congress.

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

The CHAIRMAN. Does the gentleman from New York (Mrs. McCarthy) claim the time in opposition to the amendment?

Mrs. McCarthy of New York. I do, Mr. Chairman.

The CHAIRMAN. The gentlewoman from New York (Mrs. McCarthy) is recognized for 15 minutes.

Mrs. McCarthy of New York. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. Blumenauer).

Mr. Blumenauer. Mr. Chairman, the gentleman from Indiana (Mr. Hostetler) references the problems that Smith & Wesson is facing as a result of, not HUD's activity, but retaliation against an industry leader that has been willing to be courageous in being part of a long overdue effort to reduce gun violence in America. A part of the settlement is here on the floor today.

For far too long, we have drug our feet in simple common sense steps to make gun safety a part of an overall strategy. Things like trigger locks, gun lockboxes, smart weapon technology, making a better gun is a prudent thing to do.

One out of six of our law enforcement officers who die in the line of duty are killed with their own service revolver. But it is not good enough for the gentleman from Indiana. He wants to try and get the amendment to make real progress towards eliminating this problem. This is using the private sector to produce safer weapons, have a code of conduct among gun manufacturers, and then use the money we have in this country, that there are more consumer protections for water pistols than for real guns, that this Congress has the courage to make an asprin bottle difficult for a 2-year-old to open, but this Congress does not have the courage to make that hard for that 2-year-old to kill his baby sister.

This amendment is a disgrace. I have in the foyer of my office a picture of Kevin Imel, a young child of a friend of mine, who was killed by a classmate in an angry moment. It is time for us to put faces on the million Americans who have been killed by gun violence since I started my public service career. It is time for us to stand up to the tyranny of the gun lobby and the people who would pander to them, and we can start by rejecting this amendment tonight.

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

Mr. Chairman, I would simply say, if there is retaliation that is going on as a result of the agreement that Smith & Wesson has taken place, if the gentleman from Oregon (Mr. Blumenauer) would talk to his constituents, he would find out who it is doing that, and then talk to the gun lobbyists, or his constituents who do not want Smith & Wesson to bring in more gun control through the back door by legislating through the executive branch.

I would say with regard to the comments of the gentleman from Oregon about law enforcement, having the ability to use proper guns, I think the gentleman has probably seen the news clip of Governor Glendening's attempt to try to get a firearm to become unlocked so that the Governor could use it. The Governor was unable to do so. I am afraid it was very possible that a police officer would likewise run into similar situations on the job.

Likewise, the gentleman from Oregon said that there was no settlement for a squirt gun than for the purchase of a real gun. Well, that is intriguing. My 3-year-old recently purchased a squirt gun. I should say his mother did. It was not a straw purchase. But his mother purchased a squirt gun for him. In doing so, my 3-year-old son did not have to fill out paperwork asking if he had committed a crime or if he was an alien of the United States of America. So I am not quite sure that that is accurate.

Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. Doolittle).

Mr. Doolittle. Mr. Chairman, I commend the gentleman from Indiana (Mr. Hostetler). He is highly principled and has the courage to do what I think is clearly right by the people of the United States in offering this amendment. The points that he has made I agree with completely.

The gentleman from Oregon and the liberals could not get through the Congress what they wanted to, so they tried to do it through a settlement using the power of the Government, suing the gun manufacturer, and then securing a whole raft of restrictions entered into supposedly voluntarily as part of the settlement. It affects the gun rights of everyone. I just think it is terribly misplaced.

I hope we approve the amendment of the gentleman from Indiana that will, I hope, dismantle the settlement, because it deserves to be set aside. If we are going to enact legislation or policies of this type, then bring them here to the Congress of the United States. Let us debate them and let the people's Representatives make the decision about this rather than simply having this done off to the side in the secrecy of settlement agreements that are entered into.

The thing that bothers me the most, though, Mr. Chairman, is this constant focus of liberals on the gun, the instrumentality, rather than on the people who are misusing the instrumentality. I mean, we have seen this time and
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time and time again. It is just a diver-
sionary tactic because it is covering up
the fact that under the Clinton admin-
arization, Federal prosecution of gun
crimes has dropped precipitously.

When we had a great program that
we knew worked, like Project Exile in
the Commonwealth of Virginia, and we
tried to expand that to the rest of the
country, the administration would not do
it. Only this year under extreme pres-
dure did they finally have to relent
and start that program in other parts
of the country where we have seen dra-
matic reductions in gun violence be-
cause the Federal Government, through
the U.S. attorney in cooperation
with local law enforcement, is prosecut-
ing vigorously and to the fullest
extent of the law the misuse of a
firearm.

That is the direction we ought to be
heading in, punishing the misuse of the
firearm, not trying to achieve through
stealth, in my judgment, what cannot
be done by getting a majority of the
House and Senate to go along with
these very same policies when they are
put to a vote here.

The gentleman from Indiana (Mr.
HOSTETTLER) has a great amendment. I
hope people support it.

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

Mrs. MCCARTHY of New York. Mr.
Chairman, I yield 1 minute to the gen-
tlewoman from Texas (Ms. JACKON-
LEE).

Ms. JACKSON-LEE of Texas. Mr.
Chairman, I thank the gentlewoman
from New York for yielding me this
time, and I thank her for her leader-
ship.

Mr. Chairman, it seems to be a little
extent to suggest that the Clinton ad-
ministration that spear-headed the
passage of the Brady bill that has
caused thousands of criminals not to
have guns in their hands and the pas-
sage of the ban on assault weapons.

But I rise in opposition to this
amendment, because I do not believe
the gentleman from Indiana (Mr.
HOSTETTLER) understands the premise
of what he intends to do. The Housing
and Urban Development had every
right to make a freestanding contract
with Smith & Wesson, and that is what
they did.

The retaliation comes from the un-
derlying advocacy and opposition to
the agreement by the National Rifle
Association. But to encourage a gun
manufacturer to have trigger locks and
to be able to adhere to a code of con-
duct that would help close gun show
loopholes so that children 6 years old
do not kill children and that a dis-
traught young man does not kill his
teacher, I think HUN should be ap-
plauded. Smith & Wesson should be ap-
plauded.

This amendment should be voted
down. We should go on with the busi-
ness of saving lives in America.
Federal funds to implement and enforce the agreement with Smith & Wesson. As my colleagues know, I represent the State of Wyoming. I am a gun owner. I have a permit to carry a concealed weapon in the State of Wyoming, and I do. I am trained in the use of this gun. I am trained in the use of rifles. My husband and I together teach our children. We took them hunting. We took them target practicing. We taught them to respect what a gun is and to respect the way to handle it. And we also taught them to respect the law and that if they did not respect the law and obey the law, there would be consequences to pay.

Well, what this administration needs to do with their time and with their money is to enforce the laws that we have and make sure that people who break these laws are held responsible. I would ask for those of you who have questions about the BATF, and the enforcement officers, that would help that situation.

In Australia, just lately, not too long ago, the government took the guns away from all the citizens. The crime rate skyrocketed because only the criminals have guns. I want to have a gun, to be able to defend myself or defend my family. But most of all I want to defend the Constitution of the United States of America. I want to defend not just the second amendment but all of our Constitution, and I ask my colleagues to vote in favor of the Hostettler amendment so that we can do that.

Mrs. McCarthy of New York. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. Moran).

Mr. Moran of Virginia. First of all, in response to my friend from Wyoming, the number of arrests and prosecutions are up significantly since 1992. They are obviously not adequate enough. I believe that the BATF and the enforcement officers, that would help that situation.

Certainly public safety officers are not endangered when they can obtain guns, when they are licensed, when they are trained. And I would think many of them would like to have a child safety lock on their gun when it is at home and their kids might have access to it.

But, Mr. Chairman, I want to try to paraphrase Dante’s Inferno. He talks about the fact that the lowest level and the depths of hell is reserved for those who, knowing the difference between good and evil, choose not to become involved, thereby letting evil prevail. In fact, Rabbi Saperstein, in his letter to all of us, urging rejection of the Hostettler amendment, quotes Leviticus and Jewish tradition that we should not sit idly by the blood of our neighbors.

How can we not get involved when more than a dozen kids a day are dying of gunfire. Maybe we do not believe that. Maybe we do not care, because most of those deaths are in urban minority low-income communities. When it happens in a white suburban middle-class community we read about it at least. Or maybe we do not even read about it; maybe we do not care about it. But the fact is we ought to do something about it. It is wrong. These children are losing their lives because guns are all over the place. They are pervasive.

When 411 communities try to get together to do something about it, to try to protect the kids in their communities, what do we do? We try to stop them. We do not let them get away with it. Interfering. Let us look at what constructive alternatives our colleagues have, because what we are doing today is not enough: 300,000 deaths, a dozen kids a day. Show us what those on the other side of the aisle would do about it, more than rhetoric.

Mr. Hostettler. Mr. Chairman, I yield myself the balance of my time.

I would simply call to point that this is a very passionate debate that has taken place tonight, and that is exactly what the framers of the Constitution intended to happen. They intended to have passionate debate on issues relating to things as important not only as the second amendment and the right to keep and bear arms, that shall not be infringed, to have the legislative branch to maintain its prerogative to do just that, and that is to legislate.

What this amendment will do is simply stop the legislative activity on the part of the administration in this one small particular area so that the gentleman from Virginia, the gentlewoman from New York, everyone else involved in this debate can have that passionate debate; and they can have more than rhetoric. We have the legislative branch to maintain its prerogative to do just that, and that is to legislate.

What this amendment will do is simply stop the legislative activity on the part of the administration in this one small particular area so that the gentleman from Virginia, the gentlewoman from New York, everyone else involved in this debate can have that passionate debate; and they can have more than rhetoric. We have the legislative branch to maintain its prerogative to do just that, and that is to legislate.

These people in HUD, the BATF, they are there to faithfully execute the laws of the United States. They are not there to faithfully create the laws of the United States. That is what they did in the past.

Mr. Chairman, I simply ask for Congress to once again assert our legislative prerogative. Defund this agreement. And if the other side wants to create another debate about gun control, they can do that. But that should happen in the halls of this building, the Congress, and not behind closed doors in the bureaucracy.

Mr. Chairman, I yield back the balance of my time.

Mrs. McCarthy of New York. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. Pelosi).

Ms. Pelosi. Mr. Chairman, I would like to take my time, this 1 minute, to commend the gentlewoman from New York for her extraordinary leadership and her extraordary courage. She has become the personification in this country of gun safety, and to the mothers and families of America she is a leader and a source of hope and inspiration.

It seems the least we can do here, out of respect for the concerns that parents in America have about gun safety, is to defeat the Hostettler amendment. This amendment, and the one that preceded it earlier regarding the coalition, are really unnecessary and they fly in the face of incremental and reasonable and common sense attempts to protect our children from guns.

This code of conduct really should be serving as a model; and, instead, this House of Representatives is considering eliminating it, taking a step backward. Who can oppose the idea of HUD engaging in an agreement for a code of conduct for gun safety? HUD should be commended, the gentlewoman from New York should be commended, and we should defeat the Hostettler amendment.

Mrs. McCarthy of New York. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. Maloney).

Ms. Maloney. Mr. Chairman, I thank the gentlewoman for yielding me this time and for her extraordinary leadership.

Mr. Chairman, I rise in opposition. Why are we attacking companies trying to do the right thing? This amendment would defund the settlement reached between Smith & Wesson and HUD to reduce gun violence. Smith & Wesson agreed to develop safer handguns, install child safety locks, and to sell only to vendors who require background checks. All reasonable, common sense gun safety actions.

Mr. Chairman, over 13 young people dying each day due to gun violence. We have children killing children. I guess protecting children is just too much to ask. This amendment prevents Smith & Wesson and other responsible companies from working to make our communities safer. This amendment will do nothing but appease the NRA and some members of the gun industry.
Ms. DeLAURO. Mr. Chairman, the Hostetler amendment is another example of how far out of step the Republican leadership is with the American people. They refuse to move ahead with gun safety legislation, and now they have gone out of their way to punish Smith & Wesson simply because Smith & Wesson wants to include a child safety lock with their handgun. It is mind-boggling.

Further, they would gut the Communities for Safer Guns Coalition. This is 411 cities and towns across the country who have agreed to purchase handguns for their police officers from gun makers that agree to include child safety locks with the guns they sell and to keep a close eye on the gun dealers that sell to criminals.

Let me tell my colleagues that if they vote for this amendment, if they support it, they turn their backs on the values of this country and on the American people. This is the people’s House. Overwhelmingly this country wants to see gun safety legislation. And what is more, those who vote for this amendment will be living up to the old saying that “no good deed goes unpunished.” They will be telling people that they not only oppose mandatory child safety locks but they are going to punish companies who voluntarily include child safety locks with their guns.

What is next? Shall we punish car manufacturers who make safe cars, pharmaceutical companies that put child safety locks on aspirin bottles? Smith & Wesson, my colleagues, have done the right thing. They have agreed to include a child safety lock with the guns they sell. They have agreed to help ensure that dealers who sell their guns will only sell to law-abiding citizens. We should be thanking them. Instead, the gun lobby and the Republican leadership of this House want to prevent local efforts to make our communities, our neighborhoods safer, and to punish the gun makers that act responsibly.

This is so wrong, it is unbelievable. We should reject this kind of revenge by legislation. Let us defeat the amendment offered by the gentleman from Indiana (Mr. HOSTETTLER).

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 23 offered by the gentleman from New York (Mr. HINCHLEY); amendment No. 35, as modified, offered by the gentleman from New York (Mr. HINCHLEY); the amendment offered by the gentleman from Georgia (Mr. COLLINS); amendment No. 24 offered by the gentleman from Indiana (Mr. HOSTETTLER); amendment No. 4 offered by the gentleman from New York (Mr. NADLER); amendment No. 25 offered by the gentleman from Indiana (Mr. HOSTETTLER).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. HINCHLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 23 offered by the gentleman from New York (Mr. HINCHLEY) on which further proceedings were postponed and on which the noes prevailed by the voice vote.

The Chair will redesignate the amendment.

The Clerk redesignated the amendment.

Recorded vote

The CHAIRMAN. A recorded vote has been demanded.
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The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. Hinchey), as modified, on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment. The Clerk redesignates the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 208, nays 216, not voting 10, as follows:

[No roll No. 308]

Mrs. CUBIN, Mr. SMITH of Texas, Mrs. CLAYTON, Messrs. REGULA, BROWN of Ohio, WATKINS, DIXON, MORAN of Virginia, VICOSLICKY, RAHAL, and RAMSTAD changed their vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 525, the Chair announces that it will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.
Mr. PEASE and Mr. BARR of Georgia, changed their vote from "aye" to "no." So the amendment was rejected.

The result of the vote was announced as above recorded.
Mr. WELLER changed his vote from "aye" to "no."
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Mr. GEJDENSON and Mr. KLINK changed their vote from "aye" to "no." Mr. BERMAN changed his vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 25 OFFERED BY MR. HOSTETTLER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. HOSTETTLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—aye 206, noes 219, not voting 9, as follows:

AYES—206

NOES—219

Mr. GEJDENSON and Mr. KLINK changed their vote from "aye" to "no." Mr. BERMAN changed his vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 25 OFFERED BY MR. HOSTETTLER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. HOSTETTLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—aye 206, noes 219, not voting 9, as follows:

AYES—206

NOES—219
So the amendment was rejected. The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

This Act may be cited as the “Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2003”.

Mr. MOORE. Mr. Chairman, I rise to express my grave concern with the bill before us today. This bill critically underfunds important national priorities that are too numerous to mention.

Many members of this House have expressed their concern about the federal government's chronic failure to meet its commitment to special needs kids. Yet, this bill provides just $6.6 billion in funding for special education, $514 million over last year's funding but far short of the $16 billion-plus we need to fulfill this longstanding commitment to our most vulnerable children.

Mr. Speaker, I have a school in my district where exposed wires dangle from the ceiling, and rainwater seeps over those wires, but this bill provides no funds to repair collapsing schools. Never mind that more than 200 of my colleagues have heeded the call of their school districts, who are begging for assistance to repair schools.

53.2 million kids—a national enrollment record—started school in 1999 and 2.2 million teachers will be needed in the coming years to teach them what they need to know. The teacher shortage is an imminent national crisis, yet this bill includes no funds to continue the class size reduction initiative that is putting 100,000 new teachers in our schools.

Mr. Chairman, we know that quality early childhood programs for low-income children can increase the likelihood that children will be literate, employed, and educated, and less likely to be school dropouts, dependent on welfare, or arrested for criminal activity. This bill, however, cuts the President's request for Head Start by $600 million, which denies 53,000 low-income children the opportunity to benefit from this comprehensive child development program.

Tragically, our country has become desensitized to school violence accustomed to reports of shootings in schools. School shootings are no longer front page news! Yet, this bill eliminates assistance for elementary school counselors that serve more than 100,000 children in 60 high-need school districts that could intervene and identify troubled kids before they harm themselves, their classmates or their teachers.

Earlier this week, I supported a bill to relieve the estate tax with great reservation I have long been a supporter of responsible estate tax relief that maintains our national commitments—paying down the national debt, protecting Social Security and Medicare, and supporting important domestic priorities such as the ones I have listed here. The leadership of this House, however, gave us one vehicle for estate tax relief, and I supported it with the hope that the Senate and the conference committee will craft a fiscally responsible compromise.

Today, however, I am faced with this bill that turns its back on our nation's number one priority—our kids. The leadership of this House expects a veto of this irresponsible bill. I am voting against this bill today and I ask my colleagues to do the same. We then can return to the drawing board and craft a fiscally responsible bill that reflects our priorities as a nation.

Mr. POMEROY. Mr. Chairman, I rise today to express my support for the increase in funding included in this measure for many veteran's programs. One of my most important duties as a Member of Congress, and one of which I am most proud, is to honor the men and women who have served our Nation in uniform. I remain committed to the interests of our Nation's veterans and their families. I believe that Congress bears a special responsibility to protect those programs which serve our veterans' health and welfare. Our veterans have given so much to our Nation; we can only hope to give them a return in support.

Unfortunately, this bill includes an increase for veterans' medical care, service-connected compensation benefits, and pensions, and readjustment benefits. While there are some shortcomings in the allocations for other veterans' programs, I am confident that my colleagues will address these issues in conference committee. As the appropriations process moves forward, I will continue to fight for healthy funding levels for all veterans programs.

Mr. UDALL of Colorado. Mr. Chairman, the Veterans Affairs, Housing and Urban Development, and Independent Agencies Appropriations Bill simply does not do enough. The Majority has delivered a bill that shortchanges valuable programs. Not only is the core bill itself underfunded, but today's amendment process has forced Members to vote on amendments that simply shift already-limited resources from one important program to another. This "robbing Peter to pay Paul" approach doesn't satisfy the real needs of these programs or the needs of the citizens of this country.

This bill does not make adequate strides to ensure that affordable housing can be a reality in our country and the dream of first-time homeownership is attainable. This bill fails to fund the Administration's request for 120,000 incremental rental assistance vouchers, including 10,000 vouchers for housing production of the first new affordable housing for families since 1996.

The bill slashes HUD's Community Development Block Grant (CDBG) program by $395
million from the President’s request. This cut in funding restricts communities’ abilities to redevelop downtown areas, open after-school recreation programs, and shelter the homeless.

In recent weeks, President Clinton and Speaker HASTERT announced that they had reached a bipartisan agreement on the New Markets and Community Renewal legislative initiative. This agreement would increase funding for “brownfields” redevelopment and for housing and economic development in rural communities, key provisions of the New Markets Initiative. But the bill before us today doesn’t adhere to the spirit or the letter of this agreement. I am troubled by the Republican Majority’s decision to cut many of the elements of this rare bipartisan agreement reached by the President and the Speaker.

The bill falls also far short of providing the level of funding needed for the Environmental Protection Agency to operate in my district, public health, and other programs. I am particularly concerned about the bill’s cuts to EPA’s Climate Change Technology Initiative, which is made up of voluntary programs designed to mitigate global climate change, improve energy efficiency, reduce our dependence on foreign oil, and save consumers money. In addition, the bill still includes language that unduly limits EPA’s activities relative to climate change.

In the realm of science, this bill will jeopardize our investment in the future by cutting NSF funding for science and engineering research and education by over $500 million, or 11% below the requested level. This reduction will seriously undermine priority investments in cutting-edge research, and eliminate funding for almost 18,000 researchers and science and mathematics educators—so many of whom live and work in my district in Colorado.

The bill before us also leaves NASA programs $322 million below the budget request. It eliminates almost all of the funding for the Small Aircraft Transportation System and Aviation Capacity programs, both of which are intended to make use of NASA’s technological capabilities to reduce air traffic congestion. It eliminates all of the funding for NASA’s Space Launch Initiative, a program to help maintain American leadership in space transportation. And it eliminates all the money for NASA’s Space Station—already in orbit and operational, and additional elements of the Space Station are awaiting launch from Cape Kennedy. The current schedule will start the permanent occupation of the Space Station this fall, and the U.S. Laboratory will be fully functional early next year.

Members who would cut Space Station funding argue that this funding should be redirected to all of the other underfunded accounts in this bill. Their argument is borne out of the justifiable frustration with the Majority’s Budget Resolution, which set unrealistic—and ultimately untenable—caps on the various appropriations accounts. The solution is not to ask Members to make false choices among programs—it is to seek to increase the overall allocation for the VA–HUD-independent agencies subcommittee so that all of the worthwhile activities can be funded at reasonable levels.

Mr. Chairman, the overall funding shortfall is the key problem in this bill, and I cannot support it in its current form.

Mr. Wu. Mr. Chairman, I rise in opposition to the VA/HUD Appropriations bill for Fiscal Year 2001.

The bill cuts the President’s proposed $675 million increase in the NSF budget by $508 million. This will jeopardize the Nation’s investment in the future. The bill undermines priority investments in advanced technologies, including information technology, nanotechnology and geosciences.

Earlier this year, the House passed a bi-partisan bill, H.R. 2086, the Networking and Information Technology Research and Development Act, which calls for major increases in Information Technology research and development, with a large portion of the increase designated to the NSF. This bill will significantly reduce funding for the Information Technology R&D program.

Approximately 81 percent ($2.149.9 million) of NSF’s FY 1999 funding in research and development budget was awarded to U.S. colleges and universities. Of those higher education institutions in my District such as Portland State University, Oregon Graduate Institute, and Oregon Health Sciences University, rely on these grants for cutting edge research. For instance, these three institutions have joined with the University of Washington in receiving NSF funding to create a high-speed metropolitan network to connect the universities for collaborative medical science, engineering and technology research.

I support the Silicon Forest. As I meet with high-tech employers and workers in my district, I hear concerns that there aren’t enough skilled workers. Employers look to the H–1B visa program as an important safety valve to hire trained high-tech workers. However, the H–1B visa program is capped, and these caps are reached very quickly—it is estimated that the total in FY 2000 (115,000) will be reached in March of this year. Employers are now urging Congress to raise the visa cap.

We need to do much more than just raise the visa cap on a temporary emergency basis every year. We need to address the issue of training American students. The bill we are considering today does not help to achieve this goal. It slows down our efforts to train the next-generation of scientists and engineers, and prepare more Americans for high-tech, high-wage jobs. The cuts in the bill include a 21 percent, or over $30 million below the required for undergraduate education—representing nearly 50 percent cut in requested funding for the National Science, Math, Engineering, and Technology Education Digital Library.

We must do more for the future of science and our future scientists, because in doing so, we provide for the future of America.

Mr. SHAyS. Mr. Chairman, I recognize the budgetary constraints under which Chairman WALSH is working, and commend him for doing an admirable job under difficult circumstances. I am, however, deeply concerned about several programs reduced or eliminated in this bill.

This legislation fails to fund EPA’s Office of Long Island Sound Programs. On May 9, the House voted 391 to 29 to reauthorize the program at an $80 million level.

Over the past decade, the Long Island Sound Office has been an essential partner with Connecticut and New York. Together we have made enormous progress in the cleanup of Long Island Sound. But, we still have much work to do and many challenges to face. It is critical the Long Island Sound Office funding be restored and increased significantly so we may succeed in cleaning up, preserving and protecting Long Island Sound for future generations.

This bill also eliminates additional Federal Emergency Management Agency (FEMA) funding for disaster relief—providing only $300 million, a decrease of $2.4 billion from FY 00. It is fiscally irresponsible for us to neglect to appropriate money for disaster relief. Natural disasters cannot be prevented, and the federal government has a responsibility to assist communities respond to emergencies. Relying on emergency spending appropriations to respond to inevitable disasters is simply not good budgeting.

It is my hope the Conference Committee will work to restore FEMA funds and permit the agency to adequately prepare for natural disasters in a timely manner and fulfill its responsibility to those whose lives are affected.

Mr. HoEFFEl. Mr. Chairman, I rise in opposition to the HUD/VA appropriations bill. I am opposed to cuts in the HUD budget, especially with regard to the Community Development Block Grant Program, which is cut by about $300 million from last year’s level, and the HOME investment program.

The Community Development Fund provides funding to state and local governments, and to other entities that carry out community and economic development activities. The HOME investment partnerships program provides grants to states and units of local government through formula allocation for the purpose of expanding the supply of affordable housing. As a former Montgomery County Commissioner, I know how heavily local communities rely on these funds.

These cuts block efforts by our communities to create desperately needed affordable housing and jobs and curtail efforts to expand
home ownership and revitalize our poorest communities. These programs are a key incentive to development in my community in Montgomery County, Pennsylvania. Accurate information to local officials who have contacted me about these critical programs, these reductions mean that much needed development work may be delayed or canceled.

Other objectionable provisions in this bill include the anti-environmental riders, no new funding for additional Section 8 vouchers, and no funding for the President’s National Service program. Overall spending for the bill is more than $2 billion below the President’s request.

I will vote against this legislation in the hope that the conference committee will improve on the work of the House.

Mr. BLUMENTHAL. Mr. Chairman, the United States is facing an affordable housing crisis. While the American dream has always included homeownership, the price of the average one-family home has surpassed the financial reach of many Americans, with housing values even outpacing the national inflation rate. This VA–HUD bill disregards the current state of critical housing needs that our nation is experiencing.

Despite an unprecedented era of national economic prosperity, the gap between available, affordable housing and accessibility for both homeowners and renters is widening. Families who have worst-case housing needs as defined by HUD are those who receive no government housing assistance, have incomes less than 50 percent of local area family income, and pay more than half their income for rent or mortgage and utilities. Based on this criteria, the number of families faced with worst-case housing needs has reached an all-time high of 5.4 million families, an increase of 12 percent since 1991. This constitutes a staggering figure—it means that one out of every seven American families is experiencing a critical housing situation.

In the past, the United States maintained a housing surplus. In 1970, a market of 6.5 million low-cost rental units was available for 6.2 million low-income renters. By 1995, the surplus disappeared and 10.5 million low-income renters had to vie for 6.1 million available low-cost rental units on the market.

This housing crisis is not just an inner-city problem. In the suburbs throughout the last decade, we saw a decline in the number of units affordable to low-income families. Today, over one-third of households facing worst-case needs are in the suburbs.

Affordable housing is an essential component of a livable community. Communities that support the physical and economic well-being of their residents can better choose housing for sustainable. These communities support a diverse body of workers, both service-oriented and professional, that responds to the employment needs of the local economy.

This bill before us cuts $303,000 funding for my district from the Administration’s request level. The reductions are in a number of HUD programs—among them Community Development Block Grants, Homeless Assistance, public housing operating subsidies, and Housing Opportunities for People with AIDS.

Last year, the House passed H.R. 202, “Preserving Affordable Housing for Seniors in the 21st Century” by a margin of 405–5. It included provisions that would have made additional funding for service coordinators, assisted living, congregate housing services, and capital improvements. No funding for this legislation was included in the fiscal year 2002 budget. This means the needs will go unmet for services that will enable many of our seniors to age in place rather than face homelessness or premature institutionalization. And the Housing Authority of Portland tells me that without this funding it will face increasingly difficult to meet its needs for basic repairs such as roofs, sprinklers and heating and cooling systems.

Section 8 is the federal government’s primary mechanism for meeting the housing needs of low-income households. One strength of this program is that it allows the recipient a choice of which community in which to live. This approach is different from public housing in that it disperses recipients into economically diverse communities and avoids the undesirable social effects of clustering of low-income families into the fiscal year. Section 8 funding needs to be strengthened. Not a single additional person is given Section 8 assistance with this bill; the “increases” proponents claim are merely budget gimmicks.

The budget for low-income affordable housing programs, particularly Section 8 vouchers and Public Housing, needs to be increased. Housing authority waiting lists are longer than at any time in the past. Approximately 25,000 households in Oregon are waiting for housing assistance. These people are elderly, disabled, or single parent with children.

So I ask my colleagues to consider these items as we each return tonight to the comfort of the American dream. Help make the American dream obtainable for them. We need to increase funding for federal housing programs.

The CHAIRMAN. Are there further amendments?

There being no further amendments, under the rule, the Committee rises.

Mr. ROE. Mr. Chairman, this House is now in the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4635) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices of the government for the fiscal year ending September 30, 2001, and for other purposes, pursuant to House Resolution 252, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendments adopted by the Committee of the Whole? If not, the Chair will put them en bloc. The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.
Mr. INSLEE and Mr. DOOLEY of California changed their vote from "nay" to "yea." So the bill was passed.

The result of the vote was announced as above recorded.

A motion to recon sider was laid on the table.

Mr. RADANOVICh and Mr. OWENS changed their vote from "yea" to "nay." So the joint resolution was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.
PERSONAL EXPLANATION

Mr. KUYKENDALL. Mr. Speaker, I was unavoidably detained attending my son’s high school graduation and missed rollcall votes 302–305. If I had been here, I would have voted in the following manner:

Rollcall 303: No (delaying implementation of Department of Veterans’ Affairs VERA system).
Rollcall 304: No (striking prohibition against dredging until National Academy of Sciences study complete).
Rollcall 305: No (prohibiting designation of ozone non-attainment areas).
Rollcall 306: No (prohibiting administration of Communities for Safer Guns Coalition).
Rollcall 307: No (shifting funding from space station program to increase the number of new low income housing vouchers).
Rollcall 308: No (prohibiting Department of Housing and Urban Affairs from implementing settlement agreement with Smith and Wesson).
Rollcall 309: Yes (final passage).
Rollcall 310: No (withdrawal from World Trade Organization).

MEDICARE RX MEETS INDIVIDUAL NEEDS

(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, there are almost 40 million Medicare beneficiaries in the United States, and I can say with confidence that no two beneficiaries are just alike. So why would this administration want to create a one-size-fits-all Medicare prescription drug program?

Our seniors should not be forced into a big government Washington-based drug benefit program, a program run by Washington bureaucrats that do not know the difference between Motrin and Resulin. Our seniors and disabled Americans deserve and want a better plan.

The House bipartisan prescription drug benefit plan will provide an affordable, available, and voluntary drug benefit program allowing each Medicare beneficiary to choose which program best serves their individual needs.

Mr. Speaker, the American people cannot afford the $100 billion Clinton-Gore cookie cutter prescription drug plan scheme, whatever you call it, which thoughtlessly neglects individual health care needs of our seniors.

GARY GRAHAM

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

Ms. MCKINNEY. Mr. Speaker, in the Bible, justice rolls down like water and righteousness like a mighty stream. But in Texas, it is just a trickle.

Is it not ironic that, in the State of Texas, a juvenile is tried as an adult, but in Connecticut, an adult is tried as a juvenile?

Texas has executed more juvenile offenders than any other State in America. Another 26 juvenile offenders now sit on Texas’ death row. George Bush boasts of his international experience. Well, his death row experience has put Texas right in line with Iran, Nigeria, Pakistan, Saudi Arabia and Democrat Republic of Congo as executionists of juvenile offenders.

A Federal court has already stated that there is significant evidence to support Gary Graham’s claim of innocence.

Why not let the Texas Board of Pardons and Paroles review the new evidence?

Should George Bush kill Gary Graham? He could very well be killing an innocent man. Or does George Bush want to follow in the footsteps of his “Willie Horton” father to win brownie points in a close election?

RESPONSIBILITY OF HIGH GAS PRICES FALLS WITH THE WHITE HOUSE

The SPEAKER pro tempore (Mr. TOOMEY). 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.
The price of gas could be and should be much, much lower than it is; but in 1995, the year the most needed legislation passed, by this Congress, the states have allowed oil production in less than 3,000 acres of the 19.8 million acre Arctic National Wildlife Refuge.

I represent a big part of the great Smoky Mountains National Park, which is by far the most heavily visited national park in the country. Ten million visitors come there each year, and they think it is huge and beautiful, and it is. It is only about 600,000 acres in size.

This Arctic National Wildlife Refuge is 35 times the size of the Great Smoky Mountains, 19.8 million acres. Of that 19.8 million acres, 1.5 million acres is a flat brown tundra without a tree or bush or anything growing on it. It is called the coastal plain of Alaska.

The U.S. Geologic Survey says, if we drill for oil on less than 3,000 acres of that 1.5 million acre coastal plain, that there is potentially 16 billion barrels of oil there, which is 30 years of Saudi oil, yet the President vetoed that even though it can be done in an environmentally safe way.

We started years ago drilling for oil at Prudhoe Bay. The environmental extremists opposed that at that time saying it would wipe out the caribou herd. There were about 6,000 caribou at that time. Now there is over 20,000. It has been a great thing for this country.

We are far too dependent on foreign oil. Over half of our oil has to come from foreign countries now. Yet the President vetoed this which would have allowed us to get potentially 16 billion barrels of oil. In addition to that, he signed an order putting 80 percent of that Continental Shelf off limits for oil exploration and drilling. That is billions more barrels.

The price of gasoline could be much, much lower. If the American people like high gas prices, they should write the White House and thank them, because that is where the responsibility or that is where the fault lies for the high gas prices that we have in this country today.

I know there are some people who want higher prices. I know some of the environmental extremists want the gas price to go to $5 a gallon, because then people would drive less and there would be less pollution. Some people really believe that would be a good thing.

But I can tell my colleagues it would put the final nail in the coffin of the small towns and rural areas if we let the poor and lower income pay over in Europe. But if we let the poor and lower income pay over in Europe, they are paying over in Europe. But if we let the poor and lower income pay over in Europe, they are paying over in Europe. But if we let the poor and lower income pay over in Europe, they are paying over in Europe.

Mr. DUNCAN. Mr. Speaker, let me mention one other unrelated thing that the gentleman from Pennsylvania (Mr. Pritts) got into, and that is the Supreme Court decision on school prayer that was issued a couple of days ago.

In 1952, the U.S. Supreme Court in the case of Zorach v. Clauson said there is "no constitutional requirement which makes it necessary for government to be hostile to religion and throw its weight against efforts to widen the effective scope of religious influence."

I remember, about 3 years ago, William Raspberry, the great columnist for the Washington Post, wrote a column, and he asked a question. He said, "Is it not just possible that anti-religious bias masquerading as religious neutrality has cost us far more than we have been willing to admit?"

And that is a good question, tonight, Mr. Speaker. Is it not just possible that anti-religious bias, masquerading as religious neutrality, has cost us far more than we have been willing to acknowledge? The gentleman from Pennsylvania (Mr. Pritts) pointed out this Congress opens every session with prayer, and yet we will not allow this to be done at school events. There was a very poor decision by the Supreme Court a couple of days ago, and I think our Founding Fathers would be shocked if they knew that the precedent to which people are going to in this country to keep people from saying voluntary prayers.

PRESCRIPTION DRUGS

The SPEAKER pro tempore (Mr. TOOMY). Under a previous order of the House, the gentlewoman from Michigan (Ms. STABENOW) is recognized for 5 minutes.

Ms. STABENOW. Mr. Speaker, on April 12, I led an hour of debate on the topic of prescription drug coverage for senior citizens. I read three letters from around the state from seniors who shared their personal stories. On the 12th, I made a commitment to continue to read a different letter every week until the House enacts reform. This week I will read a letter from Crystal Pearl Beaudy of Marquette, Michigan.

Text of the letter: "Mrs. STABENOW. We are an elderly couple—78 and 76 years "young," and we sure do complain about the costs of [prescription] drugs. Our pension is only $1,200 [per month] and by the time we pay [for] our rent and food, eye glasses and dental work, ect., then try to pay for our drugs—which rise every time we need a refill—they is not much left!! It seem that every time we have a doctor appointment, they either add a new prescription or change it . . .

Also, at [my husband’s] place of employment, if you retired before the age of 62, you lost $200 a month. He was "laid off" at 61 and a half. So, after that, we lost more income. It doesn’t seem fair for the elderly! We have worked all of our lives and end up this way and this is our beloved U.S.A."

Below is a list of drugs:

<table>
<thead>
<tr>
<th>Drug</th>
<th>Price per month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Novasac</td>
<td>$37.99</td>
</tr>
<tr>
<td>Prilosec</td>
<td>106.00</td>
</tr>
<tr>
<td>Allegra</td>
<td>33.29</td>
</tr>
<tr>
<td>Nitro</td>
<td>7.00</td>
</tr>
<tr>
<td>Premarin</td>
<td>22.97</td>
</tr>
<tr>
<td>Teproli</td>
<td>33.29</td>
</tr>
<tr>
<td>Indur</td>
<td>43.94</td>
</tr>
<tr>
<td>Mysoloq</td>
<td>18.99</td>
</tr>
<tr>
<td>Premarin Cream</td>
<td>40.99</td>
</tr>
<tr>
<td>Lipitor</td>
<td>49.99</td>
</tr>
<tr>
<td>Synlar</td>
<td>9.14</td>
</tr>
<tr>
<td>Aclovate</td>
<td>15.89</td>
</tr>
</tbody>
</table>

Total cost 419.48

We hope that you can succeed in your campaign. Sincerely, Crystal Pearl Beaudy.

Seniors want and deserve a voluntary Medicare prescription drug benefit that is genuinely available to any senior who wants or needs it. That is why I will continue to read a letter from Michigan seniors until the House enacts real prescription drug legislation.

LACK OF SECURITY OF NUCLEAR SECRETS AT LOS ALAMOS MUST BE ADDRESSED BY CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. KINGSTON) is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, I wanted to address something that has been in the paper a pretty good bit lately, the Los Alamos nuclear secrets that have apparently been missing. The reason I want to do this, Mr. Speaker, is because I am very concerned about it, and I just want to sort of retrace the steps.

If my colleagues will remember, during the Clinton administration it became apparent that this gentleman named Wen Ho Lee was stealing secrets, very important nuclear secrets from the Los Alamos lab. Because of a number of, I would say, bureaucratic hesitations, he was not investigated for a long time. They finally did investigate him and they found out that, I think he had over a thousand illegal entries on his computer. At that time Congress, in a bipartisan fashion, moved together to give the Department of Energy the resources that they need to improve security at Los Alamos.
Well, after a long exercise and a lot more funds had been expended, 1 year ago, on May 29, 1999. The Secretary of Energy made this statement to the United States: "I can assure the American people that their nuclear secrets are now safe." A very explicit thing, and it was the right thing for the head person, in saying, and we have felt like, okay, we went through this very bad period, but we have addressed it.

Now we find out that two computer disks, which contained information on how to disarm nuclear bombs and how to buy nuclear bombs, were not last seen back in January. Now, that was verified April 7. Then on May 7 it was apparent that they were missing. So we go from this period of maybe January, maybe April to May 7 finding out that these two vital computer disks on very sensitive nuclear secrets are missing. But the Secretary of Energy was not informed for 24 more days. As I understand it, he is supposed to be notified when he was not informed from the period of May 7 until June 1, and yet nobody has been fired because of that. There is no protocol.

Apparently, it is easier to get nuclear secrets than it is to take a tape out of Blockbuster Video. If my colleagues do not believe me, I challenge them, I challenge anybody within the sound of my voice, to go to Blockbuster Video, there is one in everyone's neighborhood, to see if they can get a tape out. I am certain they will not be able to. Yet our sensitive nuclear secrets, I understand from a hearing, are left unattended for as long as 2 hours a day while the attendant in this vault goes to lunch.

Now, if my colleagues feel comfortable with Barney Fife guarding our nuclear secrets, then this is a great system. But if other Members are like me and the majority of Americans, then this is not very comforting. What are we thinking? How do we lose nuclear secrets? They show up magically behind a Xerox machine, a Xerox machine that has already been searched twice? And everybody is supposed to feel good about the fact that they did not leave the building?

Maybe there was not espionage. We do not know that yet. But what we do know is there is total incompetence, and we as Congress cannot have much confidence in the way our nuclear secrets are being guarded. I think it is incumbent on this Congress to put pressure on the Department of Energy and the Secretary of Energy to make some very, very drastic changes to get this addressed, because we simply cannot misplace nuclear secrets.

Just think about the time frame: from as long as April 7 to May 7 they were unaccounted for, and then from May 7 to June 1 no one even told the Secretary of Energy they were gone. Yet not one person has been fired because of that. This is an outrage. This is scary.

This is not partisan rhetoric. I am glad to say a number of Democrats, including the ranking member of the committee from Missouri, Mr. Skelton, has said the Keystone Kops are guarding our nuclear secrets. The gentleman from Michigan (Mr. Dingell) has passed a letter which has been signed by 50 Democrats saying that the University of California, who is involved in the security of that, I probably would have signed that letter, given the opportunity.

So I am glad to see that this is not getting trapped into some situation where it is Republican versus Democrats, because when it comes to the security of the United States of America, it does not matter what party we are a member of; it only matters that our shores are secure and safe. So I just wanted to bring that up, Mr. Speaker.

ON USEC DECISION TO CLOSE PORTSMOUTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

Mr. STRICKLAND. Mr. Speaker, a very sad and tragic thing happened today, and I think the American people need to know about it. But before I explain in detail, I would like to give a little history regarding this occurrence.

From the mid-1950s, there have been two facilities in this country that have produced enriched uranium, first of all for our nuclear arsenal and, more recently, for fuel for our nuclear power plants. Approximately 23 percent of our Nation's electricity is generated through nuclear power, and most of the fuel that generates that electricity is produced in these two domestic plants.

A couple of years ago, this Congress and the administration unwisely decided to privatize this vital industry. At the time of privatization, the private company was obligated to continue to operate these two facilities through the year 2004. Today, this privatized company and their irresponsible and parasitic leadership and their board of directors decided to close one of those two facilities. I would like to share with my colleagues why that is so unwise and so unacceptable.

We know what happens to our country when we are overly dependent upon foreign sources for energy. We see that in the high gas prices that we are all experiencing today. What will it be when 23 percent of the electricity in this country is dependent upon foreign sources?

To their credit, the Department of Energy sent an emergency letter to the director of the United States Enrichment Corporation and the members of the board of directors today explicitly asking them not to take this action. I would read from the letter from Under Secretary Gary Gensler. He said, "I am writing to urge you and the other members of the board not to vote to take this action from closing at today's board meeting."

In addition to this letter, Secretary Richardson sent a very strongly worded letter to this CEO and to the members of the board asking that they not proceed. Unbelievably, unbelievably, this industry, which was privatized less than 2 years ago, and has very definite public policy purposes and obligations, decided to thumb their nose at the Department of Treasury and the Department of Energy, the governor of Ohio, multiple Members of this House, and Ohio's two Senators and they proceeded to vote to close this vital facility.

USEC's announcement that it will seek to close this facility is unwise, unwarranted and unacceptable; and I serve notice that I will fight this plant closure with every fiber of my being. The thousands of working families in my part of Ohio who depend on this industry for their livelihood deserve better from this government and from this corporation. For generations these brave men and women have sacrificed for our national security, and now they are being abandoned by a USEC management that is driven more by short-term profit and self-preservation than by common sense.

USEC appears to be dead set on decimating America's ability to produce the fuel that supplies 23 percent of our Nation's electricity. There is a clear solution to this problem; however, I will introduce legislation in this Congress to direct the Federal Government to buy back USEC and to continue operating both the Portsmouth, Ohio, and Paducah, Kentucky, plants.

I am also calling for an Inspector General investigation into this decision and into USEC's privatization. It is becoming more and more apparent that national security, energy security, and thousands of hardworking Ohioans are suffering as a result of the decisions of this corporation. I cannot overstate my anger at this decision or my ironclad commitment to protect our workers and to make sure that all responsible parties are held accountable for this decision.

Earlier today, after USEC made this announcement, Secretary Richardson responded, and I read from his response. He says, "I am extremely disappointed by the United States Enrichment Corporation's decision to close the uranium enrichment plant in Portsmouth, Ohio. First and foremost, I am very concerned about the effect of this closure on the workers. They deserve better treatment than they are getting from USEC."

Mr. Speaker, this is a serious matter. I call it to attention of this House, and I am submitting for the RECORD additional documents relating to this topic.
Congressional Record — House, June 21, 2000

Statement of Secretary Bill Richardson on USEC Decision to Close Portsmouth Plant

I am extremely disappointed by the United States Enrichment Corporation’s (USEC) decision today to close the uranium enrichment plant at Portsmouth. First and foremost, I am very concerned about the effect this decision will have on USEC’s workers. Many of these men and women spent their entire working lives helping our nation win the Cold War. They deserve better treatment than to see their employer and a state they call home being abandoned by a company driven more by short-term profit and self-preservation than by common sense. USEC appears to be dead set on debasing America’s ability to produce the fuel that supplies 21 percent of our nation’s electricity. There is a clear solution to this problem: I will introduce legislation in Congress to direct the Federal Government to buy back USEC and continue operating both the Portsmouth and Paducah plants. I will also call for an Inspector General investigation into this decision and USEC’s privatization. It is becoming more and more apparent that this is simply a case of insider enrichment for USEC’s management — a business venture that is more about security, energy security and thousands of hard-working southern Ohioans. I cannot overstate my anger at this decision or my iron-clad commitment to protect our workers and make sure that all responsible are held accountable.

The Secretary of Energy,

Washington, DC, June 21, 2000

Mr. William L. Timbers,
Chairman and CEO, United States Enrichment Corporation, Bethesda, MD.

Dear Mr. Timbers: I am in receipt of a copy of your recent letter concerning the HEU agreement, the impacts of the proposed commercial SWU deal on domestic production, your ability to sustain the Treasury agreement, and USEC’s need for a future enrichment technology.

While I have yet to receive a formal reply to my letter, I must assume that the copy I received from the press constitutes your views on these matters. As such, I would like to comment on some of your key points.

The privatization of USEC in July 1998 was premised on USEC’s judgment that the HEU Agreement was an asset to USEC, that it would keep two plants open until 2005, and that it would develop a future enrichment technology. USEC was provided many assets to this end. Your letter, in contrast, now reports that you consider the HEU Agreement to be buttable and that the company contemplated closing a plant, and that you require substantial federal assistance for a different enrichment technology.

I am prompted to share our views about the national security importance of the HEU Agreement. I am confused, however, by the assertion in your letter that the implementation of the HEU agreement “... has succeeded at the expense of USEC.” Last December, USEC made a decision to continue as sole executive agent for the Russian HEU Agreement. Presumably this reflected your business judgment that continuing on as the executive agent was in the best business interests of your company and USEC stockholders. Actions speak louder than words.

DOE remains concerned about the impacts of the proposed commercial SWU deal on our domestic industry. As you know, the HEU Agreement was put together to balance carefully national security and energy security objectives, a balance that could be upset by the proposed commercial SWU deal. DOE supports the effort to move toward a new pricing mechanism with Russia for the HEU Agreement, given the potential impacts, we continue to maintain that the commercial SWU proposal deserves serious and thoughtful review.

Also, I must make clear that we do not agree with your characterization of the commercial SWU proposal as conforming to guidance from the subcommittee of the EOC on commercial SWU levels that affect the domestic industry. Further, we were surprised by your characterization of the domestic impact of the proposed commercial SWU deal as “modest,” since USEC recently filed objections to the approval of smaller amounts of SWU from foreign countries. Also, specifically on concerns about its impacts on the domestic market.

In view of your meeting with me last January in no way provided a justification for early plant closure. In addition to the potential energy security impacts of such an action, they remain deeply concerned about its regional employment and economic impacts. The same management decisions that led you to notify Treasury of USEC’s downward credit rating, and your lack of follow-through on the very commitments that engendered broad support for USEC privatization in the first place, could ultimately mean ongoing efforts on USEC’s part to receive open-ended federal assistance without reciprocity on significant public policy concerns.

On the development of enrichment technology, I would note that DOE has never been provided an analysis supporting the discontinuation of AVLIS, in which, as a government corporation and current user of several hundred million dollars of public money, DOE is now being asked to start down a new path of public investment but has yet to receive a comprehensive proposal from USEC, let alone a strategic plan on its proposed path forward for centrifuge technology development.

While we do not know how you specifically intend to proceed on technology development, this is what we do know: USEC wants DOE to invest outright $90 million in centrifuge technology development. USEC wants $1.2 billion in federal loan guarantees for building a centrifuge facility; USEC wants use of DOE’s GCEP facility (which would save USEC $300 million but cost DOE $150 million), and; USEC wants a gas centrifuge CRADA with DOE (which I note our organizations have been negotiating for at least two years).

USEC’s list of “wants” from the federal government is a long one and is not backed up by a reasoned plan to justify such a significant investment of public funds.

Surely you must acknowledge that if DOE and other agencies in the federal government are going to invest substantial public funds in USEC, we are entitled to more than piecemeal requests for federal assistance.

Sincerely,

GARY GENSLER.
CONGRESSIONAL RECORD—HOUSE

June 21, 2000

Many of the questions I asked in my original letter to you remain unanswered or were answered as indirectly as the avenue through which I received your response. I hope to receive more enlightening answers to my concerns so that the views I expressed in this letter will be shared with your board members immediately.

We look forward to hearing from you.

Yours sincerely,
BILL RICHARDSON.

REVISIONS TO ALLOCATION FOR
HOUSE COMMITTEE ON APPROPRIATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. KASICH) is recognized for 5 minutes.

Mr. KASICH. Mr. Speaker, pursuant to Sec. 314 of the Congressional Budget Act, I hereby submit for printing in the CONGRESSIONAL RECORD revisions to the allocations for the House Committee on Appropriations printed in House Report 106-65.

Floor action on H.R. 4635, the bill making fiscal year 2001 appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies, removed the emergency designation from $300,000,000 in budget authority contained in the House-reported bill. Outlays flowing from the budget authority totaled $13,000,000. Accordingly, the allocations to the House Committee on Appropriations are reduced to $601,180,000 in budget authority and $625,735,000,000 in outlays. Budgetary aggregates become $1,529,385,000,000 in budget authority and $1,494,956,000,000 in outlays.

INDIA IS VICTIM OF PAKISTANI-EXPORTED TERRORISM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. FALLONE) is recognized for 5 minutes.

Mr. FALLONE. Mr. Speaker, it is with a sense of disappointment and concern that I rise tonight to respond to a misguided initiative that some of my colleagues in this House are involved with. Several Members of Congress have attached their names to a letter to President Clinton that makes some outrageous and false charges about recent events in India. I believe these claims cannot go unchallenged.

The letter repeats the malicious and false charges that the massacre of 36 Sikh villagers in Chittsinghpora, in the Indian state of Jammu and Kashmir, was the work of Indian security forces. That massacre occurred on March 20, at the beginning of President Clinton’s historic trip to India. I had the opportunity to take part in the President’s trip, and this tragic and shocking massacre did cast a shadow over the trip. It left a deep sense of sadness among all of us in this delegation and among all the people of India that we encountered. President Clinton condemned the attack in the strongest terms.

Less than a week after the attack, Indian investigating agencies in Jammu and Kashmir made an arrest in the case. According to one Yakub Wagey, a terrorist belonging to the Hizbul-Mujahideen. Mr. Wagey, a resident of Chittsinghpora, revealed that the massacre was the work of a group of 16 to 17 terrorists, including six, including six militants of Hizbul-Mujahideen and 11 to 12 foreign mercenaries owing allegiance to Lashkar-e-Toiba, the LT. Both of these terrorist organizations are on the long list of terrorist organizations that receive support from Pakistan.

This terrible incident was the first large-scale attack against the Sikh community in Jammu and Kashmir, but it is consistent with the ongoing terrorist campaign that has claimed the lives of thousands of peaceful civils. In earlier this week, the Pakistani-supported terrorist group operating against terrorism is one of the worst-kept secrets in the world. This campaign has repeatedly and convincingly been linked to elements operating within Pakistan, often with the direct or indirect support of Pakistan’s government.

As I discussed in this Chamber earlier this week, the Pakistani-supported terrorist campaign has ethically Cleansed Jammu and Kashmir of its indigeneous Hindu community, the Kashmiri Pandits.

The democratically-elected Sikh political leaders in Punjab are not buying the claims of Indian Government responsibility for the atrocity that took place in Kashmir this past March. Mr. Speaker, finally I want to say, India’s democratically-elected leaders will admit that there have been abuses by security forces. There is also violence between various religious and ethnic communities which is not officially condemned. In both cases, India has sought to crack down on these kinds of acts in an honest and effective way that makes it a model among the nations of Asia.

The call by some of my colleagues to declare India a terrorist nation is completely unreasonable. Indeed, following from the President’s recent trip, cooperation against terrorism is one of the major areas of U.S.-India bilateral cooperation.

The idea of cutting off aid to India, an approach that has repeatedly been tried and failed here in the House, is even more absurd, seeking to send a message by cutting vital nutrition and health care.

TRIBUTE TO DR. WALTER D. “WALLY” WILKerson

The SPEAKER pro tempore (Mr. TOOMEY). Under a previous order of the House, the gentleman from Texas (Mr. BRADY) is recognized for 5 minutes.

Mr. BRADY of Texas. Mr. Speaker, I rise tonight to pay tribute to one of my constituents, a very special man, Dr. Walter Wilkerson, Jr., who, on June 24 of this year, will be stepping down as Chairman of the Texas Board of Health.

In 1995, Dr. Wilkerson was appointed to the Texas Board on June 7, 1995; and shortly after that, on September 1, Texas Governor George W. Bush named him chairman. We are fortunate in Texas
that, although his term as chairman is ending, he will continue to serve on the Board.

As chairman, Dr. Eriksson took on the health care needs of every single Texan, building an awareness that public health is for everyone, every day, and everywhere. He has been a listener who steered his board and agency to consensus on almost every difficult issue that came before it.

Furthermore, under his tenure, the Texas Board of Health has had a strong relationship with the Texas Medical Association, made significant strides in developing a partnership with local health directors and local health policymakers. He has made a significant effort to maintain an open and respectful dialog with the business communities. And I believe, Dr. Wilkerson’s efforts have been designed at building a cooperative environment for the betterment of the health of every Texan.

At the beginning of his tenure on the Board, Dr. Wilkerson, from private practice in Conroe, Texas, to be joined in 1958 after graduating from the University of Texas Southwestern Medical School in 1953. In 1961, Dr. Wilkerson received his Bachelor of Science degree from Texas A&M University, which I am proud to represent.

While a practicing physician in Conroe, though he sought no honors, Dr. Wilkerson was named Outstanding Citizen of Montgomery County in 1974 and in 1991 was the Texas Family Physician of the Year and named by the Texas Academy of Family Physicians.

Mr. Speaker, Dr. Wilkerson is a man of integrity and dedication; and Texas is a much better place because he was there.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. RODRIGUEZ) is recognized for 5 minutes.

Mr. BERRY. Mr. Speaker, I rise this evening to call attention to the fact that the Environmental Protection Agency is absolutely out of control.

They have absolutely no scientific data indicating that there is a problem with pollution with aquaculture industry. After all, these farmers raise fish, they do not want their produce growing in polluted water.

The Environmental Protection Agency, as part of their plan to implement their regulatory process based on the economic success of their producers, they have this form that they are asking our aquaculture producers to fill out. And if they do not fill it out, there will be a penalty and they will be in violation of a Federal law and there is a threat severe.

One of the questions they ask, and they do not ask any questions in this form, not one, about water quality or how they treat your water. What they do ask, Mr. Speaker, is, If this company borrows money to finance capital improvements, such as waste water treatment equipment, what interest rates would they pay? In the event that this company does not borrow money to finance capital improvements, what equity rate would it use? When you finance capital improvements, what is the approximate mix of debt and equity? What are your revenues from aquaculture? The revenue from other agriculture activities that are co-located with aquaculture? What are other farm facility revenues? Do you get Government payments and how much are those Government payments?

Is there other non-farm income? What are the total revenues? And the list goes on and on, Mr. Speaker.

This is not a questionnaire to help improve the water quality of this country or the areas where aquaculture is located. This is an attempt to destroy an industry, one more attempt by the Environmental Protection Agency to destroy agriculture in this country as we know it.

It is time for it to stop. Enough is enough.

The Environmental Protection Agency should be the premier scientific agency of this Nation. And yet, it has turned itself into nothing more than a political yardage to pursue perfectly legitimate and harmless industries.

Mr. GILMAN. Mr. Speaker, I rise today in support of the federal government’s commitment for increased funding for the National Institutes of Health (NIH). My colleagues and I have urged the appropriators since 1998 to double NIH’s budget over 5 years. The distinguished gentleman from Illinois, Chairman PORTER, has been an avid supporter of these requests and NIH has seen the appropriate increases each year.

As a member of the Congressional Diabetes Caucus, Alzheimer’s Task Force, Biomedical Research Caucus and Working Group on Parkinson’s Disease, I have met with countless individuals who ask each year that Congress invest more money into research funding at NIH. And each year I am proud to be able to report back that the House has been able to fulfill this request. More than half of my constituents who visit my office each year, come to discuss research funding and the budget request for NIH. Scientists are confident that with recent dramatic developments in technology over the past decade, that they are on the verge of making significant discoveries for both cures and vaccines for a number of diseases from diabetes and cancer to AIDS and Parkinsons.

With the continued support from this Congress by way of dollars for research, NIH will be able to continue making advances toward the eradication of countless diseases that afflict millions of Americans and countless others around the world. I am pleased to report back to my constituents that this Congress is continuing its support of medical research and I look forward to continue the fight for NIH and its committed scientists and doctors.

Mr. RODRIGUEZ. Mr. Speaker, today and last week, I sent a letter to Governor Bush asking him to suspend executions in Texas and to form a commission to review the administration of the death penalty.

The moratorium would give the commission time to review the adequacy of both legal representation, the advances in DNA technology, and the possible biases in the capital sentencing process.

The support of the use of the death penalty, in appropriate cases, I support totally. But we must make sure that we impose the capital punishments fairly and without bias. That is basic to our sense of justice.

Light of recent events, I am no longer confident that we in Texas are administering the death penalty with the highest standards of justice in mind. We should not tolerate the possibility of executing an innocent person, especially when we have the means to avoid it.

Recent reports in the media, other reports and studies that have been conducted, have highlighted the mistakes made in capital cases both in Texas and throughout the country and in other States around the country.

As my colleagues well know, concerns with the administration of death penalty and the adequacy of legal representation prompted Governor George Ryan of Illinois to declare a moratorium on executions.

We have asked Governor Bush and I am pleased that Governor Bush recently made a decision to pardon a man wrongly convicted of being sentenced for 99 years in prison. His release came, however, after he had
served 16 years and was determined that he had been innocent after DNA studies conducted.

With recent efforts to expedite executions and remove many cases for appeal, it is possible that similar convictions in Death Row equally might be innocent. These executions could be postponed so that we would be able to assess those three specific areas that I have mentioned. And that is to make sure that we have had adequate legal representation for these individuals; secondly, to make sure that, with the new technology and with the new advances in forensic technology, the DNA analysis in particular, that we have the best opportunity in our history to rule out or, at least, to have serious doubts, concerns, and possibilities that the defendant or convict in fact committed the crime and assist in question.

As we look in terms of the situation where we find ourselves in, I ask the Governor to help out in the process of asking the Board of Pardon and Paroles to seriously look at assessing our process in Texas. And yes, we might have a great operation in San Antonio, but I know that each county and each community operates differently.

I know that a large number of cases in Houston, over 70, that a particular district attorney used to brag about the number of people that he was sentencing into Death Row. Those types of things need to be questioned.

We have had specific situations where psychologists have utilized stereotypes and racial profiling to determine some of those decisions. So those biases need to be looked at very carefully. Not to mention, and I stress the importance of the technology that we have before us, and especially in those cases that there is some sufficient available where we can go to reaffirm our decision to make sure that in those cases we will not be making a mistake.

I fully understand the plea of victims for the swift administration of justice, but just as requires that we know for sure that we are applying the ultimate earthly penalty fairly and properly. I am not sure that we are doing this at the present time.

I, therefore, call upon the Governor to help out in the process of asking the Board of Pardon and Paroles to look at a commission that would look at the process in Texas that is being utilized in each of our communities throughout the State. I would ask that we look in terms of what is actually occurring and that in those capital cases that we make recommendations to make sure we streamline the process.

Again, I would ask that they look in terms of the legal representation that these individuals have received after the indications that have come out; secondly, in the new technology and the DNA; and thirdly, on the possibility of biases.
rose by more than four times the rate of inflation. Every time I return to my district in Texas, I hear from seniors who no longer have health coverage. As Speaker Daley was talking about, the choice between food and filling their prescriptions. We all hear the stories from seniors who only take half of their daily dosage or seniors who take only every other day in an odd attempt to manage those skyrocketing costs. The problem is particularly bad for seniors who live in rural areas. Rural seniors are 60 percent less likely to get the drugs they need, and, when they do, the drugs are 25 percent more expensive.

Study after study shows that seniors are paying too much for their drugs. In my district and in the district of those who are gathered here tonight to talk about this issue, seniors are paying 80 percent higher than the average in Canada and about 80 percent higher than their counterparts in Mexico pay for the very same prescription medicines.

That means for some commonly used drugs, our senior citizens in our great country are paying as much as $1,000 a year more than their counterparts in Canada and Mexico. And you do not have to go across the border to find lower prices. The big drug companies cut a special deal for the big HMOs and the big hospital chains. In fact, those big HMOs, they are paying about half what our seniors have to pay when they walk in to their local pharmacies.

We did a study in the Committee on government reform that verified these numbers, and we also found out, to our dismay, that even cats and dogs get drugs cheaper than our senior citizens. The same drugs that both humans and animals take cost 150 percent more for humans. That is outrageous.

So why are these drug prices out of control? Well, for one thing, the companies that manufacture these prescription medications are making exorbitant profits. The drug industry sets at the top of every single profit category in Fortune Magazine's list of industries for the year. As the chart shows, they earned over $26.2 billion in profits in the year 1998. Prescription drugs are the fastest growing profit category in Fortune Magazine's list of industries for the year. As the chart shows, they earned over $26.2 billion in profits in the year 1998. Prescription drugs are the fastest growing profit category in Fortune Magazine's list of industries for the year. As the chart shows, they earned over $26.2 billion in profits in the year 1998.

In 1998, the drug companies spent $1.3 billion in tax deductible product marketing to consumers. That is $1.3 billion in marketing, advertisement, to entice consumers to buy those prescription drugs at those high prices. They spent $7 billion more advertising directly to the health care professionals.

In 1999, the trade association for the drug manufacturers, called PHRMA, increased its marketing budget 54 percent higher than the previous year. But despite the soaring profits of the drug makers, their research and development increased by less than half of that.

Another very, very important issue for all of our seniors to understand when they ask the question why are drug prices so high is to understand that the drug manufacturers are spending just over $2 million a year lobbying this Congress. They spent $2 million in direct political contributions and almost $150 million in lobbying expenditures in the 105th Congress. That is a lot of money. They are one of the biggest spenders of any industry group on lobbying and in political contributions.

Should we ask why is it difficult for this Congress to deal with this issue in the best interests of our senior citizens? It is not hard to answer the question, when we see the amount of millions that these companies are spending, trying to preserve their preferred position with regard to pricing.

Now, the drug companies we know in recent months have gone even further than the expenditures that we see here. They are using lies, deceptions and secret organizations to attack any plan that would dare to suggest we should lower drug prices. Just yesterday, a nonprofit group called Public Citizen released a new report that revealed a secret $65 million ad campaign funded by the drug makers under the deceptive name of Citizens for Better Medicare. I want to show you some of their materials.

This group, Citizens for Better Medicare, is really a secret interest group that uses tax loopholes to cover up the sources of their funding and their real purpose. They clearly want to keep drug prices high. They want to pass legislation in this Congress that will let them share the millions of dollars earned from the insurance companies and the greedy HMOs, rather than giving the money back to our seniors in the form of lower drug prices.

Here is what the report revealed about the so-called Citizens for Better Medicare. Its director, it was revealed, is a fellow of the industry trade group for pharmaceutical manufacturers. The report also revealed that the Members of this Congress for Better Medicare include many Members of Congress, particularly those on the Democratic side of the aisle. 

In fact, this interest group has sent telegrams into my own district and called on my constituent to send me material that is clearly deceptive and urged them to call me to tell me to oppose the very legislation that would genuinely help lower prescription drug costs.

My colleagues can see here on the chart one of the telegrams that my constituents handed me when I was at Wal-Mart just a couple of weeks ago. He came up to me quite disturbed and he says, I want to give you this. They have written me this, sent me this telegram and they have urged me to call you, but now that I have seen you here at Wal-Mart, I will just give you the telegram. This telegram, and I quote from it, says, "Government bureaucrats would control which medicines you receive instead of you and your doctor."

Clearly, an absolute lie. The plan that we propose is completely voluntary. Government bureaucrats would not control the prices, and specifically under our plan, it promises that any drug a doctor determined to be medically necessary will be covered under our plan.

The telegram attempts to confuse seniors by referring to the Gephardt-Daschle bill and urges seniors to call our offices and tell us to be against that bill. Well, interestingly, there is no such bill. There is no Gephardt-Daschle bill. Another effort simply to deceive and confuse our senior citizens.

Frankly, the truth is that the Republican leadership in this Congress is cooperating with this group, Citizens for Better Medicare. As we can see, this group has not only sent out telegrams, but they have run full-page ads in the major newspapers around the country suggesting that the way to lower prescription drug prices is to turn this effort over to private insurance companies because, as the ad depicts, they say, those who are enrolled in private CONGRESSIONAL RECORD—HOUSE 11823

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profits slip away, and that is why they are spending billions of dollars on marketing and lobbying in this Congress. In fact, nine out of the ten top drug makers spend more money on marketing than they do on research and development, and four of the top five have a marketing budget over twice as big as their research and development budget.

In 1998, the drug companies spent $1.3 billion in tax deductible product marketing to consumers. That is $1.3 billion in marketing, advertisement, to entice consumers to buy those prescription drugs at those high prices. They spent $7 billion more advertising directly to the health care professionals.

In 1999, the trade association for the drug manufacturers, called PHRMA, increased its marketing budget 54 percent higher than the previous year. But despite the soaring profits of the drug makers, their research and development increased by less than half of that.

Another very, very important issue for all of our seniors to understand when they ask the question why are drug prices so high is to understand that the drug manufacturers are spending just over $2 million a year lobbying this Congress. They spent $2 million in direct political contributions and almost $150 million in lobbying expenditures in the 105th Congress. That is a lot of money. They are one of the biggest spenders of any industry group on lobbying and in political contributions.

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insurance get lower prices. Well, why should not everybody get lower prices whether they have insurance or not? So Citizens for Better Medicare, a front group for the drug manufacturers, is willing to pay $65,000 for one ad in the Washington Post just to try to persuade this Congress to be against plans that would genuinely bring prices down for our senior citizens.

So what can we do? First of all, we have to have our senior citizens clearly understand who is on their side. We have to have them understand that these letters, these television ads that have been running for months in many districts that try to suggest that they should call their Congressman and tell them to be against some plan is, most likely, paid for by the pharmaceutical industry that is trying to preserve their ability to charge the outrageous prices that our seniors are currently paying.

Our democratic plan has been clear. It is part of Medicare, a plan that our seniors trust. It is a plan that is universal, completely voluntary, and most importantly, it is affordable.

Our democratic plan would be available to every senior, and every senior today has a problem when they get sick paying these high prices. One does not have to just be at the poverty level to have a problem with the price of prescription drugs. My aunt came to see me the other day, she is not at the poverty level, but she had been put on a new medication and she said it was going to cost her $400, and she was outraged.

All seniors want help with the price of prescription drugs. Our plan would do that. It does not give the money to private insurance companies as the Republican plan would, and it is not voluntary, because the private insurance companies and the very hearings that are going on tonight have testified, some of their representatives, that the insurance companies really do not think they can offer this plan, because they cannot figure out how to make any money off of it. Even if we pour this money into them, they say, well, we would probably not be able to do it for the seniors.

What we need is a Medicare benefit for all of our seniors that is affordable, that is voluntary, so if our seniors say, well, I already have some other insurance coverage and I like it, then they do not have to pay the premium that is offered under the Medicare plan. But all of our seniors need this relief.

I am glad to have tonight with me 3 other Members of Congress who have fought very hard on the issue that I am talking about. One of them whom I want to recognize first is the gentleman from Arkansas (Mr. BERRY). The gentleman cochaired the Prescription Drug Task Force with me, along with the gentleman from Maine (Mr. ALLEN). The gentleman has fought long and hard on this issue for our seniors and it is a pleasure to recognize him tonight on this issue.

Mr. BERRY. Mr. Speaker, I want to thank the gentleman from Texas. The gentleman has provided outstanding leadership on this matter and I think he has done one of the finest jobs of explaining this entire issue that I have ever heard, and I want to thank the gentleman for that. I want to thank the gentleman from New Jersey (Mr. PALLONE) for his leadership and all of the other members of the Prescription Drug Task Force for the effort that they have put into this.

As the gentleman has said, Americans pay outrageously high prices for prescription drugs. Over and over and over we hear it from our constituents. They must make the choice between food and their prescription drugs. They pay more than the big HMOs and the big hospitals pay for medicine, and even though it sounds ridiculous, they pay more than animals have to pay for medicine. It is not a good thing that we have allowed this to go on for so long, only in the name of preserving the profits of the prescription drug manufacturers of this country. That is the only reason, is just for money, just for profits.

Mr. Speaker, the need for an optional, meaningful and defined Medicare prescription drug benefit that is available to all seniors if they want it is absolutely without question.

Under the Republican plan, Medicare beneficiaries would get no premium assistance for middle class Medicare beneficiaries. Instead of offering the defined benefit under Medicare, Republicans want to force our seniors to have to go into HMOs, into private plans that make profits by restricting access to their prescription medicines. The unworkable Republican scheme would give money directly to participating HMOs and insurance companies for part of the cost of the most expensive enrollees, hoping that this will result in lower premiums. It is not a sound plan, but the simple difference is that the Republicans want to take our tax dollars and give that money to the insurance companies and hope that something good is going to happen when, in fact, the insurance companies say they do not want it. They do not want any part of it. This is only a shameful attempt to trick our senior citizens and, once again, protect the outrageous profits of the prescription drug manufacturers of this country.

Mr. Speaker, it is very unlikely that private insurers will even offer these plans that the Republicans are talking about. Jim Cohn of the Health Insurance Association of America testified before the Committee on Ways and Means last week that it would be virtually impossible for insurers to offer coverage to seniors at an affordable premium.

We are going to find out in just a few weeks that we are in better shape than we ever imagined only a few years ago with our budget in this country. We are going to have a little money to do something with. Along with many of the other blue dogs, I have supported the idea of taking care of Medicare and Social Security first, paying down our debt, investing in education and infrastructure, and also doing some priority things that we need to do, and I think prescription drugs comes at the top of that list. It is time that we did something for our senior citizens that is meaningful and I appreciate the ability to buy their medicine at a reasonable price and protects them from the economic disaster that the high cost of prescription medication brings on many of our seniors every day in this country. It is a terrible thing to see this happen, and it is unbelievable that the United States Congress has not done something about it.

Once again, I want to congratulate and thank my distinguished colleague from Texas (Mr. TURNER) for his leadership on this matter and applaud his effort and the efforts of the Democrats to continue to bring this issue forward and to end up before we adjourn this year with a meaningful prescription drug benefit for our senior citizens in this country and, hopefully, another benefit will be a reasonable price for medicine for all Americans.

Mr. TURNER. Mr. Speaker, I thank the gentleman. I want to thank the gentleman for his leadership. Many of us, including me, recognize the gentleman from Arkansas has a background and training as a pharmacist, and he understands full well the issue that we are discussing tonight, and his leadership has been invaluable in helping us try to address this issue.

I now want to yield to another Member of this Congress who has worked tirelessly in her efforts to try to address the problems of senior citizens and paying for prescription drugs, the gentlewoman from Illinois (Ms. SCHAKOWSKY). I am pleased to have her here tonight, and I thank the gentlewoman for the leadership she has provided for all of us on this issue.

Ms. SCHAKOWSKY. Mr. Speaker, I thank my colleague from Texas, so much, for allowing me to participate tonight in this incredible discussion about a problem that faces the gentleman in his district. There is no doubt, I am sure, to any of the seniors in the gentleman’s district that he is definitely on their side and fighting every day for them.

I am also happy to be here with my colleague from Arkansas (Mr. BERRY).
We come from very different kinds of districts, but there is one important thing that we have in common, and that is that senior citizens are struggling just the same every single day to try and pay for their prescription drugs.

Mr. Speaker, the next time anybody goes to the pharmacy to pick up a prescription, I would suggest that they look at the people who are waiting there to get their prescription and try and pick out the person who is paying the absolute top dollar for their prescription. One might think, well, it could be that well-dressed business executive who is going to be paying the most, or that kind of upscale-looking young working woman who is going to is, of course, a logical target group, by the wealthiest industry in the world, the pharmaceutical companies. To figure out how to boost their profits, they are going to go after the people who need those drugs the most, those medicines the most, and who are going to do everything they can to try and pay for them, those are the people they are going to try and squeeze out the most money from.

Seniors make up about 12 percent of the population, but they use about a third of the prescription medication, so it is, of course, a logical target group, the most logical prey for the pharmaceutical industry. Most of them have little, if any, or, their insurance coverage is inadequate. So that means they do not have anybody on their side to bargain for them for lower prices.

The gentleman referred to a study that was done under the auspices of the Commission on Government Reform on which I sit, and I did that study in my district.

I found that uninsured, uninsured for prescription drugs, uninsured senior citizens were paying, on average, 116 percent more than the most favored customers of the pharmaceutical companies, the HMOs, the Veterans Administration. Those were paying 116 percent less than our senior citizens were.

Then we did another study. We looked at what about if they went to Canada or to Mexico, and just as the gentleman said earlier, in my district, just like in the gentleman’s district or in Arkansas or in any district around the country, it was about 80 percent less for those same drugs that they need to save their lives, to enhance their lives, to extend their lives. If they went there, they would pay 80 percent less.

Then my dog Bo and I did a press conference together. Bo sat down next to me. He is a good old dog. I said that a drug, one of the drugs actually that I take, Vasotec, for high blood pressure, that is a drug that is used on animals, would be about 58 percent less. If I could send Bo to the drugstore to get the drugs, I would be better off, too.

That is not right. I did the press conference at a senior citizen center, and they were offended by that, and they should be offended by that. This is not because there is less research done on the drug for Bo, this is not because it is a different drug that is cheaper, it is because they charge what the market will bear, and they know that the seniors are going to have to pay more for those drugs if they do not want to have a stroke.

Mr. Speaker, the drug companies say to us, look, if we are not allowed to charge these prices, then we are just not going to be able to do the research and development and you are simply not going to have the drugs.

Again, as the gentleman pointed out, if that money is so sacred for research and development, then tell me why we can hardly turn on the TV anymore without seeing, one after another, an ad by the drug companies for a drug. They are spending far more on their advertising budget than they are on their research and development budget.

Let me just end with this. One of the ads that they have, they used to have, I do not know if she is on TV anymore. I have not seen her lately, is this nice-looking elderly woman called Flo. She looks very fit. Flo goes bowling. She ends up her ads, “We want to keep government out of our medicine cabinet,” is what Flo says. No, no government program to lower prices.

I would like to just tell the gentleman that I have worked with seniors for years and years. I was executive director of the State Council of Senior Citizens in my State before I ran for public office. I have never once heard a senior citizen tell me, keep government out of my medicine cabinet.

It is the opposite. They are saying, please, Representative, help me. Do something. Government has to be part of this battle that the gentlewoman is waging on their behalf.

Mr. Speaker, I yield to my dear friend, the gentleman from San Antonio, Texas (Mr. RODRIGUEZ), who has been a warrior fighting on behalf of seniors on this issue.

Mr. RODRIGUEZ. Mr. Speaker, I thank the gentleman from Texas. I think the gentleman has done a tremendous presentation with the data that the gentlewoman has before him.

There is no doubt, as I was listening to the gentlewoman talking about Flo, the woman out there advertising on behalf of the pharmaceutical companies, when she talks about keeping government out, she is talking because she is an individual apparently not on Medicare but on a private HMO, and receiving that particular advertisement played, that the gentleman has that very vividly shows the disparity that we are talking about.

That particular advertisement says that if someone is in a HMO, or private, that the pharmaceutical companies will give a 40 percent credit on prescriptions, but if someone is on Medicare, tough luck. They are going to pay not only the 40, but also the profits that we have to make that they did not make on those other individuals. That is what is wrong. As the gentleman has indicated so clearly, why should not everybody get that opportunity to get that 40 percent cut?

When we did those studies, and I did them in my district, also, in my district, it showed that our senior citizens, and I went across with all my pharmacists and they reported to us. The pharmacies that are out there recognize the disparity. They have to pay 122 percent for my senior citizens on Medicare for the same prescriptions.

What we are talking about is if someone is on Medicare, they have to pay in my district 122 percent to 150 percent more for the same prescription than someone who is on an HMO. The only reason is that the pharmaceutical companies have chosen not to provide that.

Now they expended that money and are using people like Flo and talking about keeping government out, because they want to make huge profits on our senior citizens. That should be a crime, to be going after those individuals who need the medication the most in our country, the individuals that are out there in need, and those are the ones who are having to pay more. It does not make any sense, I say to the gentleman.

I know he understands this fully, that in 1965 when we started Medicare, at that time we might not have needed prescription drugs. But now if someone is under Medicaid for the indigent, they get prescription coverage. But if someone is on Medicare, our senior citizens, they do not get it.
That does not make any sense whatsoever. I think that it is time that we move forward to provide prescription coverage to our senior citizens so that they will be able to get access to that quality care that is needed.

When the gentleman provided that example out there, that hits us right in the forehead. My constituents are also getting those letters. I would ask them to look real carefully, because what we are really fighting for here is to make sure that our senior citizens get access to quality care. That includes prescription coverage and getting the appropriate cost in those areas, instead of having to pay not only what the others are paying, but they are actually paying a lot more for that same prescription, because the pharmaceutical companies are making the profit on them at the expense of other senior citizens.

That is unfortunate.

So when the gentleman watches that advertisement, make sure he watches real closely in the bottom of that to show who is paying for that advertisement. It is unfortunate that those pharmaceutical companies continue to provide huge amounts of money to the Congressmen in their lobbying efforts, in the campaigns of a lot of individuals that are running out here.

We need to make the changes that are needed in this country. One of those changes is to make sure that we provide the prescription coverage for our senior citizens. That is one thing that we need to do, an obligation that we have, because a lot of these senior citizens go without eating.

I have heard testimony after testimony where one of the spouses decides not to buy her prescriptions because she is getting it for her husband. That is unfortunate. Or they decide to buy one prescription, not the second one, because they do not have sufficient money. That is unfortunate. That should not be happening.

It is time that we can do that now. We have the resources to do that now. We have the surplus. If not now, when?

I say that again: If not now, when? We cannot afford for us to continue to go on in this way.

I want to thank the gentleman from Texas (Mr. TURNER) for his efforts and for continuing this fight. We are not going to let up. We are going to continue this effort. If it does not happen this session, we are going to be back the next session.

I know the gentleman has been at it for the last two sessions, and we have been trying to make some things happen. Eventually we are going to do it, because it is the right thing to do, to make sure that, if nothing else, that people pay the right prices and are not gouged on the way they are being gouged now at the expense of other senior citizens, and now using those senior citizens that have the private insurance against the senior citizens that are on plain Medicare. That is unfortunate that that is happening.

I appreciate the gentleman allowing me the time to be here.

[2210]

Mr. TURNER. Mr. Speaker, I want to thank the gentleman from Texas (Mr. TURNER) whom I mentioned from Illinois (Ms. SCHAKOWSKY) and the gentleman from Arkansas (Mr. BERRY) for joining in this effort tonight to talk about the problems of high prices of prescription drugs for our seniors.

I hope the effort this evening has shed some light on why prices of prescription medicines are so very high for our seniors. After all, when the big drug manufacturers can afford to spend hundreds of millions of dollars in advertising to get the status quo, which has resulted in our senior citizens, our most vulnerable portion of our population, paying the highest prices of anyone in our society and anyone in the world for prescription medications, I think and I know the gentleman from Texas (Mr. Rodriguez) thinks that we need to talk about it on the floor of this House.

This ad campaign must be exposed, the hundreds of millions of dollars that the big drug companies are spending to try to be sure that they defeat our efforts to pass meaningful prescription drug coverage for our seniors as a part of the Medicare program. That effort that they are making is wrong, and I hope that our seniors will see through it when they get these telegrams, when they see these newspaper ads, when they watch the television screens with characters like Flo that the gentleman from Illinois (Ms. SCHAKOWSKY) mentioned, they will understand that Flo is not the real Flo, that is designed to perpetuate a system that makes senior citizens of this country pay the highest prices in the world for prescription drugs that they need.

I thank all of my colleagues for joining with us tonight and being a part of this effort to talk about this important issue. I am looking forward to hearing from the gentleman from Iowa (Mr. GANSEK), our next speaker in the last portion of our Special Orders, who has been outspoken on this issue and has a unique insight as a medical doctor into the problem of prescription drugs for seniors.

PRESCRIPTION DRUG COVERAGE

The SPEAKER pro tempore (Mr. TOOMEY). Under the Speaker’s announced policy of January 6, 1999, the gentleman from Iowa (Mr. GANSEK) is recognized until midnight as the designee of the majority leader.

Mr. GANSEK. Mr. Speaker, this is a photo of William Newton, age 74, of Altoona, Iowa, a constituent in my district whose savings vanished when his late wife Waneta, whose picture he is holding, needed prescription drugs that cost as much as $600 per month. He was forced to sell them. "There was no choice," Mr. Newton said. "It's a very serious situation and it isn't getting any better because drugs keep going up and up."

When James Weimann of Indiana, Iowa, and his wife, Maxine, make their annual trip to Texas, the two take a side trip as well. They cross the border to Mexico and load up on prescription drugs, which are not covered under their Medigap policies. Their prescription drugs cost less than half in Mexico than what they cost in Iowa.

Mr. Speaker, this problem is not localized to Iowa. It is everywhere. The problem that Dot Lamb, an 86-year-old Portland, Maine, woman who has hypertension, asthma, arthritis and osteoporosis, has paying for her prescription drugs is all too common. She takes five prescription drug that cost over $200 total each month, over 20 percent of her monthly income. Medicare and her supplemental insurance do not cover prescription drugs.

Mr. Speaker, I recently received this letter from a computer savvy senior citizen who volunteers at a hospital that I worked at before coming to Congress.

"Dear Congressman Ganske, after completing a University of Iowa study on Celebrex 200 milligrams for arthritis, I got a prescription from my M.D. and picked it up at the hospital pharmacy. My cost was $2.43 per pill with a volunteer discount."

"Later on the Internet I found the following:

"I can order through Pharmaworld in Geneva, Switzerland after paying either of two American doctors $70 for a phone consultation, these drugs, at a price of $1.00 per pill plus handling and shipping."

"I can order these drugs through a Canadian pharmacy if I use a doctor certified in Canada, or my doctor can order it on my behalf through his office for 86 cents per pill plus shipping."

"I can send $15 to a Texan and get a phone number at a Mexican pharmacy which will send it without a prescription at a price of 52 cents per pill."

This constituent closes his letter to me by saying, "I urge you, Mr. Ganske, to pursue the reform of medical costs and stop the outlandish plundering by pharmaceutical companies."

Well, Mr. Speaker, I want to be very clear. I am in favor of prescription drugs being more affordable, not just for senior citizens, but for all Americans.

Let us look at the facts of the problem and then discuss some of the solutions.

There is no question that prices of drugs are rising rapidly. A recent report found that the prices of the 50 top-selling drugs for seniors rose much faster than inflation. Thirty-three of
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the 50 drugs rose at least one and a half times inflation. Half of the drugs rose at least twice as fast as inflation. Sixteen drugs rose at least three times inflation. Twenty percent of the top 50 selling drug for seniors rose at least five times inflation.

The prices of some drugs are rising even faster. Furosemide, a generic diuretic, rose 50 percent just in 1999. Klorcon 10, a brand-name drug, rose 43.8 percent.

This was not a 1-year phenomena. Thirty-nine of these 50 drugs have been on the market for at least 6 years. The prices of three-fourths of this group rose at least 1.5 times inflation. Over half rose at twice inflation. More than 25 percent rose at three times inflation. Six drugs rose at over five times inflation. Lorazepam rose 27 times inflation and Furadantin 31 times inflation.

Prilosec is one of the two top-selling drugs prescribed for seniors. The annual cost for this 20-milligram gastro-intestinal drug, unless one has some type of drug discount, is $1,455. For a widow at 150 percent of poverty, that means she is living on $12,525 a year, the annual cost of Prilosec for acid reflux disease alone will consume more than one in $9 of this senior’s total budget.

What about a woman who has diabetes, hypertension and high cholesterol? She requires these drugs. Her drug costs would consume up to 18.3 percent of her income.

My friend from Des Moines, the Iowa Lutheran Hospital volunteer senior citizen, knows, as do the Weinmans from Indianola, from their shopping trips in New Mexico for prescription drugs, that drug prices are much higher in the United States than they are in other countries. A story from USA Today comparing U.S. drug prices to prices in Canada, Great Britain, and Australia for the 10 best selling drugs verifies that drug prices are higher here in the U.S. than they are overseas.

For example, Prilosec is two to two-and-a-half times as expensive in the U.S. as it is in Canada, Britain or Australia. Prozac is two to two-and-three-quarter times as expensive in the United States, at $2.27 a pill, as compared to Canada at $1.07. Britain at $1.08, and Australia 82 cents. Lipitor was 50 to 92 percent more expensive. Prevasid was as much as four times as expensive in the United States, at $3.13 per pill, than it was in Canada, Britain or Australia. Look, the drug only costs 83 cents in Australia. Only one drug, Epogen, was cheaper in the U.S. than in the other countries.

Now, high drug prices have been a problem for the past decade. Two General Accounting Office studies from 1992 and 1994 showed the same results. Comparing prices for 121 drugs sold in the U.S. and Canada, prices for 98 were higher in the United States. Comparing 77 drugs sold in the U.S. and the United Kingdom, 86 percent of the drugs were more expensive in the United States. And three out of five were more than twice as high.

Now, drug companies claim that drug prices are so high because of research and development costs, and I do want to say that there is great need for research and development. For example, around the world we are seeing an explosion of antibiotic resistant bacteria, like tuberculosis, for which we will need research and development for new drugs. A new report by the World Health Organization outlines this concern about infectious diseases.

However, data from PhRMA, the pharmaceutical trade organization that I saw presented in Chicago about senior, profit margins are more than three times inflation. For example, in comparison to significant increases by the pharmaceutical companies in advertising and marketing. Since the 1997 FDA reform bill, advertising by drug companies has gotten so ubiquitous that the news line, Healthline, recently reported that consumers watch on average nine prescription drug commercials a day.

Look at this chart, which shows 1998 figures for the big six drug companies. In every case marketing, advertising, sales, and administration costs exceed research and development. So, for example, if we look at Merck, Merck had, as a percent of revenue, 15.9 percent go to marketing. They only had 6.3 percent of their income go to research and development. Pfizer spent nearly 40 percent on marketing of their income and only 17.1 percent on research and development.

In 1996, the five companies with the highest revenues, four spent at least twice as much on marketing, advertising, and administration as they spent on research and development. Only one of the top 10 drug companies spent more on research and development than on marketing, advertising, and administration.

Administrative costs have not increased that much. The real increase has been in advertising. For the manufacturers of the top 50 drugs sold to seniors, profit margins are more than triple the profit rates of the other Fortune 500 companies. So we see for pharmaceutical companies 18 percent profit margins, we see for the other Fortune 500 companies profit margins of 5 percent.

Furthermore, as recently cited in The New York Times, of the 14 most medically significant drugs developed in the past 25 years, 11 had significant government financed, government funded research. Taxol is a drug developed from government-funded research which earns its manufacturer, Bristol-Myers-Squib, millions of dollars each year.

Now, Mr. Speaker, as I said at the start of this special order, I think the high cost of drugs is a problem for all Americans, but especially for the elderly. But many nonseniors are in employer plans and get a prescription drug discount. In addition, there is no doubt that the older one is the more likely the need for prescription drugs. So let us look at what types of drug coverage is available to senior citizens today.

Medicare pays for drugs that are part of treatments when the senior citizen is a patient in a hospital or in a skilled nursing facility. Medicare pays doctors for drugs that cannot be self-administered by patients, i.e. drugs that require intramuscular or intravenous administration. Medicare also pays for a few other outpatient drugs, such as drugs to prevent rejection of organ transplants, medicines to prevent anemia in dialysis patients, and oral anti-cancer drugs. The program also covers pneumonia, Hepatitis and influenza vaccines. The beneficiary is responsible for 20 percent coinsurance of these drugs.

About 90 percent of Medicare beneficiaries have some form of private or public coverage to supplement Medicare. But many with supplementary coverage have either limited or no protection against prescription drug costs, those drugs that one buys in a pharmacy with a prescription from their doctor.

Since the early 1980s, Medicare beneficiaries in some parts of the country have been able to enroll in HMOs which provide prescription drug benefits. Medicare pays the HMOs a monthly dollar amount for each enrollee. Some areas, like my State, Iowa, have had such low payment rates that no HMOs provide prescription drug coverage for seniors. The program is really a rural problem, but some metro areas also have inequitably low reimbursements.

And I should say that, parenthetically, I have led the fight to improve these unfair payment rates, which allow seniors living in Miami, for example, to get drug benefits that seniors living anywhere in Iowa or Nebraska or Minnesota do not. But I will return to this issue a little bit later in this talk.

Employers may offer their retirees benefits that include prescription drugs, but fewer employers are doing so. From 1993 to 1997, prescription drug coverage of Medicare eligible retirees dropped from 63 percent to 48 percent. Beneficiaries with medigap insurance typically have coverage for Medicare’s deductibles and coinsurance, but only three of the ten standard plans offer drug coverage. All three impose a $250 deductible.

Plans H and I cover 50 percent of the charges up to a maximum benefit of $3,000. The premiums for these plans are significantly higher than the other
seven medigap plans because of the cost of the drug benefit.

This chart shows the difference in annual cost to a 65-year-old woman for a Medigap policy with or without a drug benefit. For a Medigap policy with moderate coverage, she pays about $1,320 without a drug benefit and she pays $1,917 for a policy with a drug benefit. For extensive coverage, she would pay $1,524 for a policy without drugs but she would pay $3,252 in premiums for insurance with drug coverage.

Why is there such a price gap between policies that offer drug coverage compared to those that do not? Well, it is because the drug benefit is voluntary. Only those people who expect to actually use a significant quantity of prescriptions purchase a Medigap policy with drug coverage. But because only those with high costs choose that option, the premiums must be high to cover the costs of a high average expenditure for drugs.

So what is the lesson we can learn from the current program? Adverse selection tends to drive up the per capita cost of coverage unless the Federal Treasury simply subsidizes lower premiums. The very low income elderly and disabled Medicare beneficiaries are also eligible for payments of their deductible and co-insurance by their State’s Medicaid program.

For these dual-eligibles, the most important service paid for by Medicaid is frequently the prescription drug plans offered by all States under their Medicaid plans.

There are several groups of Medicare beneficiaries who have a more limited Medicaid protection. Qualified Medicare Beneficiaries, or QMBs, otherwise known as QMBs, have incomes below the poverty line, that is $8,240 for a single person, $11,060 for a couple, and they have assets below $4,000 for a single person and $6,000 for a couple.

Medicaid pays their deductibles and their premiums. Specified low income Medicare beneficiaries, known as SLIMBs, have incomes up to 120 percent of the poverty line and Medicaid pays their Medicare Part B premium.

Qualifying individuals, one, have income between 120 and 135 percent of poverty, Medicaid pays only their Part B premium but not deductibles. And qualifying individuals, two, have income between 135 percent and 175 percent of poverty. Medicaid pays part of their Part B premiums.

Why am I going into these details? Because in a little bit I want to describe a way to help these people who are low income but not so low that they qualify for Medicaid drug benefit.

These QMBs and SLIMBs are not entitled to Medicaid’s prescription drug benefit unless they are also eligible to full Medicaid coverage under their State’s Medicaid program. QI-1s and QI-2s are never entitled to Medicaid drug coverage.

A 1999 Health Care Financing Administration report showed that, despite a variety of potential sources of coverage for prescription drugs, beneficiaries still pay a significant proportion of drug costs out of pocket and that about one-third of Medicare beneficiaries had no coverage at all.

It is also important to look at the distribution of Medicare enrollees by total annual prescription drug expenditures. This information will determine, based on the cost of the benefit, how many Medicare beneficiaries will consider the premium cost of a voluntary drug benefit insurance program worked it.

This chart from the Medicare Payment Advisory Commission, known as MPAC, Mr. Speaker, in a report in Congress in 1999 shows that 14 percent of Medicare beneficiaries have no drug expenditures, 36 percent have expenditures of one dollar to $500 a year, 19 percent had drug expenditures from $500 to $1,000 a year, 12 percent from $1,000 to $1,500 a year, 14 percent from $1,500 to $3,000 a year, and 6 percent over $3,000.

But please note that 14 percent plus 36 percent means that 50 percent of Medicare beneficiaries today have less than $500 drug expenses annually. And if you add another 19 percent, 69 percent had drug expenses of less than $1,000 a year.

As we look at plans to change Medicare to better cover the cost of prescription drugs, we face some difficult choices for which there is currently no consensus in the population or, for that matter, among policymakers.

There are many questions to answer. Here are a few: Should the coverage be comprehensive or for catastrophic? Should it cover the costs of a high average expenditure for drugs? What should be the level of benefit cost sharing by the recipients? Will there be any cost controls on the cost of drugs? Should we deal with this problem about drug costs for the Medicare population only or should we try to figure out some provisions for everyone? How much money can the Federal Treasury devote to this subsidy? Can we really predict the cost of the benefit?

Now, Mr. Speaker, the desire to add a prescription drug benefit insurance program worked it.

This plan back in 1988 passed the House by a margin of 328-72, and President Reagan enthusiastically signed it into law this largest expansion of Medicare in history. The only problem was that, once seniors learned their premiums were going up, they hated the bill.

They even started demonstrating against it. Scenes of Gray Panthers hurling themselves on to Ways and Means Committee hearings and Dan Rostenkowski’s car were broadcast to the Nation. Angry phone calls from senior citizens flooded the Capitol switchboards. So the very next year this House voted 360 to 66 to repeal the Medicare Catastrophic Coverage Act of 1988, and President Bush then signed the largest cut in Medicare benefits in history, and this experience left scars on the political process that are evident in today’s Democratic and Republican proposals.

What was the lesson? Well, Dan Rostenkowski wrote an article for The Wall Street Journal on January 17 of this year that should be required reading for every Member of this Congress. Remember, he was the chairman of the Committee on Ways and Means in 1988. His most important point was this: The 1988 plan was financed by a premium increase for all Medicare beneficiaries. Rosti says in his op-ed piece, “We adopted a principle universally accepted in the private insurance industry: People pay premiums today for benefits they may receive tomorrow.”

Apparently the voters did not agree with those principles. By the way, the title of his op-ed piece is “Seniors
Won’t Swallow Medicare Drug Benefits...

Former Ways and Means Chairman Rostenkowski does not think seniors have changed since 1988, and apparently the drafters of the Democratic and the Republican bills agree with him, because the key point the spokesmen for each of these bills makes to seniors is that their respective plans are voluntary.

While there are shortcomings in both plans, I think before I briefly describe each plan let me acknowledge the hard work that some members have put into these bills. The House Republican plan is estimated to cost seniors $35 to $40 a month in 2003, with possible projected rises of 15 percent a year. Premiums could vary among plans. There would be no defined benefit plan, and insurers could charge $250 deductible. Maximum Federal payment would pay half the cost of each prescription drug plan, which would make premiums higher. The plan would be phased out. It is assumed that the poverty level, premium support is having a hard time predicting costs and about $150 billion over 10 years, to control costs.

The GOP plan would pay subsidies to insurance companies for people with high drug costs. If subscribers did not have a choice of at least two private drug plans, then a ‘government plan’ would be available. A new bureaucracy called the Medical Benefits Administration would oversee these private drug insurance plans.

Under the Republican plan, the government would pay for all premiums and nearly all beneficiaries’ share of covered drug costs for people with incomes under 135 percent. For people with incomes from 135 to 150 percent of the poverty level, premium support would be phased out. It is assumed that drug insurers would use generic drugs to control costs.

The cost of the GOP plan is estimated to be $37.5 billion over 5 years, and about $150 billion over 10 years, though the Congressional Budget Office is having a hard time predicting costs because there is no standard benefit definition.

The premiums under the Clinton plan were estimated to cost those seniors who sign up, remember, this is a voluntary plan, $24 a month in the year 2003, rising to $51 a month in 2010. However, the Clinton Administration now talks about adding $35 billion in expenses for a catastrophic component like the GOP plan, which would make premiums higher.

Under the Clinton plan, Medicare would pay half the cost of each prescription, and there would be no deductible. Maximum Federal payment would be $1,400 per year. New buph of drugs in 2009.

The government would assume the financial risk for prescription drug insur, but it would hire private companies to administer benefits and negotiate discounts from drug manufacturers. It is much more likely to the GOP House plan and would try to control costs by the use of pharmaceutical benefit managers. As pharmaceutical companies buy up these benefit managers, one wonders about conflicts of interest and whether any discounts will really occur.

But here is a crucial point: in order to cushion the cost of the sicker with premiums from the healthier, both plans calculate premiums premised on about 80 percent participation of all those in Medicare.

Now, the partisan attacks on the Clinton plan and on the GOP plan are already starting. Democrats say Republicans are putting seniors in HMOs, which the HMOs provide insurance, but this is not fair to seniors.

Republicans say the Democratic plan is a one-size-fits-all plan that is too restrictive, too confusing and puts the politicians and Washington bureaucrats in control of the health care system. Why is this plan so bad? I have doubts that the people most likely to purchase drug coverage plans, plans H, I and J. However, the new medical benefit package would be better. I have concerns about the financial incentives that the House Republicans plan would offer insurers to enter markets in which no drug plans are available. Would these incentives encourage insurers to cherry pick healthier, less expensive seniors and game the system.

Representatives of the insurance industry seemed to share that opinion in a hearing before my committee. In my opinion, a defined benefit package would be better. I have concerns about the financial incentives that the House Republican plan would offer insurers to enter markets in which no drug plans are available. Would these incentives encourage insurers to cherry pick healthier, less expensive seniors and game the system.

In testimony before my committee, Chip Kahn, President of the Health Insurance Association of America, testified that drug only plans will not work. In testimony before the Committee on Commerce on June 13, 2000, Mr. Kahn said, ‘‘Drug only coverage would have to clear insurmountable financial, regulatory and administrative hurdles simply to get to the markets. Assuming that it did, the pressures of ever increasing drug costs, the predictability of drug expenses, the likelihood that the people most likely to purchase this coverage will be the people anticipating the highest drug claims, would make drug only coverage virtually impossible for insurers to offer to seniors at an affordable premium.” Mr. Kahn predicted that few, if any, insurers would offer that kind of product.

I could similarly criticize several provisions of the Democratic bill, but in the spirit of bipartisanship, I want to expand on what I think is the fundamental flaw in both plans, and that is what is called adverse risk selection.

If the Clinton plan has comparable costs for a stop loss provision of catastrophic expenses, the premium costs will be comparable to the GOP plan. Under these bills, a person who signs up for drug insurance will pay about $40 per month, or roughly $500 per year. The first $250 out-of-pocket costs for the deductible, the enrollee would need to have twice $500 in drug costs, or $1,000, in order to be getting a benefit that is worth more than the cost of the premium for the year.

Put it another way: The enrollee must have $250 for the deductible, plus $1,000, or $1,250 in annual drug costs, in order to get half of the rest of his drug expenses, up to a maximum of $2,100 paid for by the plan.

Who then will sign up for these plans? Well, those seniors with over $1,250 in annual drug expenses. Those with less than that would end up paying more in premiums than they are currently paying.

Remember the MedPAC data from the last year that I showed you earlier in this speech? Sixty-nine percent of seniors spend less than $1,250 per year on drug costs. Remember also that the premiums are premised on a 80 percent participation rate. I think it is highly unlikely that anywhere near 80 percent of seniors will sign up for any of these plans, and if only those with high drug costs sign up for these plans, then we know what will happen by looking at the current Medigap policies. Only three plans have any prescription drug coverage, and they are expensive because of unfavorable selection. Only 7.4 percent of beneficiaries enrolled in standard Medigap plans were in these drug coverage plans, plans H, I and J. Now, one way to avoid adverse risk selection in a voluntary benefit system would be to offer the drug benefit for one time only when a beneficiary enrolls in Medicare. Even with that restriction, there would still be some adverse selection in that some seniors already have high drug costs at age 65 when they enter Medicare and would be more likely to join such a program.

Many groups want seniors to enroll not in either plan. The authors of the GOP bill recognize the adverse risk selection problem and they try to address it by saying that if a beneficiary does not
sign up for the drug insurance program on initial registration for Medicare, then thereafter, when he or she wants to sign up for the program, the premium would be "experience-based" and potentially more costly. The theory is that the threat of higher premiums would act as an inducement to seniors with no or low drug costs to sign up initially, but Mr. Rostenkowski. As Rosty said in his op-ed piece, "The problem was, and still is, a lack of money." Yes, we have a lack of money."

Mr. Rostenkowski. As Rosty said in his op-ed piece, "The problem was, and still is, a lack of money." Yes, we have a lack of money."

There are many reasons why, even in this time of plenty, that is hard to do. First, we have a bipartisan commitment not to use the Social Security surplus funds. Second, we have people at that country that have no insurance at all, much less drug coverage. Third, Medicare is closer to insolvency than it was back in 1988. Should not our first priority be to protect the current Medicare program?

Well, given these constraints, what can we do to help seniors and others with high drug costs? I have a 10-step modest proposal for helping seniors and others with their drug costs.

First, allow qualified Medicare beneficiaries, those low-income Medicare beneficiaries, SLIMBs, and qualifying individuals with an additional phaseout group up to 175 percent of poverty to qualify for State Medicaid drug programs. States could continue their current administrative structures and implementation could be done quickly. About one-third of Medicare beneficiaries would be eligible, especially those most in need, and the drug benefit would encourage those who qualify to actually sign up. A key feature of this program would be that the State programs are entitled to the best price that the manufacturer offers any purchaser in the United States. Judging from estimates of the bipartisan Medicare Commission, this expansion of benefits would probably cost about $60 billion to $80 billion over 10 years.

Second, Congress could fix the funding formula that puts rural States and some of the poorer States at a disadvantage in Medicare-Plus plans that offer drug coverage.

Third, in response to my constituents who want to purchase their drugs in Canada, Mexico or Europe, we could stop the Food and Drug Administration from intimidating seniors and others with threats of confiscation of their purchases. The FDA has sent notices to people that importing drugs is against the law. The FDA should not send warning notices regarding the importation of a drug without providing to the person involved a statement of the underlying reasons. The gentleman from Minnesota (Mr. GUTENKECHT), my colleague, has introduced legislation called the Drug Import Fairness Act of 1999, and Congress should pass that common sense legislation.

Fourth, I think we should at least fully debate the bill of the gentleman from Maine (Mr. ALLEN), the Prescription Fairness for Seniors Act. The idea is simple. It would allow pharmacists to buy drugs for Medicare beneficiaries at the best price available to the Federal Government, typically the Veterans' Administration price, or the Medicaid price. It creates no new bureaucracy. There is no significant cost to the government. It gives Medicare beneficiaries negotiated lower prices, such as customers of Aetna, Cigna, and other private plans receive the benefit of negotiated lower prices.

I think we have a full tax deductibility for the self-insured retroactive to January 1, 2000. Sixth, there are 11 million children without any health insurance. Many of them qualify, 7 million of them qualify for Medicaid, and the State Children's Insurance programs. We ought to get those kids in. That gives them prescription drugs as well.

Seventh, many pharmaceutical companies offer programs where they provide drugs free to low-income individuals. These company programs are to be commended, but we need to do a better job, and maybe the FDA could do this, of getting that information to these low-income beneficiaries to take advantage of those pharmaceutical companies' programs.

Eighth, 16 States have pharmaceutical assistance programs targeted to Medicare beneficiaries. Some of these programs could serve as models for State grant programs. The gentleman from Florida (Mr. BILIRAKIS) has a bill that would do this. We ought to set up our own program. We ought to set up our own program. We ought to look at that. I think the QMB-SLIMB solution is a little quicker and more certainly implemented, but at least we could have a debate on that.

Ninth, I believe that Congress should revise the FDA Reform Act of 1997. At a minimum, drug companies should be required to fully discuss major potential complications of their drugs in their radio and television advertising.

Tenth, finally, I think Congress should actually get signed into law a combination of the above in a bipartisan fashion. Yes, this is more limited than either that of President Clinton or the House GOP plan. But a more comprehensive drug plan should, in my opinion, be a part of overall Medicare reform where all of these programs could serve as models for State grant programs. The gentleman from Florida (Mr. BILIRAKIS) has a bill that would do this. We ought to look at that. I think the QMB-SLIMB solution is a little quicker and more certainly implemented, but at least we could have a debate on that.

Finally, Mr. Speaker, this is a very complicated issue. I believe that we should follow regular order. That means a bill in the hopper, hearings on the bills, subcommittee markups with cost to the government, and committee markups, all of the committees of jurisdiction looking at the bill. Regular order is not just for the members on the committee, it is for everyone in this House to see the process and to fully understand an issue. I am sorry to say that that regular order is not happening. Mr. Speaker, we are going to see a bill rushed to the floor next week. I
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would advise my colleagues to be very
careful. I am sure that television ar-
chives preserve the image of unhappy
Chicago citizens surrounding Dan Ros-
tenkowksi’s car when he visited a dec-
ade ago to explain why he thought the
Medicare reform bill was a good bill.
Let us continue regular order.

Finally, I remain committed to see-
ing a bill signed into law. Mr. Speaker,
let us just make sure that it is a good
one.

Mr. Speaker, this is a photo of William New-
ton, 74, of Altoona, Iowa, a constituent in
my district whose savings vanished when his late
wife, Waneta, whose picture he is holding,
needed prescription drugs that cost as much
as $600 per month.

"She had to have them—there was no choice," Newton said. "It's a very serious situ-
ation and it isn't getting any better because
drugs keep going up and up."

When James Weinman of Indianapolis, Iowa,
and his wife, Maxine, make their annual trip to
Texas, the two take a side trip as well. They
cross the border to Mexico and load up on
prescription drugs that aren't covered under
their Medigap policies. Their prescription drugs
cost less than half as much in Mexico as they
cost in Iowa.

This problem isn't localized to Iowa. It's ev-
erywhere. The problem that Dot Lamb, an 86-
year-old Portland, Maine, woman who has hy-
pertension, asthma, arthritis and osteoporosis
has paying for her prescription drugs is all too
common. She takes five prescription drugs
that cost over $200 total each month—over
20% of her monthly income. Medicare and her
supplemental insurance do not cover prescrip-
tion drugs.

Mr. Speaker, I recently received this letter
from a computer-savvy senior citizen who vol-
teers at a hospital I worked in before com-
ing to Congress:

"Dear Congressman Ganske . . . after
completing a University of Iowa study on
Celebrex 200 mg. for arthritis, I got a prescrip-
tion from my MD and picked it up at the hos-
pital pharmacy. My cost was $2.43 per pill
with a volunteer discount."

"Later on the Internet I found the following:

a. I can order [these drugs] through a Cana-
dian pharmacy if I use a doctor certified in
Canada or my doctor can order it "on my be-
half" through his office for 96 cents per pill,
plus shipping.

b. I can order [these drugs] through Phar-
maint, in Geneva, Switzerland, after
paying either of two American doctors $70 for
a phone consultation, at a price of $1.05 per pill,
plus handling and shipping.

c. I can send $15 to a Texan and get a
phone number at a Mexican pharmacy which
will send it without a prescription . . . at a
price of 52 cents per pill.

This constituent attaches his letter to me by
saying, urge you. Dr. Ganske, to pursue the
reform of medical costs and stop the out-
landish plundering by pharmaceutical com-
panies."

Well, Mr. Speaker, I want it to be very clear.
I am in favor of prescription drugs being more
affordable, not just for senior citizens, but for
all Americans.

Let's look at the facts of the problem and
then discuss some solutions.

There is no question that prices for drugs
are rising rapidly. A recent report found that
the prices of the 50 top-selling drugs for sen-
iors in much faster than inflation, 33 of the
50 drugs rose in price at least one and one-
half times inflation. Half of the drugs rose at
least twice as fast as inflation. Sixteen drugs
rose at least three times inflation and twenty
percent rose at least four times the rate of in-
flation.

The prices of some drugs are rising even
faster. Furosemide, a generic diuretic, rose
50% in 1999. Klor-con 10, a brand name drug,
rise 43.8%.

This was not a one-year phenomenon. 39 of
these fifty drugs have been on the market for
at least 6 years. The prices of three-fourths of
this group rose at least 1.5 times inflation,
over half rose at twice inflation, more than
25% increased at three times inflation and six
drugs at over five times inflation. Lorazepam
rose 27 times inflation and furoside 14
times inflation!

Prilosec is one of the two top-selling drugs
prescribed for seniors. The annual cost for this
20-milligram gastrointestinal drug, unless you
have some type of drug discount, is $1,455.
Even an example of a poverty ($12,525 in-
come per year), the annual cost of Prilosec
alone will consume more than one in nine dol-
ars of the senior's total budget. (chart)

My friend from Des Moines, the Iowa Lu-
theran Hospital volunteer senior citizen, as do
the Weinman's from Indianapolis from their shop-
ning trips in Mexico for prescription drugs,
knows that drug prices are much higher in
the United States than they are in other countries.
A story from USA Today comparing U.S.
price to prices in Canada, Great Britain,
and Australia for the test best-selling drugs,
verifies that drug prices are higher here in the
U.S. than overseas. For example, Prilosec is two
to and-one-half times as expensive in the
U.S.; Prozac was two to two-and-three-
quarters as expensive; Lipitor was 50 to 92%
more expensive; and Prevacid was as much as
four times more expensive. Only one drug,
Epogen, was cheaper in the U.S. than in other
countries.

High drug prices have been a problem for
the past decade. Two GAO studies, from 1992
and 1994, showed the same results. Com-
paring prices for 121 drugs sold in the U.S.
and Canada, prices for 98 of the drugs were
higher in the U.S. Comparing 77 drugs sold in
the U.S. and the United Kingdom, 86% of the
drugs were priced higher in the U.S. and three
out of five were more than twice as high.

The drug companies claim that drug prices
are so high because of research and develop-
ment costs. And, I do want to say that there
is great need for research. For example,
around the world we are seeing an explosion
of antibiotic resistant bacteria, like tuber-
culosis, for which we will need research and
the development for new drugs. A new report by
the World Health Organization outlines this
concern about infectious diseases.

However, data from PhRMA, the pharma-
cutural trade organization, that I saw pre-
pared in Chicago about one month ago,
showed little increase in R&D, especially
in comparison to significant increases in adver-
tising and marketing by the pharmaceutical
companies. Since the 1997 FDA reform bill,
advertising by drug companies has gotten so
ubiquitous that Healthline recently reported
that consumers watch, on average, nine pre-
scription drug commercials a day.

Look at this chart which shows 1998 figures
for the big drug companies. In every case,
marketing, advertising, sales, and administra-
tive costs exceed research and development
costs. In 1999, four of the five companies with
the highest revenues spent at least twice as
much on marketing, advertising and adminis-
tration as they spent on research and develop-
ment. Only one of the top ten drug companies
spent more on R&D than on marketing, adver-
tising, and administration. Administration costs
haven't increased much—the real increase
has been in advertising.

For the manufacturers of the top 50 drugs
sold to seniors, profit margins are more than
triple the profit rates of other Fortune 500
companies. The drug manufacturers have a
profit rate of 18% compared to average costs,
5% for other Fortune 500 companies. Further-
more, as recently cited in the New York
Times, of the 14 most medically significant
Drugs developed in the past 25 years, 11 had
significant government financed research. For
example, Taxotol is a drug developed from gov-
ernment funded research which earns its man-
ufacturer, Bristol-Myers-Squib, millions of dol-
lars each year.

As I said at the start of this Special Orders
speech, I think the high cost of drugs is a
problem for all Americans, not just the elderly,
but many non-seniors are in employer plans
and get a prescription drug discount. In addi-
tion, there is no doubt that the older one is,
the more likely the need for prescription drugs.
So let us look at what type of drug coverage
is available to senior citizens today.

Medicare pays for drugs that are part of
 treatment when the senior citizen is a patient
in a hospital or skilled nursing facility. Medi-
care pays doctors for drugs that cannot be
"self-administered" by patients, i.e. drugs that
require intramuscular or intravenous adminis-
tration. Medicare also pays for a few other
outpatient drugs such as drugs to prevent re-
jection of organ transplants, medicine to pre-
vent anemia in dialysis patients, and oral anti-
cancer drugs. The program also covers pneu-
monia, hepatitis, and influenza vaccines. The
beneficiary is responsible for 20% of the coin-
surance for these drugs.

About 90% of Medicare beneficiaries have
some form of private or public coverage to
supplement Medicare, but many with supple-
mentary coverage have either limited or no
protection against prescription drug costs;
those drugs one buys in a pharmacy with a
prescription from your doctor.

Since the early 1980’s Medicare bene-
ficiaries in some parts of the country have
been able to enroll in HMOs which provide
some form of private or public coverage to
Medicare, but many with supple-
mentary coverage have either limited or no
protection against prescription drug costs;
those drugs one buys in a pharmacy with a
prescription from your doctor.

Parenthetically, I have led the fight to im-
prove these unfair payment rates which allow
seniors living in Miami, for example, to get
drug benefits that seniors living anywhere in
variety of potential sources of coverage for Medicare beneficiaries who have more limited Medicaid benefits than those that they may receive under Medicaid. Medicare would, among policy makers.

There are several groups of Medicare beneficiaries who have more limited Medicaid protection:

Qualified Medicare Beneficiaries (QMBs) have incomes below the poverty line ($8,240 for a single, $11,060 for a couple) and assets below $4,000 single/$6,000 couple. Medicaid pays their deductible and premiums.

Specified Low-Income Medicare Beneficiaries (SLMBs) have incomes up to 120% of the poverty line and Medicaid pays their Part B premium.

QMBs and SLMBs are not entitled to Medicare's prescription drug coverage unless they are also eligible for full Medicaid coverage under their state's Medicaid program. QI–1s and QI–2s are never entitled to Medicare drug coverage.

A 1999 HCFA report showed that, despite a variety of potential sources of coverage for prescription drug costs, beneficiaries still pay a significant proportion of drug costs out-of-pocket and about one-third of Medicare beneficiaries pay the full cost of all their prescriptions.

It is also important to look at the distribution of Medicare enrollees by total annual prescription drug expenditure. This information will determine, based on the cost of the benefit, how many Medicare beneficiaries will consider the premium cost of a "voluntary" drug benefit insurance policy "worth it."

This chart from the Medicare Payment Advisory Commission (MedPAC) report to Congress shows that in 1999, 14% of those in Medicare had no drug expenditures and 36% had expenditures of $1 to $500. 19% had drug expenditures from $500 to $1,000. 12% from $1,000 to $1,500. 14% from $1,500 to $3,000 and 6% over $3,000.

Please note that 50% of those in Medicare had drug expenditures of less than $500 per year, and 69% had drug expenses less than $1,000 per year.

As we look at plans to change Medicare to better cover the cost of prescription drugs, we face some difficult choices for which there is currently no public consensus or, for that matter, among policy makers.

There are many questions to answer. Here are a few: First, should coverage be extended to the entire Medicare population or targeted toward the elderly widow who isn't so poor that she's in Medicaid but is having to choose between her rent, food, and drugs? Should the benefit be comprehensive or catastrophic? Should the drug benefit be defined? What is the right level of beneficiary cost-sharing? Should the subsidies be given to the beneficiaries or directly to the insurers? How much money can the Federal Treasury devote to this subsidy? Can we really predict the future cost of the benefit?

The desire to add a prescription drug benefit is not new. It was discussed at the inception of Medicare back in 1965 and many times since. The reason the prescription benefit is such a "hot" issue is that here has been an explosion in new drugs available, huge increases in demand for these drugs, and significant increase in the cost of these drugs in just the past few years. Many of these drugs are life-preserving as with those that my own father last year.

Before I discuss the Democratic and Republican proposals, I think it is instructive to look at what happened the last time Congress tried to do something about prescription drugs in Medicare. This is because the outcome of reform in 1988 has seared itself into the minds of the policy makers who were in Congress then and are committee chairs now. The Medicare Catastrophic Coverage Act of 1988 (MCCA) would have phased in catastrophic prescription drug coverage as part of a larger package of benefit improvements.

Under MCCA, catastrophic prescription drug coverage would have been available in 1991 for all outpatient drugs, subject to a $600 deductible and 50% coinsurance. The benefit was to be financed through a mandatory combination of an increase in the Part B premium and a portion of the new supplemental premium which was to be imposed on higher income enrollees. It is also important to note that CBO estimated the cost at $5.7 billion. Only six months later the cost estimates had more than doubled because both the average number of prescriptions used by enrollees and the average cost per prescription had risen more than previously estimated.

The plan passed the House by a margin of 328 to 72 and President Reagan enthusiastically signed into law this largest expansion of Medicare in history.

The only problem was that once seniors learned their premiums were going up, they hated the bill! They even started demonstating against it. Scenes of Gray Panthers hurting themselves onto Ways and Means Chairman Dan Rostenkowski's car were broadcast to the nation. Angry phone calls from senior citizen flooded the Capitol switchboards.

So, the very next year the House voted 360 to 66 to repeal the Medical Catastrophic Coverage Act of 1988 and President Bush then signed the largest cut in Medicare benefits in history.

This experience left scars on the political process that are evident in today's Democratic and Republican proposals. What was the lesson? Well, Dan Rostenkowski wrote an article for the Wall Street Journal on January 17, this year that should be required reading for every member of this Congress. His most important point was this:

The 1988 plan was financed by a premium increase for all Medicare beneficiaries. Rostenkowski says in this op-ed piece, "We adopted a principle universally accepted in the private insurance industry. People pay premiums today for benefits they may never receive. Apparently the voters didn't agree with those principles. By the way, the title of his op-ed piece is Seniors Won't Swallow Medicare Drug Benefits. Former Ways and Means Chairman Rostenkowski doesn't think seniors have changed since 1988.

I think that the key point of the spokesman for each of these bills makes to seniors is that their respective plans are voluntary.

There are shortcomings in both plans but before I briefly describe each plan, let me acknowledge the hard work that some members have put into these bills. The House Republican plan is estimated to cost seniors $35 to $40 a month in 2003 with possible projected rises of 15% a year. Premiums could vary among plans. There would be no defined benefit plan and insurers could offer alternatives of "equivalent value." There would be a $250 deductible and the plan would then pay half of the next $2,100 in drug costs. After that expense, patients are on their own until out-of-pocket expenses reach $6,000 a year, when the government pays the rest.

The GOP plan would pay subsidies to insurance companies for people with high drug benefits. If a prescription drug cost of at least two private drug plans then a "government" plan would be available. A new bureaucracy called the Medical Benefits Administration would oversee these private drug insurance plans.

Under the Republican plan, the government would pay for all the premium and nearly all the beneficiary's share of covered drug costs for people with incomes under 135%. For people with incomes from 135% to 150% of the
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poverty level, premium support would be phased out. It is assumed that drug insurers would use generic drugs to control costs.

The cost of the GOP plan is estimated to be $37.5 billion over five years and about $150 billion over ten years, though the Congressional Budget Office is having a hard time predicting costs because there is no standard benefit definition.

The premiums under the Clinton Plan were estimated to cost those seniors who sign up, remember that is a voluntary plan like the GOP plan, $24 a month in 2003, rising to $51 a month in 2010. However, the Clinton Administration now talks about adding $35 billion in expenses for a catastrophic component like the GOP plan, which would make premiums higher.

Under the Clinton Plan, Medicare would pay half of the first $1,250 of prescription drug costs, but it would hire private companies to administer benefits and negotiate discounts from drug manufacturers. It would aid the poor similarly to the GOP House bill and would try to control costs by the use of pharmaceutical benefit managers (PBMs). (As pharmaceutical companies buy up these PBMs one wonders about conflicts of interest and whether any discounts will really occur.)

Here is a crucial point. In order to cushion the costs of the sickest with premiums from the healthier, both plans calculate premiums premised on about 80% participation of all those in Medicare.

The partisan attacks on the Clinton plan and on the GOP plan are already starting. Democrats say, "Republicans are putting seniors in HMOs. HMOs provide terrible care and this isn't fair to seniors." Republicans say, "The Democratic plan is a one-size-fits all plan that would offer this type of product.

Third, Medicare is closer to insolvency than it seems. Should we expand coverage for some advantage at all, much less prescription drug coverage? There are people who have no health insurance at all, much less prescription drug coverage. Should we expand coverage for some advantage at all, much less prescription drug coverage? There are several reasons why, even in this time of plenty, this is very difficult to do. First, the fundamental flaw of both plans and that is what is called "adverse selection." If the Clinton Plan has comparable costs for a stop-loss provision of catastrophic expenses, the premium costs will be comparable to the GOP Plan. Under these bills, a person who signs up for drug insurance will pay about $40 per month, or roughly $500 per year. After first $250 out-of-pocket drug costs (deductible), the enrollee would need to have twice $500 in drug costs ($1,000) in order to get a benefit that is worth more than the cost of the premiums for the year. Put another way, the enrollee must have $250 plus $1,000, or $1,250, in annual drug costs in order to get half of the rest of his drug expenses, up to a maximum of $2,100, paid for by the plan.

Who will then sign up for these plans? Those seniors with over $1,250 in annual drug expenses. Those with less would end up paying more in premiums than they are currently paying. Remember the MedPAC data from last year that I showed you earlier in this speech? 69% of enrollees spend less than $1,250 per year on drug costs.

Remember also that the premiums are premised on an 80% participation rate. I think it is highly doubtful that anywhere near 80% of seniors will sign up for either of these plans. If only those with high drug costs sign up for these plans, then we know what will happen by looking at the current Medigap policies. Only three plans have any prescription drug coverage, and they are expensive because of unfavorable selection. Only 7.4% of beneficiaries enrolled in standard Medigap plans were in these drug coverage plans (plans H, I, and J).

One way to avoid adverse risk selection in a voluntary benefit system would be to offer the drug benefit for one time only when a beneficiary enrolls in Medicare. Even with this restriction, there would still be some adverse selection in that some seniors already have high drug costs at age 65 and would be more likely to join such a program. This provision is not in either plan.

The authors of the GOP bill recognize the adverse risk selection problem. They try to address it by saying that if a beneficiary doesn't sign up for the drug insurance program on initial registration for Medicare, then, thereafter when he or she wants to sign up for the drug insurance program, the premium would be "experienced based" and potentially more costly. The theory is that the threat of higher premiums would act as an inducement for seniors with no or low drug costs to sign up initially.

If everyone had already acted with such prudence, we wouldn't be dealing with this bill. Unfortunately, the low premiums in the current voluntary Medigap programs indicates that unless seniors must sign up initially, a large number won't. They'll wait until they need drugs, and then complain vociferously to Congress about their high premiums and we'll be back where we started. Seniors who will have a prescription drug benefit, there will be enormous pressure on legislators to further subsidize the seniors who are tardy in signing up for a drug program. This, of course, will significantly increase the cost of the program.

Another way to control adverse risk selection is to try to devise a risk-adjustment system. These adjustment systems are very hard to design and implement. It remains to be seen whether risk-adjustment systems already on the books for other parts of Medicare are really going to work.

A similar benefit package helps control adverse risk selection. Consumers are able to select plans based on price and quality, rather than benefits. If plans are allowed wide variation in benefits, some plans may be more likely to attract low-cost beneficiaries. The GOP plan has some weak community rating and guaranteed issue provisions in acknowledgment of this problem, but these provisions depend on oversight by the new Medical Benefits Administration and the Inspector General already tells us how hard it is to oversee adverse risk selection in Medicare HMOs.

One sure way to avoid adverse risk selection would be to mandate enrollment. This of course was the approach of the Medicare Catastrophic Coverage Act of 1988 and we saw what happened to that law. To say that mandatory enrollment has little appeal to political makers in an election year is an understatement.

Finally, we could avoid adverse selection for a "voluntary" benefit like prescription drug coverage if we subsidize the benefit so much that seniors simply share very little of the cost. The benefit then becomes cost-effective for the vast majority to participate, regardless of health, because it is such a good deal.

But a $400 or $500 billion subsidy reminds me again of the article by Mr. Rostenkowski. As Rotty says in his op-ed piece. "The problem was, and still is, a lack of money." Yes, we have a projected surplus, but the ten-year costs of more highly subsidized drug coverage could, in my opinion, easily double or even triple the projected costs of both proposals.

There are several reasons why, even in this time of plenty, this is very difficult to do. First, we have a projected surplus, but the ten-year costs of more highly subsidized drug coverage could, in my opinion, easily double or even triple the projected costs of both proposals.
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Here’s a 10-step modest proposal for helping seniors and others with their drug costs:

1. Support Medicare Beneficiaries (QMBs), Specified Low Income Medicare Beneficiaries (SLIMBs) and Qualifying Individual (QI–1&2) with an additional phase-out group to 175% of poverty to qualify for state Medicaid drug programs. States could continue to use their current administrative structures and implementation could be done quickly. About a third of Medicare beneficiaries would be eligible, especially those most in need, and the drug benefit would encourage those who qualify to sign up. A key feature of this program would be that the State programs are entitled to the best price that the manufacturer offers to any purchaser in the United States. Judging from estimates of the Bipartisan Medicare Commission, this expansion of benefits would probably cost about $60–80 billion over ten years.

2. Congress should fix the funding formula (the Annual Adjusted Per Capita Cost—AAPCC) that puts rural states and certain low-reimbursement urban areas at such a disadvantage in attracting Medicare-Plus plans that offer drug coverage. The GOP plan increases this floor to $550, but this increase is grossly inadequate. Testimony from the executive director of the American Association of Health Plans indicates that Medicare HMOs are leaving markets where the payment is already $550. We should raise the floor to a minimum of $600 per month per beneficiary, and not let an across-the-board increase in payment which would disproportionately increase reimbursement to areas with AAPCCs already over $780.

3. In response to my constituents who want to purchase their drugs in Canada, Mexico, or Europe, we should stop the Food and Drug Administration from intimidating seniors and others with threats of confiscation of their purchases. The FDA has sent notices to people who are exporting drugs is against the law. The FDA should not send a warning notice regarding this issue. The FDA has sent notices to people with threats of confiscation of their purchases. These notices should be reversed. This requires a commitment on the part of the federal government to find these individuals and get them signed up. We need to streamline the system to help these states.

4. Many pharmaceutical companies do have programs where they provide drugs to low income individuals free of charge. These company programs are owned by a recommended, but most people who meet the company requirements don't know about these programs. Both physicians and patients need to be better educated to take advantage of free or discounted drugs.

5. Currently 16 states have pharmaceutical assistance programs targeted to Medicare beneficiaries. Some of these programs could serve as models for state grant program options. Congressmen Mike Blaxikas and Collin Peterson have introduced H.R. 2925, the Medicare Beneficiary Prescription Drug Assistance and Stop-loss Protection Act of 1999 which encourages states to expand their drug assistance programs with federal matching funds and assistance to beneficiaries up to 200% of poverty. I think QMB, SLMB solution would work quicker and more certainly, but this option deserves a more complete debate than it has received.

6. There are 11 million children without any health insurance and, of course, no prescription drug coverage. Roughly 7 million of these kids already qualify for Medicaid or the State Child Health Insurance Program which do provide prescription drug services. These children should be enrolled. This requires a commitment on the part of the federal government to find these individuals and get them signed up. We need to streamline the system to help these states.

7. Many pharmaceutical companies do have programs where they provide drugs to low income individuals free of charge. These company programs are owned by a recommended, but most people who meet the company requirements don't know about these programs. Both physicians and patients need to be better educated to take advantage of free or discounted drugs.

8. I believe that Congress should revise the FDA Reform Act of 1997 and restrict direct marketing to consumers by the pharmaceutical companies. There is no question that seniors are being bombarded with ads on the latest, greatest new drug with very little data on contraindications, alternatives, and potential complications, much less cost. At a minimum, drug companies should be required to fully discuss their major potential complications of these drugs in their radio and T.V. advertising.

9. I believe that Congress should create a prescription drug benefit if they don't have a local hospital when they visit a decade ago to try to make sure that an issue is fully vetted before they vote on it.

10. Finally, I think Congress could actually extend their remarks and include extraneous material.)

As for me, I will find it very difficult to vote for a bill that doesn't go through regular order. That means a chance to improve it in the Commerce Committee. Replacements for what happens in the next week, I remain committed to seeing a bill signed into law. Let's just make sure that it is a good one.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CARSON (at the request of Mr. GEPHARDT) for June 20 after 5:30 p.m. on account of official business.

Mr. ALLEN, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Ms. MCKINNEY, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Mr. FALLONE, for 5 minutes, today.

Mr. BERRY, for 5 minutes, today.

Mr. BRADY of Texas, for 5 minutes, today.

Mr. GILMAN, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, today.

Mr. CASCHICH, for 5 minutes, today.

Mr. GEPHARDT, for 5 minutes, today.

Mr. HUNTER, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

Mr. RODRIGUEZ, for 5 minutes, today.

Mr. RODRIGUEZ, for 5 minutes, today.

Ms. CARSON (at the request of Mr. GEPHARDT) for June 20 after 5:30 p.m. on account of official business.

Mr. GILMAN, for 5 minutes, today.

Mr. RODRIGUEZ, for 5 minutes, today.

Mr. RODRIGUEZ, for 5 minutes, today.
EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker’s table and referred as follows:

8265. A letter from the Director, Office of Management and Budget, transmitting a report to the Appropriations Committee on the Transportation Safety Board (NTSB) for “Salaries and Expenses” for the fiscal year 2000 which has been apportioned on a basis which indicates the necessity for a supplemental appropriation, pursuant to 31 U.S.C. 1515(b)(2); to the Committee on Appropriations.

8266. A letter from the Secretary of Defense, transmitting the approved retirement and advancement to the grade of vice admiral on the retired list of Vice Admiral John A. Lockard, to the Committee on Armed Services.

8267. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency’s final rule—Minnesota: Final Authorization of State Hazardous Waste Management Plan, pursuant to 31 U.S.C. 1515b; to the Committee on Commerce.

8268. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 14–99 which constitutes a Request for Final Approval for the Memorandum of Understanding with Canada and the United Kingdom for developing, negotiating, and managing future Project Arrangements of mutual benefit, pursuant to 22 U.S.C. 2767(a); to the Committee on International Relations.

8269. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 07–00 which constitutes a Request for Final Approval for the Multinational Memo-

8270. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Russia, Ukraine, Norway, United Kingdom, and Cayman Islands [Transmittal No. 07/26–00]; pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

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8272. A letter from the Assistant Secretary, Policy, Management and Budget, Department of State, transmitting the annual report entitled “Outer Continental Shelf Lease Sales: Evaluation of Bidding Results and Competition” for fiscal year 1999, pursuant to 43 U.S.C. 1371(a)(9); to the Com-

8273. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the annual report of the activities of the American Academy of Arts and Letters during the year ending December 31, 1999, pursuant to 36 U.S.C. 4304; to the Committee on the Judiciary.

8274. A letter from the President, American Academy and Institute of Arts and Letters, transmitting the annual report of the activities of the American Academy of Arts and Letters during the year ending December 31, 1999, pursuant to 36 U.S.C. 4304; to the Committee on the Judiciary.

8275. A letter from the Director, National Legislative Commission, The American Legion, transmitting a copy of the Legion’s financial statements as of December 31, 1999, pursuant to 36 U.S.C. 1101(4) and 1103; to the Committee on Transportation and Infrastructure.

8276. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the annual report of the FY 1999 Annual Program Performance Report; to the Committee on Government Reform.


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. YOUNG of Florida: Committee on Appropriations. Report on the Revised Sub-allocation of Budget Allocations for Fiscal year 2001 (Rept. 106-668). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOSS: Permanent Select Committee on Intelligence. Report of the Redmond Panel, Improving Intelligence Capabilities at the Department of Energy and the Los Alamos, Sandia, and Lawrence Livermore National Laboratories (Rept. 106-667). Referred to the Committee of the Whole House on the State of the Union.

MR. STEARNS, for himself, Mr. Ortiz, Mr. Reyes, Mr. Bonilla, Mr. Baca, Mr. Filner, and Mrs. Hinojosa:
H.R. 4704. A bill to provide for the appointment of additional Federal district judges, and for other purposes; to the Committee on the Judiciary.

Mr. CAPUANO (for himself and Mr. Stark):
H.R. 4705. A bill to provide for the recoupment of a portion of the Federal investment in research and development supporting the production and sale of pharmaceuticals developed by the Committee on Commerce, and in addition to the Committee on Science, and 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.

Mr. CARDIN:
H.R. 4706. A bill to establish a commission to review the dispute settlement reports of the World Trade Organization, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Rules, 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.

Mr. DIAZ-BALART (for himself, Mr. Waxman, Ms. Ros-Lehtinen, Mr. Menendez, Mr. Gilman, Ms. Lofgren, Mrs. Pelosi, Mr. Roybal-Allard, Mr. Bilbray, Mr. Rodriguez, Mr. Foley, and Mr. Green of Texas):
H.R. 4707. A bill to amend titles XIX and XXI of the Social Security Act to permit States the option of coverage of legal immigrants under the Medicaid Program and the State Children's Health Insurance Program to the Committee on Commerce, and in addition to the Committee on the Judiciary, 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.

Mr. GIBBONS:
H.R. 4708. A bill to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the western portion of the United States; to the Committee on Resources.

Mr. GILMAN (for himself, Mr. McNulty, Mr. LaZio, Mr. Rohrabacher, and Mr. Miller):
H.R. 4709. A bill to amend title 38, United States Code, to provide for the payment of a monthly stipend to the surviving parents (known as “Gold Star parents”) of members of the Armed Forces who die during a period of war; to the Committee on Veterans’ Affairs.

Mr. LARGENT (for himself, Mr. Tauzin, Mr. Oxley, Mr. Goodlatte, Mr. Stupak, and Mr. Abercrombie):
H.R. 4710. A bill to authorize appropriations for the prosecution of obscenity cases; to the Committee on the Judiciary.

Mr. LABOR (for himself, Mr. Walden of Pennsylvania, Mr. Eisisch, Mrs. Johnson of Connecticut, Mr. Mutch, Mr. Shays, Mr. Meeks of New York, Mr. Doyle of California, Mr. Delahunt, Mr. LaFalce, Mr. Pomroy, Mr. Moakley, Mr. Taylor of Mississippi, Mr. Clement, Mr. Traficant, Mr. Tanner, Ms. DeGette, Mr. Gledenson, Mr. Ford, Mr. Neal of Massachusetts, Mr. Rangel, Ms. Pelosi, Mr. George Miller of California, Mr. Wu, Mr. Inslee, Mr. Andrews, Mr. Benton, Mr. Johnson of Texas, Mr. Spratt, Mrs. Lowey, Mr. Boswell, Mr. Maloney of Connecticut, Mr. Hoeffer, Mr. Abercrombie, Mr. Capuano, Mr. Crowley, Mr. Rodriguez, Mr. Frank of Massachusetts, Mr. Turner, Mr. Mollohan, Mr. Dingell, Ms. Wasserman, Mr. Steny H. Hoyer, Mr. Balderdash, Mr. Tierney, Mr. John, Mr. Shows, Mr. Sawyer, Mr. Baldwin, Mr. Jefferson, Mr. Kennedy of Rhode Island, Mr. Gonzalez, Mr. Hinojosa, Ms. Schakowsky, Mrs. Brown of Florida, Mrs. Jones of Ohio, Mr. Carson, Mr. Moore, Mr. Owens, Mr. Green of Texas, Ms. Berkeley, Ms. Jackson-Lee of Texas, Mr. Biondi, Mr. Udall of New Mexico, Mr. Borski, Mr. Brady of Pennsylvania, Mr. Patty, Mr. Holden, Mr. Klink, Mr. Konski, Mr. Stupak, Mr. Mascara, Mr. Doyle, Mrs. McCarthy of New York, Mr. Matsui, Mr. Fillet, of Indiana, Mr. Kicicki, Mr. Sherman, Mr. Thompson of California, Mr. Jackson of Illinois, Mr. Udall of Colorado, Mr. Stark, Mr. Pascrell, Mr. Weiner, Mrs. Napolitano, Mr. Blagojevich, Mr. Kucinich, Mr. Lipinski, Mr. Evans, Mr. Lewis of Georgia, Mr. Hahn, Mr. Inskeep of Florida, Mr. Skelton, Ms. Danner, Ms. Slattery, Mr. Shrum, Mr. Smith of Washington, Mr. Nadler, Mr. Pappo, Mr. Picciotto, Mrs. Caro- lina, Mr. Sandin, Ms. Norton, Mr. Boucher, Mr. Etheridge, Mr. Phillips, Mr. Engel, Ms. McCarthy of Missouri, Mr. Payette, Mr. Hiyatt, Mr. Hilliard, Mr. Thompson of Mississippi, Mr. Clay, Mr. Wynn, Mr.
H.R. 4711. A bill to establish an Office of Community Economic Adjustment in the Economic Development Administration of the Department of Commerce to coordinate the Federal response in regions and communities experiencing severe and sudden economic disruptions, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLADES, for the Committee on Transportation and Infrastructure:

H. Con. Res. 358. Concurrent resolution calling upon the Government of Turkey to withdraw its armed forces from the island of Cyprus and to negotiate, along with the Government of the Federal Republic of Germany, for the reunification of the Government of the Republic of Cyprus; to the Committee on International Relations.

By Mr. CAMPBELL (for himself and Mr. WIXOM):

H.R. 4712. A bill to improve the procedures of the Federal Communications Commission in the conduct of congressional communications; to the Committee on Commerce.

By Mr. OXLEY (for himself, Mr. STRICKLAND, Mr. LENTZ, and Mr. PICKERING):

H.R. 4713. A bill to amend the Internal Revenue Code of 1986 and the Surface Mining Control and Reclamation Act of 1977 to provide for the treatment of certain expenses of rural letter carrier; to the Committee on Ways and Means.

By Mr. STUPAK (for himself, Mr. SHOWS, Mr. ROHRABACHER, Mr. MURTHA, Mr. GREEN of Texas, Mr. SANDERS, Ms. HOOLEY of Oregon, Mr. JENKINS of Indiana, Mr. ROYAL-ALLARD, Mr. GILLHOM, Mr. BLUMENAUER, Mr. EHLERS, Mr. WOOLLEY, Mr. BROWN of Ohio, Mr. MELENDrez, Ms. SILVA, Mr. WEXLER, Mr. BOST, Mr. MINSKY of Georgia, Mr. HUNNICUTT, Mr. FRENCH, Mr. PALMER, Mr. KAPITZER, Ms. KAPITZER of Ohio, Mr. MALoney of New York, Mr. BOSWELL, Mr. THOMAS, Mr. MOONEY, Mr. STRICKLAND, Mr. ROYBAL-ALLARD, Mr. GILLHOM, Mr. BLUMENAUER, Mr. CROWLEY, Mr. BALDacci, Mr. GONZALEZ, and Mr. DOYLE): H.R. 4714. A bill to establish the Social Security Trust Fund for American Indians and Alaska Natives; to the Committee on Ways and Means.

By Mr. BEREUTER (for himself, Mr. SCHULTZ, Mr. CONNOLLY, Mr. KAPITZER, Mr. KAPITZER of Ohio, Mr. ROYBAL-ALLARD, Mr. GILLHOM, Mr. BLUMENAUER, Mr. CROWLEY, Mr. BALDacci, Mr. GONZALEZ, and Mr. DOYLE):

H.R. 4715. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain expenses of rural letter carrier; to the Committee on Ways and Means.

By Mr. STUPAK (for himself, Mr. SHOWS, Mr. ROHRABACHER, Mr. MURTHA, Mr. GREEN of Texas, Mr. SANDERS, Ms. HOOLEY of Oregon, Mr. JENKINS of Indiana, Mr. ROYAL-ALLARD, Mr. GILLHOM, Mr. BLUMENAUER, Mr. EHLERS, Mr. WOOLLEY, Mr. BROWN of Ohio, Mr. MELENDrez, Ms. SILVA, Mr. WEXLER, Mr. BOST, Mr. MINSKY of Georgia, Mr. HUNNICUTT, Mr. FRENCH, Mr. PALMER, Mr. KAPITZER, Ms. KAPITZER of Ohio, Mr. MALoney of New York, Mr. BOSWELL, Mr. THOMAS, Mr. MOONEY, Mr. STRICKLAND, Mr. ROYBAL-ALLARD, Mr. GILLHOM, Mr. BLUMENAUER, Mr. CROWLEY, Mr. BALDacci, Mr. GONZALEZ, and Mr. DOYLE):
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H. R. 4643: Mr. Houghton.
H. R. 4647: Mr. Moran of Kansas.
H. R. 4511: Mr. Paul, Mr. McIntosh, and Mr. Calvert.
H. R. 4536: Mr. Taylor of North Carolina, Mr. Sandlin, and Mr. Allen.
H. R. 4536: Mr. Weiner.
H. R. 4548: Mr. Reynolds.
H. R. 4566: Ms. Kilpatrick, Ms. Norton, Mr. Costello, Ms. Kaptur, Mr. Kanjorski, and Mr. Oberstar.
H. R. 4567: Mr. Filner, Ms. Roybal-Allard, and Mr. Kucinich.
H. R. 4651: Mr. Watt of North Carolina.
H. R. 4659: Mr. Royce, Mr. Wynn, Mrs. Jones of Ohio, Mr. Schaffer, Mr. English, Mrs. Clayton, Mr. Fuehres, Ms. Millender-McDonald, and Mr. Owens.
H. R. 4660: Mr. McKinley and Mr. Cunningham.
H. R. 4677: Mr. Hulshof.
H. R. 4680: Mr. Rogan.
H. J. Res. 102: Mr. McIntosh, Mr. Sessions, Mr. Leach, and Mr. Whitfield.
H. Con. Res. 285: Mr. Cunningham, Mr. Weller, Mr. Cummings, and Mr. Oxley.
H. Con. Res. 297: Mr. Crane.
H. Con. Res. 306: Mr. McTalib, Ms. DeGette, Mr. Moran of Virginia, Mr. Wynn, Mr. Kinzinger, Mr. Tuck, Ms. Norton, Mr. Talent, Mr. Markley, Mr. Watt of North Carolina, Mr. Baird, Mr. Vel soldon of Florida, Ms. Roybal-Allard, Mr. McCollum, Mr. Reeves, Mr. Phillips, and Mr. Hutchinson.
H. Con. Res. 308: Mrs. Mink of Hawaii and Mr. Evans.
H. Con. Res. 321: Mr. Romero-Barcelo, Mr. Gallager, Mr. Frost, Mr. Phelps, Mr. McGovern, Mr. Shays, Mr. Pascrell, and Mr. Coyne.
H. Con. Res. 325: Mr. Waxman and Ms. Lowy.
H. Con. Res. 348: Ms. Carson, Mr. Dixon, Mr. Rangel, and Mrs. Tauscher.
H. Res. 37: Mr. McCall, Mr. Gibson, Mr. Watson, and Mr. Lewis.
H. Res. 137: Ms. Lowey.
H. Res. 420: Mr. Green of Texas.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H. R. 4641

Offered by: Mr. Allen
Amendment No. 32: Insert before the short title the following title:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds appropriated or otherwise made available by this Act to the Department of Agriculture may be used to carry out a pilot program under the child nutrition programs to study the effects of providing free breakfasts to students without regard to family income.

H. R. 4635

Offered by: Mr. Hinchey
Amendment No. 49: Page 90, after line 16, insert the following:

Sec. 426. Any limitation in this Act on funds made available in this Act for the Environmental Protection Agency shall not apply to:
(1) the use of dredging or other invasive sediment remediation technologies; or
(2) enforcing drinking water standards for where such activities are authorized by law.

H. R. 4690

Offered by: Mr. Allen
Amendment No. 13: At the end of the bill, insert the following section (preceding the short title) the following new section:

SEC. 624. Of the funds appropriated in title II under the heading “Administration of Foreign Affairs—Diplomatic and Consular Programs”, $200,000 shall be available only for bilateral and multilateral diplomatic activities designed to promote the termination of the North Korean ballistic missile program.

H. R. 4690

Offered by: Mr. Bilbray
Amendment No. 14: Page 71, line 1, after “$2,689,825,000” insert “(decreased by $5,100,000)”.

Page 79, line 16, after “$19,470,000” insert “(increased by $5,100,000)”.

H. R. 4690

Offered by: Mr. Bilbray
Amendment No. 15: Page 73, line 19, after “$213,771,000” insert “(decreased by $5,100,000)”.

Page 79, line 16, after “$19,470,000” insert “(increased by $5,100,000)”.

H. R. 4690

Offered by: Mr. Bilbray
Amendment No. 16: Page 76, line 2, after “$408,100,000” insert “(decreased by $5,100,000)”.

Page 79, line 16, after “$19,470,000” insert “(increased by $5,100,000)”.

H. R. 4690

Offered by: Mr. Bilbray
Amendment No. 17: Page 71, line 1, after the dollar amount, insert the following: “(reduced by $500,000)”.

Page 79, line 19, after the dollar amount, insert the following: “(increased by $500,000)”.

H. R. 4690

Offered by: Mr. Bilbray
Amendment No. 18: Page 79, after line 22, insert the following:

In addition, for a feasibility study for the construction of a diversionary structure in the flood control channel of the Tijuana River as it enters the United States, to be derived by transfer from the amount provided in this title for “Diplomatic and Consular Programs”, $500,000.

H. R. 4690

Offered by: Mr. Campbell
Amendment No. 19: Page 23, line 2, after the dollar amount, insert the following: “(reduced by $173,480)”.

H. R. 4690

Offered by: Mr. Davis of Virginia
Amendment No. 21: Page 77, strike lines 12 through 16 (section 111).

H. R. 4690

Offered by: Mr. Hinchey
Amendment No. 22: Page 27, line 4, after the dollar amount, insert the following: “(reduced by $49,500,000)”.

Page 28, line 5, after the dollar amount, insert the following: “(reduced by $49,500,000)”.

Page 43, line 24, after the dollar amount, insert the following: “(increased by $49,500,000)”.

H. R. 4690

Offered by: Mr. Hostettler
Amendment No. 23: At the end of the bill, after the last section (preceding the short title) the following new title:

TITLE—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act to the Department of Justice may be used to enforce, implement, or administer the provisions of the settlement document dated March 17, 2000, between Smith & Wesson and the Department of the Treasury (among other parties).

H. R. 4690

Offered by: Ms. Jackson-Lee of Texas
Amendment No. 24: Page 39, after line 8, insert the following: “

H. R. 114 Section 236 of the Immigration and Nationality Act (8 U.S.C. 1356) is amended—

(1) in subsection (d), by striking “$6” and inserting “$8”; and
(2) by striking subsection (e).

H. R. 4690

Offered by: Ms. Jackson-Lee of Texas
Amendment No. 25: Page 107, after line 21, insert the following:

TITLE VIII—LEGAL AMNESTY RESTORATION ACT OF 2000

SEC. 801. (a) Section 249 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended—

(1) in the section heading, by striking “1972” and inserting “1986”; and
(2) in subsection (a), by striking “1972,” and inserting “1986”;

(b) The table of sections for such Act is amended in the item relating to section 249 by striking “1972” and inserting “1986”.

H. R. 4690

Offered by: Ms. Jackson-Lee of Texas
Amendment No. 26: Page 107, after line 21, insert the following:

TITLE VIII—CENTRAL AMERICAN AND HAITIAN ADJUSTMENT ACT

SEC. 801. (a) Section 202 of the Nicaraguan Adjustment and Central American Relief Act is amended—
(1) in the section heading, by striking "NICARAGUANS, CUBANS, SALVADORENS, GUATEMALANS, HONDURANS, AND HAITIANS" and inserting "NICARAGUANS, CUBANS, SALVADORENS, GUATEMALANS, HONDURANS, AND HAITIANS;" and

(2) in section (a)(1)(A), by striking "2000" and inserting "2003;"

(3) in subsection (b)(1), by striking "Nicaraguans, Cuba, El Salvador, Guatemala, Honduras, or Haiti"; and

(4) in subsection (d)(1)(E), by striking "2000" and inserting "2003;"

As made by this section shall be effective upon the date of enactment of this Act.

Sec. 802. An application for relief properly filed by a national of Guatemala or El Salvador under section 203 of the Nicaraguan Adjustment and Central American Relief Act which was filed on or before the date of enactment of this Act, and on which a final administrative determination has not been made, may be converted by the applicant to an application for adjustment of status under the provisions of section 202 of the Nicaraguan Adjustment and Central American Relief Act, as amended, upon the payment of any fees, and in accordance with procedures established by the Attorney General shall prescribe by regulation. The Attorney General shall not be required to refund any fees paid in connection with an application filed by a national of Guatemala or El Salvador under section 203 of the Nicaraguan Adjustment and Central American Relief Act.

Sec. 803. An application for adjustment of status properly filed by a national of Haiti under the Haitian Refugee Immigration Fairness Act of 1998 which was filed on or before the date of enactment of this Act, and on which a final administrative determination has not been made, may be considered by the Attorney General, in her unreviewable discretion, to also constitute an application for adjustment of status under the provisions of section 202 of the Nicaraguan Adjustment and Central American Relief Act, as amended.

Sec. 804. In determining under the Nicaraguan Adjustment and Central American Relief Act as amended—

(1) in subsection (a)(1)(B), by adding insertions after paragraph (1) the following: """; and

(2) in subsection (a), by redesignating paragraph (2) as paragraph (3), and by inserting after paragraph (1) the following new paragraph:

""(1) INAPPLICABILITY OF CERTAIN PROVISIONS.—In determining the eligibility of an alien described in subsections (b) or (d) for either adjustment of status under this section or other relief necessary to establish eligibility for such adjustment, the provisions of section 212(a)(5) of the Immigration and Nationality Act shall not apply. In addition, an alien who otherwise is inadmissible pursuant to sections 212(a)(9)(A) or (C) of the Immigration and Nationality Act may apply for the Attorney General’s consent to reapply for admission to the United States who was previously denied, deported, or removed, or ordered to depart voluntarily from the United States and to be admitted from foreign contiguous territory, in order to qualify for the exception to those grounds of inadmissibility set forth in sections 212(a)(9)(A)(iii) and 212(a)(9)(A)(ii) of the Immigration and Nationality Act.""

(2) in subsection (b)(A), by striking paragraph (3) as so redesignated, and inserting the following nuevos para
graphs:

(1) RELATIONSHIP OF APPLICATION TO CERTAIN ORDERS.—An alien present in the United States who has been ordered excluded, de
torted, or removed, or ordered to depart voluntarily from the United States under any provision of the Immigration and Nationality Act, may, notwithstanding such order, apply for adjustment of status under subsection (a) have been approved, provided that such fees—

(i) shall be deposited as an offsetting collection to any Department of State appropriation to recover the cost of such processing and issuance; and

(ii) shall be available until expended for the same purposes of such appropriation to support consular activities;"

(3) in subsection (g), by inserting after "resolve" the following: "an immigrant classification;" and

(4) by adding at the end the following subsection:

""(i) Admissions.—Nothing in this section shall be construed as authorizing an alien to apply for admission to, be admitted to, or otherwise lawfully return to the United States, to apply for or to pursue an application for adjustment of status under this section without the express authorization of the Attorney General.""

(5) in amendments made by subsections (a)(3), (a)(4), and (a)(8) shall be effective as if included in the enactment of the Nicaraguan and Central American Relief Act. The amendments made by subsections (a)(3), (a)(2), (a)(5), (a)(6), and (a)(7) shall be effective as of the date of enactment of this Act.

Sec. 805. A section 902 of the Haitian Refugees and Haitian Immigration Fairness Act of 1996 is amended—

(1) in subsection (a)(1)(B), by inserting, after "apply" the following: "and the Attorney General may, in his unreviewable discretion, waive the grounds of inadmissibility specified in section 212(a)(9)(A)(ii) and section 212(a)(9)(C) of the Immigration and Nationality Act, in order to qualify for the exception to those grounds of inadmissibility set forth in sections 212(a)(9)(A)(iii) and 212(a)(9)(C)(ii) of the Immigration and Nationality Act;""

(2) in subsection (b), redesignating paragraph (2) as paragraph (3) and by inserting after paragraph (1) the following new paragraph:

""(2) INAPPLICABILITY OF CERTAIN PROVISIONS.—In determining the eligibility of an alien described in subsection (b) or (d) for either adjustment of status under this section or other relief necessary to establish eligibility for such adjustment, the provisions of section 212(a)(5) of the Immigration and Nationality Act shall not apply. In addition, an alien who otherwise would be inadmissible pursuant to section 212(a)(9)(A) or (C) of the Immigration and Nationality Act may apply for the Attorney General’s consent to reapply for admission to the United States who was previously denied, deported, or removed, or ordered to depart voluntarily from the United States under any provision of the Immigration and Nationality Act, may, notwithstanding such order, apply for adjustment of status under subsection (a) have been approved, provided that such fees—

(i) shall be deposited as an offsetting collection to any Department of State appropriation to recover the cost of such processing and issuance; and

(ii) shall be available until expended for the same purposes of such appropriation to support consular activities;"

(3) in subsection (a), by striking paragraph (3) as so redesignated, and inserting the following new paragraph:

""(3) ELIGIBILITY OF CERTAIN SPOUSES AND CHILDREN FOR ISSUANCE OF IMMIGRANT VISAS.—""

(A) In accordance with regulations to be promulgated by the attorney General and the Secretary of State, upon approval of an application for adjustment of status to that of an alien lawfully admitted for permanent residence under subsection (a), an alien who is the spouse or child of such an alien may be issued a visa for permanent residence, unless he or she is applying for such relief deportation or removal proceedings;"

(5) in subsection (c), by adding at the end the following: "Nothing in this Act shall apply for adjustment of status, the Attorney General shall cancel the order;"

(4) in subsection (c)(1), by adding at the end the following: ""However, subsection (a) shall not apply to an alien lawfully admitted for permanent residence, unless he or she is applying for such relief deportation or removal proceedings;"

(B) in paragraph (1), by amending the heading to read ""ADJUSTMENT OF STATUS—""; and

(C) by striking paragraph (1) and inserting the following:

""(A) the alien entered the United States on or before the date of enactment of the Department of Justice Appropriations Act, 2001;"

(D) in paragraph (1)(B), by inserting after ""except that"" the following: ""(I) in the case of such a spouse, stepchild, or unmarried stepson or stepdaughter, the qualifying marriage was entered into before the date of enactment of the Department of Justice Appropriations Act, 2001;"" and

(E) by adding at the end the following:

""(2) ELIGIBILITY OF CERTAIN SPOUSES AND CHILDREN FOR ISSUANCE OF IMMIGRANT VISAS.—""

(A) In accordance with regulations to be promulgated by the attorney General and the Secretary of State, upon approval of an application for adjustment of status to that of an alien lawfully admitted for permanent residence under subsection (a), an alien who is the spouse or child of such an alien may be issued a visa for admission to the United States as an immigrant following to join the principal applicant, provided that the spouse or child—

(i) meets the requirements in subpara
graphs (1) and (D); and

(ii) applies for such a visa within a time period to be established by regulation.

(B) The Secretary of State may retain fees to recover the cost of immigrant visa application processing and issuance for certain spouses and children of aliens whose applications for adjustment of status under subsection (a) have been approved, provided that such fees—

(i) shall be deposited as an offsetting collection to any Department of State appropriation to recover the cost of such processing and issuance; and

(ii) shall be available until expended for the same purposes of such appropriation to support consular activities;"

(6) and (E) by adding the following:

""(F) The amendments made by this Act shall not apply. In addition, an alien who would otherwise be inadmissible pursuant to section 212(a)(9)(A) or (C) of the Immigration and Nationality Act may apply for the Attorney General’s consent to reapply for admission to the United States who was previously denied, deported, or removed, or ordered to depart voluntarily from the United States under any provision of the Immigration and Nationality Act, may, notwithstanding such order, apply for adjustment of status under subsection (a) have been approved, provided that such fees—

(i) shall be deposited as an offsetting collection to any Department of State appropriation to recover the cost of such processing and issuance; and

(ii) shall be available until expended for the same purposes of such appropriation to support consular activities;"

(7) by adding at the end the following subsection:

""(i) Admissions.—Nothing in this section shall be construed as authorizing an alien to apply for admission to, be admitted to, or otherwise lawfully return to the United States, to apply for or to pursue an application for adjustment of status under this section without the express authorization of the Attorney General.""
as a condition of submitting or granting such application, file a separate motion to reopen, consider, vacate such order. Such an alien may be required to seek a stay of such an order in accordance with subsection (c) to prevent the execution of that order pending the adjudication of the application for adjustment of status. If the Attorney General denies a stay of a final order of deportation, or removal, or if the Attorney General renders a final administrative determination to deny the application for adjustment of status, the order shall be effective and enforceable to the same extent as if the application had not been made. If the Attorney General grants the application for adjustment of status, the Attorney General shall cancel the order.

(4) by adding at the end the following: "‘‘However, subsection (a) shall not apply to an alien lawfully admitted for permanent residence, unless he or she is applying for or has been granted a stay in deportation or removal proceedings.’’;

(5) in subsection (c)(1), by adding at the end the following: ‘‘Nothing in this Act shall require the Attorney General to stay the removal of an alien who is ineligible for adjustment of status under this Act.’’;

(b) in paragraph (1), by amending the heading to read ‘‘SPouses, Children, and Unmarried Sons and Daughters.’’;

(A) by amending the subsection heading to read ‘‘Spouses, Children, and Unmarried Sons and Daughters.’’;

(B) in paragraph (1), by amending the heading to read ‘‘Spouses, Children, and Unmarried Sons and Daughters.’’;

(C) by striking paragraph (1)(A), and inserting the following new subparagraph:

‘‘(A) the alien entered the United States on or before the date of enactment of the Department of Justice Appropriations Act, 2001;’’;

(D) in paragraph (1)(B), by inserting after ‘‘except that’’ the following: ‘‘(i) in the case of such a spouse, stepchild, or unmarried stepson or stepdaughter, the qualifying marriage was entered into after the date of enactment of this Act.’’;

(E) in paragraph (1), by adding at the end the following new subparagraph:

‘‘(E) the alien applies for such adjustment before March 3, 2003;’’;

(F) by adding at the end the following new paragraph:

‘‘(3) Eligibility of Certain Spouses and Children for Issuance of Immigrant Visas.—

‘‘(A) In accordance with regulations to be promulgated by the Attorney General and the Secretary of State, upon approval of an application for adjustment of status to that of an alien lawfully admitted for permanent residence under subsection (a), an alien who is the spouse or child of the alien being granted such status may be issued a visa for admission to the United States as an immigrant following to join the principal applicant, provided that the spouse or child is—

‘‘(i) meets the requirements in subparagraphs (1) and (2); and

‘‘(ii) applies for such a visa within a period to be established by regulation.

‘‘(B) The Secretary of State may retain fees to recover the cost of immigrant visa application processing and issuance for certain spouses and children of aliens whose applications for adjustment of status under subsection (a) have been approved, provided that such fees—

‘‘(i) shall be deposited as an offsetting collection to any Department of State appropriation to recover the cost of such processing and issuance; and

‘‘(ii) shall be available until expended for the same purpose of appropriation to support consular activities.’’;

(7) in subsection (g), by inserting after ‘‘for permanent residence’’ the following: ‘‘or an immigrant classification’’;

(b) by redesignating subsections (i), (j), and (k) as (j), (k), and (l) respectively, and inserting after subsection (h) the following new subsection:

‘‘(i) Admissions.—Nothing in this section shall be construed as authorizing an alien to apply for admission to, or to be paroled into, or to be granted voluntary return to the United States, to apply for or to pursue an application for adjustment of status under this section without the express authorization of the Attorney General.’’;

(b) the amendments made by subsections (a)(3), (a)(4), and (a)(8) of this Act shall be effective as if included in the enactment of the Haitian Refugee Immigration Fairness Act of 1998. The amendments made by subsections (a)(1), (a)(2), (a)(5), (a)(6), and (a)(7) shall be effective as of the date of enactment of this Act.

Sec. 806. (a) Notwithstanding any time and numerical limitations imposed by law on motions to reopen, a national of Haiti who, on the date of enactment of this Act, has a final administrative denial of an application for adjustment of status under the Haitian Refugee Immigration Fairness Act of 1998, and is made eligible for adjustment of status under that Act by the amendments made by this title, may file one motion to reopen exclusion, deportation, or removal proceedings to have the application considered again. All such motions shall be filed within 180 days of the date of enactment of this Act. The scope of any proceeding reopened on this basis shall be limited to a determination of the alien’s eligibility for adjustment of status under the Haitian Refugee Immigration Fairness Act of 1998.

(b) Notwithstanding any time and numerical limitations imposed by law on motions to reopen, a national of Cuba or Nicaragua who, on the date of enactment of the Act, has a final administrative denial of an application for adjustment of status under the Nicaraguan Adjustment and Central American Relief Act, and who is made eligible for adjustment of status under that Act by the amendments made by this title, may file one motion to reopen exclusion, deportation, or removal proceedings to have the application considered again. All such motions shall be filed within 180 days of the date of enactment of this Act. The scope of any proceeding reopened on this basis shall be limited to a determination of the alien’s eligibility for adjustment of status under the Nicaraguan Adjustment and Central American Relief Act.

H.R. 4690

Offered By: Ms. McCarthy of Missouri

Amendment No. 28: Add at the end of the bill, before the short title, the following: TITLE VIII—PROPERTY AND SERVICES DONATIONS TO THE BUREAU OF PRISONS

PROPERTY AND SERVICES DONATIONS TO THE BUREAU OF PRISONS

SEC. 801. The Director of the Bureau of Prisons may accept donated property and services relating to the operation of the Prisons. The Program from a not-for-profit entity which has operated a program in the past, despite the fact such not-for-profit entity furnishes services under contract to the Bureau relating to the operation of prerelease services, halfway houses, or other custodial facilities.

H.R. 4690

Offered By: Mr. Obey

Amendment No. 30: Page 7, lines 10 and 12, after the dollar amount, insert the following: ‘‘(increased by $20,731,000)’’.

Page 90, lines 19 and 24, after the dollar amount, insert the following: ‘‘(increased by $29,783,000)’’.

H.R. 4690

Offered By: Mr. Obey

Amendment No. 31: Page 39, line 21, after the dollar amount, insert the following: ‘‘(increased by $1,300,000)’’.

Page 41, line 8, after the dollar amount, insert the following: ‘‘(increased by $17,700,000)’’.

Page 41, line 13, after the dollar amount, insert the following: ‘‘(increased by $6,300,000)’’.

Page 41, line 14, after the dollar amount, insert the following: ‘‘(increased by $9,900,000)’’.

Page 41, line 16, after ‘‘Service,’’ insert the following: ‘‘$1,500,000 shall be for transfer to the Department of Agriculture for trade compliance activities.’’

Page 71, line 1, after the dollar amount, insert the following: ‘‘(increased by $3,000,000)’’.

H.R. 4690

Offered By: Mr. Obey

Amendment No. 32: Page 47, line 8, after the dollar amount, insert the following: ‘‘(increased by $79,075,000)’’.

Page 47, line 12, after the dollar amount, insert the following: ‘‘(increased by $2,275,000)’’.

H.R. 4690

Offered By: Mr. Sanford

Amendment No. 33: Page 39, strike lines 14 through 19.

H.R. 4690

Offered By: Mr. Saxton

Amendment No. 34: Page 51, line 20, after the dollar amount insert ‘‘(increased by $13,277,000)’’.

Page 51, line 21, after the dollar amount insert ‘‘(reduced by $18,391,500)’’.

Page 51, line 23, after the dollar amount insert ‘‘(reduced by $17,970,500)’’.

Page 51, line 23, after the dollar amount insert ‘‘(reduced by $17,856,000)’’.

H.R. 4690

Offered By: Mr. Scott

Amendment No. 45: Page 27, line 4, after the dollar amount, insert the following: ‘‘(reduced by $10,000,000)’’.

Page 28, line 5, after the dollar amount, insert the following: ‘‘(reduced by $10,000,000)’’.

Page 32, line 14, after the dollar amount, insert the following: ‘‘(increased by $10,000,000)’’.

Page 32, line 23, after the dollar amount, insert the following: ‘‘(increased by $10,000,000)’’.

H.R. 4690

Offered By: Mr. Obey

Amendment No. 29: Page 23, line 2, after the dollar amount, insert the following: ‘‘(reduced by $1,000,000)’’.

Page 50, line 4, after the dollar amount, insert the following: ‘‘(increased by $1,000,000)’’.

H.R. 4690

Offered By: Mr. McGovern

Amendment No. 26: Page 26, line 1, after the dollar amount, insert the following: ‘‘(increased by $8,900,000)’’.

Page 51, line 10, after the dollar amount, insert the following: ‘‘(increased by $5,000,000)’’.
H.R. 4690
OFFERED BY: MR. SCOTT
AMENDMENT No. 36: Page 27, line 20, after the dollar amount, insert the following: “(increased by $60,812,500)”.
Page 28, line 5, after the dollar amount, insert the following: “(reduced by $121,625,000)”. Page 30, line 10, after the dollar amount, insert the following: “(increased by $60,812,500)”.

H.R. 4690
OFFERED BY: MR. STEARNS
AMENDMENT No. 37: At the end of the bill, insert after the last section (preceding the short title) the following new title:

TITLE VIII—LIMITATIONS
SEC. 801. Of the funds appropriated in this Act under the heading “FEDERAL COMMUNICATIONS COMMISSION”, not more than $640,000 shall be available for the Office of Media Relations of the Federal Communications Commission.

H.R. 4690
OFFERED BY: MR. TALENT
AMENDMENT No. 39: In title V, in the item relating to “SMALL BUSINESS ADMINISTRATION—SALARIES AND EXPENSES”, before the period at the end, insert the following: “Provided further, That, of the funds made available under this heading, $4,000,000 shall be for the National Veterans Business Development Corporation established under section 33(a) of the Small Business Act (15 U.S.C. 637c)”.

H.R. 4690
OFFERED BY: MR. TERRY
AMENDMENT No. 40: Page 20, line 8, after the dollar amount, insert the following: “(reduced by $1,000,000)”.
Page 20, line 23, after the dollar amount, insert the following: “(reduced by $1,000,000)”.
Page 22, line 16, after the dollar amount, insert the following: “(increased by $471,000)”.

H.R. 4690
OFFERED BY: MR. UPTON
AMENDMENT No. 42: Page 27, line 4, after the dollar amount, insert the following: “(reduced by $8,500,000)”.
Page 28, line 18, after the dollar amount, insert the following: “(reduced by $8,500,000)”.
Page 31, line 15, after the dollar amount, insert the following: “(increased by $8,500,000)”.

H.R. 4690
OFFERED BY: MR. WU
AMENDMENT No. 43: Page 19, line 2, after the dollar amount, insert “(reduced by $8,200,000)”.
Page 43, line 24, after the dollar amount, insert “(increased by $1,200,000)”.
Page 51, line 3, after the dollar amount, insert “(increased by $7,000,000)”.
Page 51, line 16, after the dollar amount, insert “(increased by $7,000,000)”.
Page 51, line 17, after the dollar amount, insert “(increased by $7,000,000)”.
Page 51, line 21, after the dollar amount, insert “(increased by $7,000,000)”. 

CONGRESSIONAL RECORD—HOUSE 11841
CONGRESSIONAL GOLD MEDAL TO ASTRONAUTS NEIL A. ARMSTRONG, BUZZ ALDRIN, AND MICHAEL COLLINS

SPEECH OF HON. BENJAMIN A. GILMAN OF NEW YORK IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 20, 2000

Mr. GILMAN. Mr. Speaker, I rise today in support of H.R. 2815, authorizing a Congressional Gold Medal to astronauts and national heroes Neil A. Armstrong, Buzz Aldrin, and Michael Collins, in recognition of their monumental and unprecedented feat of space exploration, as well as for their achievements in the advancement of science and promotion of the space program.

The Apollo program was designed to land humans on the Moon and bring them safely back to Earth. Since the mission achieved this goal, but Apollo 11 was the first and with this amazing feat accomplished, three men became national heroes to millions of Americans.

These three men set out on their historic voyage on July 16, 1969 at 9:32 a.m. from the Kennedy Space Center in Cape Canaveral, Florida powered by the mighty Saturn V rocket. Their spacecraft reached lunar orbit 76 hours later and after a rest period, Armstrong and Aldrin entered the Lunar Module and prepared for the descent to the moon’s surface. On July 20, 1969 at 4:18 pm, their small craft touched down at what has become known as the Sea of Tranquility. After eating their first meal on the moon, Armstrong and Aldrin began their surface operations earlier than planned.

At 10:56 pm millions around the world were glued to their television sets as a live television feed provided the first images from the moon’s surface as Neil Armstrong uttered those now famous words, “That’s one small step for man, one giant leap for mankind.” Minutes later Buzz Aldrin joined him on the surface and they began their task of collecting 47 pounds of lunar surface material which would return to earth for analysis. Two and a half hours later, the crew returned to the Lunar Module and prepared to dock with the Service and Command modules.

While Armstrong and Aldrin were on the moon’s surface, Michael Collins was responsible for providing critical assistance to his fellow astronauts by piloting the Command Module ‘Columbia’ in the moon’s orbit and communicating with Earth, thereby allowing his fellow Apollo 11 astronauts to successfully complete their mission on the surface of the Moon. In addition, he was responsible for helping the Lunar Module dock after the lunar surface mission had been completed.

Apollo 11 splashed down on July 24, 1969 at 12:50 pm in the Pacific Ocean and the mission was declared a success as the mission went beyond landing Americans on the Moon and returning them safely to Earth by: establishing the technology to meet other national interests in space; achieving preeminence in space for the United States; carrying out a program of scientific exploration of the Moon; and developing man’s capability to work in the lunar environment.

Upon their return to earth, these men became instant national heroes as they became the first men to land on the moon. Apollo 11 once again sparked the interest and wonder of all Americans regarding the space program, which would carry on through to the birth of the Shuttle program in the 1970s and which still exists today.

Mr. Speaker, I urge my colleagues to do the same.

CONNECTICUT NATIONAL GUARD MARKS 50TH ANNIVERSARY OF ACTIVATION IN KOREAN WAR

HON. JOHN B. LARSON OF CONNECTICUT IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 21, 2000

Mr. LARSON. Mr. Speaker, today I mark a very significant anniversary in the history of the Connecticut National Guard. Fifty years ago this week, the Connecticut National Guard’s Company K, 169th Infantry Regiment, 43d Division was called into active duty for service in the Korean war.

On June 25, 1950, Communist-supported North Korea invaded South Korea by crossing the 38th Parallel. That same day President Harry S. Truman began the activation of the National Guard. It was only a few short months after Truman’s activation that Connecticut’s National Guard received its official orders from the United States Army. On September 5, 1950, at 7:15 a.m., Company K, based in the Middlesex County, reported for the Colorado Attorney General’s Office. She is a former co-chair of the Denver Domestic Violence Task Force, a member of the Colorado Coalition for Elder Rights and Adult Protection, the International Women’s Rights Action Watch and has been a member of the SafeHouse Denver Advocacy Committee since 1994.

Betty Wytias is an Assistant Attorney General and has been instrumental in the formulation of the domestic violence prevention agenda for the Colorado Attorney General’s Office. Her primary focus is child abuse and neglect cases and she sits on the Department of Human Services’ statewide child fatality review team.

Recently, Ms. Wytias was honored by SafeHouse Denver with the Carolyn Hamilton-Henderson Memorial Award which is given to individuals who have provided inspiration and leadership in efforts to end domestic violence in our community. She knows the pain of family violence and is an outspoken, determined and compassionate advocate on issues related to domestic abuse. In her own words, “The issue of family violence is so widespread and the abused are still so isolated. People don’t understand that . . . I have a voice and intend to use it.”
Please join me in commending Betty Wytias for her courage, dedication and invaluable service to our community. It is the strong leadership she exhibits daily that continually enhances our lives and builds a better future for all Americans.

HONORING THE LATE JOHN GARDINER

HON. SAM FARR
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 21, 2000

Mr. FARR of California. Mr. Speaker, it isn’t often that the world is graced with individuals who change the lives of others around them. However, Mr. John Gardiner’s compassion for the sport of tennis transcended the tennis community and touched the lives of others around him. Gardiner’s love for the sport propelled him to build a first-of-its kind tennis ranch in Carmel Valley. This love and devotion for the sport will forever keep Jack Gardiner’s memory alive for all.

John Gardiner’s love first developed as a child in Philadelphia, where he would often play at the municipal tennis courts. His love was further developed once he moved to Monterey Peninsula. As a teacher and football coach at Monterey High, he led the Toreadores to victory in 1948 in an undefeated season in 27 years. Former student, Dan Albert recalls, “Something special happened with that team and John Gardiner was the cause of that something special with that group of young men.” Later, Gardiner’s tennis resort would become most noted for offering clinics for adults and a tennis camp for children.

I too have witnessed the, “something special” that Dan Albert spoke of. My first job was as a lifeguard at John Gardiner’s Tennis Ranch with a pay of 59 cents an hour. Mr. Gardiner would often joke with me and reply with, “It’s the last honest job you’ve had.” Without a doubt, John Gardiner has touched lives and made a difference in mine. In addition to his efforts with youth, Gardiner also exercised an equal compassion with his philanthropic nature. Gardiner established an annual Seniors Cup Tournament, where 52 U.S. senators played tennis to raise money for charity. Through the course of 20 years, the tournament raised $4 million that was used to build a hospice in Scottsdale, Arizona, which was named in memory of Barbara Gardiner who died of cancer.

Mr. Speaker, although Mr. John Gardiner may be gone, his spirit will live on with the love of tennis that he inspired in others as well. Mr. Gardiner is survived by his wife of 20 years, Monique Gardiner; two sons, John C. Gardiner, Jr and Thomas Gardiner; his two daughters, Tricia McKnight and Tenise Kyger; and eight grandchildren. Mr. Speaker, I ask you and the other distinguished members to acknowledge the impact that Mr. John Gardiner has left on this world.

HONORING MAYNARD HESSELBARTH—A DEDICATED MAN HELPING PEOPLE LEARN TO READ

HON. SCOTT McINNIS
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 21, 2000

Mr. McINNIS Mr. Speaker, I would like to take this moment to honor Maynard Hesselbarth from Grand Junction, Colorado for receiving the Outstanding Tutor Award as presented by Laubach Literacy International. Maynard was selected from an applicant pool of nearly 1,000 tutors. Maynard is a volunteer tutor for the Mesa County Public Library District’s Adult Reading Program and has been a driving force behind the library’s mission to teach illiterate adults to read. I am encouraged by his determination and willingness to help others and would like to take this opportunity to honor him.

Maynard’s giving heart and gentle spirit have helped contribute to the organization’s 50,000 success stories since its inception in 1987. Maynard has been instrumental in helping teach adults to read for over a decade and remains animated in his passion for his part-time job. He says that he’s reminded about the rewards of his job every time he sees the joy that comes to a student’s face when they finally grasp the words in front of them.

Perhaps Maynard’s most heart-warming success story occurred when he helped a 65-year-old learn to read a letter that his family had written to him. The gentleman was discouraged because he didn’t know how his family was doing, and most of all, he couldn’t communicate with them in the slightest, to the point he couldn’t even write the word hello. After enrolling in the Mesa County Public Library’s literacy program, Maynard taught the individual how to read and write and is still working to teach the elderly gentleman the finer points of written language.

It is with this, Mr. Speaker, that I honor Maynard Hesselbarth for his hard work and dedication to adult literacy in Grand Junction. His formidable efforts deserve the praise and admiration of us all. His service to his community, and to those less fortunate, is something that we all should seek to emulate. We are proud of you, Maynard.

TRIBUTE TO RICHARD BIGOS

HON. WILLIAM D. DELAHUNT
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 21, 2000

Mr. DELAHUNT. Mr. Speaker, the formality of a posthumous tribute conjures up the image of Dick Bigos enjoying a big belly laugh. In the time it takes to write this, he would have launched a political candidate, confirmed a federal grant, arranged a human services roundtable—and taken in a Jerry Springer rerun. You can almost imagine him, with a half-smile, shaking his head at all of us trying to make sense of his death.

An encounter with Dick could take many forms, but could never be a passive experience. His antennae were always up; he was always crunching the numbers—but never for personal profit. Dick was a good man committed with our capacity and obligation to do better as a community. Day in and day out, year after year, he summoned the determination and tools to elevate our collective humanity.

Dick was a shrewd and entirely selfless voice for those outside the corridors of power. If he didn’t win you over with street smarts, he’d regale you with a gallows humor that left you laughing so hard you’d beg him to quit. His passion for justice was so contagious because he instinctively understood the needs of others—and then took on their causes, large or small, with unparalleled passion and tenacity.

To the tasks at hand, he brought neither fame nor wealth. From his work, he sought only results to benefit others. Occasionally, he might indulge himself some satisfaction on a well-waged campaign, on a particularly clever strategy. In the end, however, he kept his eye on the prize—food, clothing, shelter, health care and respect for those who needed it most.

Politics can be a tough business, especially if you enter it without official position or sanction. Dick rose to that challenge with clarity and confidence. Once each objective was defined, it was only a matter of time until the obstacles fell aside. Hurdles were leaped, rivers crossed, mountains climbed, walls shattered, alliances forged—whatever it took, Dick worked with or around the system on behalf of children, the hungry, the disabled, the home-less in our midst.

In the process, Dick engaged Senators and sanitation workers, abused women and hospital administrators. He did not always endear himself to others. He could inspire, motivate, cajole—and sometimes irritate. But even those who brushed across this roughness came eventually to see the other side of Richard Bigos.

Some of Dick’s greatest admirers are those who first encountered him in the heat of battle. He could be a prickly combatant. But he also had respect for an able opponent—and with it a big heart and enormously generous spirit. When a former adversary found himself in personal crisis, the first and most discrete phone call was likely to be from Dick.

Dick was not one for idle sentimentalism. So in his name, let’s cut to the chase. The only way to genuinely honor his memory is to draw on his decency and drive as we greet each other and each day. Dick taught us by example that commitment and courage are renewable entities—that the demands of one campaign only illuminate the rationale for others. As time dries our own tears, the lasting measure of our loyalty to Dick will be how widely we open our eyes and hearts to the human condition which was his life’s mission.
RECOGNITION OF THE 50TH ANNIVERSARY OF THE BLUE WATER MENTAL HEALTH CLINIC

HON. DAVID E. BONIOR
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 21, 2000

Mr. BONIOR. Mr. Speaker, today I rise to recognize the 50th anniversary of the Blue Water Mental Health Clinic. For the last half a century, the residents of St. Clair County have been well served by the area’s most professional social workers and psychologists. The Blue Water Mental Health Clinic has provided outpatient care to assist tens of thousands of adults, children and families in dealing with the emotional issues and difficulties of substance abuse.

Reputation is key to the success of any medical facility. Whether it is a hospital, a surgical center, or a clinic, one always seeks the best possible care based on what they have read and heard. The Blue Water Mental Health Clinic has been a respected top notch facility for as long as it has been in operation. They have a tradition of assembling a strong and diverse Board of Directors representing the best of the Blue Water area.

I would like to salute all those who have been associated with building and maintaining the quality service and reputation of the Blue Water Mental Health Clinic as it begins its fifty-first year of offering the best available care to our citizens and neighborhoods. From their preventative educational programs to their operation of Big Brothers Big Sisters of St. Clair County, the Clinic has always reached out to the community and help make it a better place to live, work and raise a family. I am proud to have such a cooperative, community-oriented institution serving us, and wish them many more years of inspired leadership and quality care.

HONORING STAFF SERGEANT RUDOLPH B. DAVILA
HON. RON PACKARD
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 21, 2000

Mr. PACKARD. Mr. Speaker, I would like to take this opportunity to honor Staff Sergeant Rudolph B. Davila of the United States Army from my congressional district in California. Staff Sergeant Davila was awarded The Congressional Medal of Honor today for extraordinary heroism in action on May 28, 1944 near Artena, Italy.

During an offensive which broke through the German mountain strongholds surrounding the Anzio beachhead, Staff Sergeant Davila risked death to provide heavy weapons support for a rifle company that was under attack. After being painfully wounded in the leg, he dashed to a burned tank and continued to engage a desperate enemy force from the tank’s turret. Staff Sergeant Davila managed to provide the desperately-needed heavy weapons support and silenced four machine gunners, forcing the enemy to abandon their prepared positions.

Mr. Speaker, I applaud Staff Sergeant Davila’s bravery, and thank him for fighting to preserve our freedom. Staff Sergeant Davila’s extraordinary heroism and devotion to duty are in keeping with the highest traditions of military service and bring great honor to himself and his country.

Tribute to Doug Rand
HON. SAM FARR
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 21, 2000

Mr. FARR of California. Mr. Speaker, today I am pleased to honor the spirit and dedication of a man whose life was committed to world peace and community empowerment. Doug Rand will be remembered as a determined, compassionate, and inspirational man who was committed to the fight for social justice. On March 5, 2000, Doug Rand passed away at the age of 45.

As a longtime member of the Resource Center for Nonviolence staff, friends recall the activist as persistent, yet that being his “greatest strength”. Through his efforts at the Center, Rand’s most noteworthy accomplishment came with the installation of the “Collateral Damage” statue. The controversial statue was dedicated in 1995, on the eve of the bombing on Hiroshima. The statue symbolizes the human cost of war. Rand’s commitment to this project and others like it led him to further acclaim as a political minister.

Friends of Doug Rand quietly gathered after the death, yet this day would be committed to celebrating the accomplishments of Rand in his life. Rand is survived by his wife, Mathilda, loving friends and an aware community. At this time, Mr. Speaker, I ask you and our colleagues to reflect on the role that Mr. Doug Rand has had in his political journey for enlightenment and discovery for us all.

TRIBUTE TO WALTER F. “BUS” BERGMAN HONORING HIM ON HIS 80TH BIRTHDAY
HON. SCOTT McINNIS
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 21, 2000

Mr. McINNIS. Mr. Speaker, it is a privilege and an honor to have this opportunity to pay tribute to one of Colorado’s most distinguished citizens and favorite sons, Mr. Walter F. “Bus” Bergman, as he celebrates his 80th birthday. Bus has been the embodiment of service, success and sacrifice during his remarkably accomplished life. He clearly deserves the praise and recognition of this body as he, his friends and family celebrate his 80th birthday.

If ever there were a person who embodied the spirit and values that make Colorado great, it is Bus Bergman. Born in Denver on June 11, 1920, Bus’ athletic credentials are truly unsurpassed. As a basketball star, Bus attended North High School. Bus was a three sport star who propelled each of his respective teams to greatness. In fact, Bergman made the winning basket to clinch North’s first state basketball championship.

Following a prodigious high school career, Bus went on to excel as a student-athlete at Colorado A&M, where he earned 10 varsity letters in three sports. Beyond athletics, Bus excelled both academically and in an array of extra-curricular pursuits. He was the sophomore class president, a four year member of the student council, a four year member of Sigma Pi Fraternal and was named to the select list of Who’s Who in American Colleges and Universities.

Although Bus had a range of professional athletic opportunities at his disposal after his great college career—including an offer from the Philadelphia Eagles—he chose instead to commit himself to the great cause of freedom through his service in the Korean War and the Vietnam War. In particular, he took up the case of Eric Larsen, a Marine who refused duty during the Vietnam War. Rand later approached Eric Larsen, a Marine who refused duty during the Vietnam War.

As a school boy at Denver’s Ralston Valley High School, Mr. Doug Rand was inspired by the spirit and values that make Colorado great. As he celebrates his 80th birthday, Mr. Speaker, I ask you and our colleagues to reflect on the role that Mr. Doug Rand has had in his political journey for enlightenment and discovery for us all.
INTRODUCTION OF THE SOCIAL SECURITY PROTECTION, PRESERVATION, AND REFORM COMMISSION ACT OF 2000

HON. JIM SAXTON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 21, 2000

Mr. SAXTON. Mr. Speaker, I rise today to announce the introduction of my bill in the House that puts partisan politics aside and ensures Social Security is preserved for our seniors today and in the future.

We've all heard about the economic outlook for the Social Security program. We must be concerned. By 2037, the trust funds of the Social Security program will be depleted, jeopardizing the retirement security of future retirees.

And while 2037 sounds far away, it will be here before we know it. With each passing session in Congress, the opportunity to work towards a meaningful solution to the financial woes of our nation's retirement program slips through our fingers.

Political rhetoric has worked its way into the debate over preserving Social Security. The time has come to separate politics from the substance of this important debate. We must put the financial security of our nation's retirees first, instead of allowing politics between our two parties to get in the way. Working together to protect Social Security will be essential. If we are to find a sensible solution to preserving the future of the most critical pillar of retirement security.

This bill outlines objectives for comprehensive reform of the Social Security system and establishes a bipartisan Congressional Commission to develop a reform plan consistent with those objectives.

Specifically, this legislation sets forth six broad objectives for Social Security reform, including: (1) The beneficiaries must receive the benefits to which they are entitled based on a fair and equitable reform of the system, (2) long-term solvency of the system must be guaranteed for at least 75 years, (3) every generation and concentrate on what matters most: safeguarding Social Security for our nation's retirees. With this plan, we can work together and concentrate on what's best for the millions of Americans who depend on our nation's retirement system.

Retirees don't need political rhetoric; they need a Social Security system they can depend on. For this reason, I am honored that Representatives NEIL ABERCROMBIE (D–HI) and MARK SANFORD (R–SC) have joined me in supporting this legislation. Together, we can work in a bipartisan fashion and find a sensible solution to the financial problems of the Social Security program once and for all.

HONORING VERONICA MACKENZIE FOR OUTSTANDING SERVICE ON THE OCCASION OF HER RETIREMENT

HON. ROSA L. DeLAURO
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 21, 2000

Ms. DeLAURO. Mr. Speaker, it is with great pleasure that I rise today to join Area Cooperative Educational Services (ACES) in paying tribute to Veronica MacKenzie as she celebrates her retirement. For over three decades, Veronica has dedicated herself to ensuring that the special needs children of the Greater New Haven area have access to a quality education.

I have often spoken of our nation's need for talented, creative, enthusiastic teachers who are ready to help our children learn and grow. Veronica is just that kind of educator. Through her career, she has touched the lives of thousands of young people. Veronica's career began as a special education teacher at Jerome Harrison in North Branford, Connecticut.

Over for over two decades, Veronica has worked at ACES, an exceptional organization which has strived to meet the challenges of special needs students. As the Coordinator of the Academy since 1990, Veronica has been instrumental in creating a supportive environment where children with disabilities can realize their potential and build a strong foundation for their future success.

Before the U.S. Supreme Court acted to protect their basic freedoms, hundreds of thousands of disabled children received no formal education at all because they were deemed unable to learn. We should never go back to a time when the potential of so many bright young people, with so much to offer, was squandered due to lack of understanding. Veronica has been an unparalleled advocate for these children—giving them a strong voice and the opportunity to learn and thrive. With thirty-two years in special education, Veronica is a true model, not only to her students, but to us all.

I have always held a deep respect and tremendous admiration for our nation's educators. The commitment and dedication that Veronica has demonstrated is remarkable and I applaud her many contributions to our community. I am proud to stand today to join with the friends, family, and colleagues who have gathered this evening to recognize her outstanding accomplishments and to celebrate her retirement.

Veronica has indeed become an irreplaceable member of our community. I would like to express my sincere thanks and appreciation for her many years of service to the children of our community, as well as my best wishes for continued health and happiness.

TRIBUTE TO VIDLER’S 5 & 10

HON. JACK QUINN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 21, 2000

Mr. QUINN. Mr. Speaker, I am honored to rise today to pay tribute and officially recognize the Seventieth Anniversary of the Vidler’s 5 & 10 store in historic East Aurora, which I’m proud to say is part of the Thirtieth Congressional District of the State of New York.

On June 21, 1930, Mr. Robert S. Vidler opened his store on Main Street in East Aurora, in the midst of the Great Depression. Despite those humble beginnings, Vidler’s has become a landmark in the quaint village of East Aurora, and is yet another fine example of the proud tradition and heritage of our Western New York community.

Throughout the past seventy years, this terrific store has served as a shining example of the small-town family businesses that our nation was founded upon.

Currently owned and operated by Mr. Vidler’s two sons, Ed and Bob. Not only has this great store survived these many years, it has prospered. Today’s Vidler’s is about ten times as big as the original, and continues to thrive in this vibrant community.

The store occupies four connected, vintage 1890 buildings on two levels. It offers an eclectic blend of merchandise that ranges from the nostalgic to the very latest. It’s famous red and white awning is a common stop for area tourists seeking a shopping experience like none other. Vidler’s has served as a shining example of the many “five and dime” stores across the country.

As Members of Congress, we pause to honor and recognize those family businesses whose proud history of dedicated service and commitment have helped to strengthen our communities. I’m pleased to include this fine business as among our very best.

Mr. Speaker, today I join with the Village of East Aurora, the Vidler Family, and indeed, our entire Western New York community in
special recognition and commendation of the Vidler’s 5 & 10 Store on this historic Anniver-
sary. We all wish them continued success and prosperity.

RURAL LETTER CARRIERS

HON. E. CLAY SHAW, JR.
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 21, 2000

Mr. SHAW. Mr. Speaker, the U.S. Postal Service links together cities and towns, large and small, across America through delivery of the mail. Since our nation’s founding, mail de-

livery has been especially important to rural America, places that were at first a long walk away, then a long horse ride, and even for years a long automobile ride from the nearest downtown of a major city. The Internet today has helped reduce the distance between cit-

ties, and even countries, but mail delivery con-
tinues to be an important function for all Amer-

cicans.

Most Americans, probably, are unaware that for decades rural letter carriers have used their own transportation to deliver the mail. This includes rural letter carriers who today drive their own vehicles in good weather and bad, in all seasons, in locations that can range from a canyon bottom to mountain top, ocean view to bayou. Rural letter carriers drive over 3 million miles daily and serve 24 million American families on over 66,000 rural and suburban routes. The mission of rural letter carriers has changed little over the years, but the type of mail they deliver has changed sub-

stantially—increasing to over 200 billion pieces a year. And although everyone seems to be communicating by email these days, the Post-

al Service is delivering more letters than at any time in our nation’s history. During the next decade, however, we know that will change.

Electronic communication is expected to ac-
celerate even faster than it has in the last five years. Some of what Americans send by mail today will be sent online. According to the General Accounting Office [GAO], that will in-

clude many bills and payments. In its study, U.S. Postal Service: Challenges to Sustaining Performance Improvements Remain Formi-
dable on the Brink of the 21st Century, dated October 21, 1999, the GAO reports that the Postal Service’s core business—letter mail—

decline substantially. As a result, the revenue the Postal Service collects from deliv-
ering First-Class letters also will decline.

While the Internet will eventually reduce the amount of letter mail rural letter carriers del-

iver, the Internet will present some new op-

portunities for delivering parcels. Rural letter carriers have for decades delivered the pack-

ages we order from catalogs, and now they deliver dozens of parcels every week that were ordered online. For some rural and sub-

urban Americans the Postal Service still re-
mains the only delivery service of choice. Today, the Postal Service has about 33 per-

cent of the parcel business. However, if the Postal Service is as successful as it hopes in attracting more parcels, that could create a problem for rural carriers. Most items ordered

by mail are shipped in boxes that, once filled with packing materials, can be bulky—so bulky, in fact, that many rural letter carriers al-

ready see the need for larger delivery vehi-
cles.

In exchange for using their own vehicles, rural letter carriers are reimbursed for their ve-

cicle expense by the Postal Service through the Equipment Maintenance Allowance [EMA]. Congress recognized this unique situation in tax legislation as far back as 1988. That year Congress intended to exempt EMA from tax-

ation through a specific provision for rural let-
ter carriers in the Technical and Miscellaneous Revenue Act of 1988 [TAMRA]. This provision allowed rural mail carriers to compute their ve-

cicle expense deduction based on 150 percent of the standard mileage rate for their business mileage use. Congress passed this law be-

cause using a personal vehicle to deliver the U.S. Mail is not typical vehicle use. Also, these vehicles have little value because of their high mileage and most are outfitted for right-handed driving.

As an alternative, rural letter carrier tax-

payers could elect to use the actual expense method (business portion of actual operation and maintenance costs plus deprecia-
tion). If the EMA exceeded the actual vehicle expense deductions, the excess was subject to tax. If EMA fell short of the actual vehicle expenses, a deduction was allowed only to the extent that the sum of the shortfall and all other miscellaneous itemized deductions ex-

ceeded two percent of the taxpayer’s adjusted gross income.

The Taxpayers Relief Act [TRA] of 1997 fur-

ther simplified the taxation of rural letter car-

riers. TRA provides that the EMA reimburse-
ment is not reported as taxable income. That

simplified taxes for approximately 120,000 tax-

payers, but the provision eliminated the option of filing the actual expense method for em-

ployee business vehicle expenses. The lack of this option, combined with the effect the Inter-

net will have on rural delivery, specifically on rural letter carriers and their vehicles, is a prob-

lem we must address.

Expecting its carriers to deliver more pack-

ages because of the Internet, the Postal Serv-

ice already is encouraging rural letter carriers to purchase larger right-hand drive vehicles, such as sports utility vehicles (SUV). Large SUVs can carry more parcels, but also are much more expensive to operate than tradi-

tional vehicles—especially with today’s higher gasoline prices. So without the ability to use the actual expense method and depreciation, rural carriers must use their pay to cover vehi-

cle expenses. Additionally, the Postal Service has placed 11,000 postal vehicles on rural routes, which means those carriers receive no

EMA.

All these changes combined have created a situation contrary to the historical congress-

ional intent of using reimbursement to fund the government service of delivering mail, and also has created an inequitable tax situation for rural letter carriers. If actual business ex-

penses exceed the EMA, a deduction for those expenses should be allowed. I believe we must correct this inequity, and so I am in-

troducing a bill that would reinstate the deduc-
tion for a rural letter carrier to claim the actual cost of the business use of a vehicle in excess

of the EMA reimbursement as a miscellaneous itemized deduction.

In the next few years, more and more Amer-

icans will use the Internet to get their news and information, and perhaps one day to re-

ceive and pay their bills. But mail and parcel delivery by the United States Postal Service will remain a necessity for all Americans—es-

pecially those in rural and suburban parts of the nation. Therefore, I encourage my col-

leagues to support this bill and ensure fair tax-

ation for rural letter carriers.

CONFERENCE ON THE ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT

HON. JOHN D. DINGELL
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 21, 2000

Mr. DINGELL. Mr. Speaker, as Ranking Member of the Committee on Commerce, and senior House Democrat coconfer on the conference committee to resolve matters be-

 tween S. 761, the Electronic Signatures in Global and National Commerce Act, and the amendments of the House to the bill, I rise to clarify a matter involving the legislative history of this legislation. My remarks are an exten-

sion of remarks that I made during House con-

sideration of the conference report to accom-

pany S. 761 (June 14, 2000, CONGRESSIONAL RECORD at H4357-H4359). Mr. MARKEY, the other House Democrat coconfer on this mat-

ter, has authorized me to indicate that he con-

curs in these remarks.

Rule XXII, clause 7(d) of the Rules of the House provide that each conference report must be accompanied by a joint explanatory statement prepared jointly by the managers on the part of the House and the managers on the part of the Senate, and further that the joint explanatory statement shall be sufficiently detailed and explicit to inform the House of the effects of the report on the matters committed to conference. This is pivotal in guiding af-

ected parties and the courts in interpreting the laws that we enact.

Late in the conference negotiations, we re-

luctantly agreed to a request from the staff of the chairman of the conference committee that we expedite filing and consideration of the conference agreement by not extending the negotiations to include drafting and reaching agreement on a statement of managers. Ac-

cordingly, the conference report did not and does not include the required joint explanatory statement of managers. It only contains the agreed-upon legislative language. The rule by which the conference report was considered by the House waived any point of order re-

garding this deficiency.

Given this chain of events and what we thought was a binding gentlemen’s agreement, I was dismayed to discover that material had been inserted in both the House and Senate debate (June 14, 2000, CONGRESSIONAL RECORD at H4352-H4357 as an extension of Representative B U L L E Y ’s floor remarks and June 16, 2000, CONGRESSIONAL RECORD at S5283–S5288 as an extension of Senator A B R A H A M ’s remarks) in the fortinet of ajoint
statement of managers. Our Senate Demo-
cratic colleagues also have expressed con-
cerns with this language (June 15, 2000, CON-
GRESSESSIONAL RECORD at S5216, 1st para.,
last para. and carry over on S. 5217 remarks of Senator WYDEN and at S5220, 1st column,
3rd para. remarks of Senator LEAHY).

While I respect the right of the distinguished
Chairman of the conference committee and
others to have an opinion on such matters and
to express them in the RECORD, I want to clar-
ify that this material is not the statement of
managers for the conference agreement, not-
withstanding its format. Both Mr. BILEY and Senator ABRAHAM indicated in their remarks
that the explanatory document had been prepar-
ed by them and expressed their views, and it
should be taken as such. In several in-
stances, their guidance does not reflect the in-
tent or understanding of all the members of
the conference. A number of their statements
are simple, not correct, and some of their views conflict with the very words of the stat-
tute. There is insufficient time to consult with
the other conferees and prepare a joint point-
by-point discussion of each of the statements
the Chairman and Senator ABRAHAM made
to disagree with. Without prejudice, there are a few things that I would like to have more clearly reflected in the record.

While agencies should seek to take advan-
tage of the benefits that electronic records offer, they also have the obligation to see that their programs are properly carried out and that they will be able to enforce the law and protect the public, to help avoid waste, fraud and abuse in those programs, and to see that the taxpayer funds in their care are not squan-
dered. In some circumstances, the bill gives agencies authority to set standards or formats; in doing so, they may decide in some cases not to adopt an electronic process at all for fil-
ings if they determine (consistent with the
Government Paperwork Elimination Act), after
careful consideration, that this alternative is not practicable.

For example, section 104(a) preserves the
authority of federal regulatory agencies, self-
regulatory organizations, and state regulatory
agencies to set standards and formats for the
filling of records with such agencies or organi-
zations. The authority contained in section
104(a) is not subject to the limitation set forth
in section 104(b) or other limitations contained in the Act. The preservation of agency author-
ity contained in section 104(a) is subject only
to the requirements of the Government Paper-
work Elimination Act.

Agency guidance to promote electronic fil-
ings may set standards and formats for such fil-
ings as they deem appropriate. Standards and
formats for electronic filings may be appro-
priate, for example, to ensure the integrity of
electronic filings from security breaches by
computer hackers. Likewise, agencies may set
standards and formats for filings to promote
uniform filing systems that will be accessible
to regulators and the public alike, and to ad-
vance the agencies’ statutory mission.

Section 104(b) allows agencies to adopt regulations and guidance concerning the
implementation of the legislation, subject to stand-
ards set forth in section 104(b). Section 104(b)
contains criteria for agencies to use, but be-
cause of the vast numbers of transactions that
agencies regulate, agencies must necessarily
have appropriate discretion to apply those cri-
teria to determine when to require perform-
ce standards or, in some limited cir-
cumstances (in a manner consistent with the
this bill and the Government Paperwork Elimi-
ation Act), paper records.

Having recognized in Section 101(d) the im-
portance of accuracy and accessibility in elec-
tronic records, Section 104(b)(3)(A) recognizes
the ability of federal regulatory agencies to
provide for such standards. Section
104(b)(3)(A) gives federal regulatory agencies
the flexibility to specify performance standards
to assure accuracy, record integrity, and ac-
cessibility of records that are required to be
retained. Quite often, standards that require
electronic records be preserved in a non-
rewritable or non-erasable manner are crucial
to an important government objective.

Although agencies should seek to imple-
date that the two bills do overlap, this bill is
crafted to allow agencies the flexibility to com-
ply with the existing standards set forth in
GPEA.

Finally, I would like to raise an important
law-enforcement issue. Senator ABRAHAM’s
“guidance” states that “if a customer enters
an electronic contract which was capable of
being retained or reproduced, but the cus-
tomer chooses to use a device such as a
Palm Pilot or cellular phone that does not
have a printer or a disk drive, allowing the cus-
tomer to make a copy of the contract at that
particular time, this section is not invoked.”
(June 16, 2000, CONGREGSSIONAL RECORD at
S5284, 3rd column, last para.)

Section 101(e) addresses more than the ap-
pliances of the statute of frauds to contracts
entered into electronically. Section 101(e)
provides that the legal effect of an electronic
record may be denied if it is not in a form ca-
pable of being retained and accurately repro-
duced. As a threshold matter, businesses cre-
ate the electronic systems being used by the
consumer. Those designing and implementing
these systems are obligated to ensure that
electronic records are accurate, and in a form
capable of being retained. Notably, the bill
clearly applies to businesses that are obligated
to maintain contracts for examination by govern-
ment regulators (and, if necessary, for enforce-
ment action). The fact that a consumer uses particular tech-
nology that does not immediately produce an
VETERANS TRAVEL FAIRNESS ACT

HON. BART STUPAK
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 21, 2000

Mr. STUPAK. Mr. Speaker, a major issue of concern for veterans and their families in rural areas all around this nation is the long distances they must travel to receive medical care at the VA hospitals. The current VA reimbursement rate for privately owned motor vehicle use is unreasonable and presents a real hardship for many rural veterans, some of whom must travel hundreds of miles to receive care. The issue is especially important now, because of the high price of gasoline.

As many of us know, the cost of driving and maintaining a motor vehicle is significant. The travel reimbursement rate developed for Federal employees reflects these costs. This rate is the established Internal Revenue Service rate, the same, fair rate that we are allowed to claim on our income taxes. Currently, the Veterans Affairs travel reimbursement rate is only 11 cents per mile, compared to a rate of 32.5 cents per mile used by Federal employees and the IRS.

Why should a veteran driving 100 miles across the state for medical care be reimbursed only $11.00, when a Federal employee gets $32.50 for going the same distance to a meeting in his own car? In fact, Department of Veterans Affairs employees themselves get reimbursed at the higher rate, while the clients they serve are expected to travel at a fraction of the cost. It simply does not make sense for Federal managers required under the Rules to review and reach agreement on the statement of managers required under the Rules. This short-cut has proven to be a dangerous and unacceptable alternative.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 22, 2000 may be found in the Daily Digest of today’s RECORD.

MEETINGS SCHEDULED

JUNE 26
1 p.m.
Aging
To hold hearings on the hardships that dialysis patients endure and the options for improving the government’s oversight.
SD–628

JUNE 27
9:30 a.m.
Energy and Natural Resources
Business meeting to consider pending calendar business.
SD–366

Aged
To hold hearings on the nominations of Lt. Gen. Tommy R. Franks, United States Army, to be General; and Lt. Gen. William F. Kernan, United States Army, to be General.
SR–222

Rules and Administration
To hold hearings on the operations of the Library of Congress and the Smithsonian Institution.
SR–301

10 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine reprocessing of single-use medical devices.
SD–430

2 p.m.
Judiciary
Immigration Subcommittee
To hold hearings to examine the border crisis in Arizona, and the impact on the state and local communities.
SD–226

Judiciary
Administrative Oversight and the Courts Subcommittee
To resume oversight hearings to examine the 1996 campaign finance investigations.
SH–216

2:30 p.m.
Energy and Natural Resources
Energy Research, Development, Production and Regulation Subcommittee
To hold hearings on the April 2000 GAO report entitled “Nuclear Waste Cleanup—DOE’s Puschach Plan Faces Uncertainties and Excludes Costly Cleanup Activities”.
SD–366

FOREIGN RELATIONS

June 21, 2000

Foreign Relations
To hold hearings on the nomination of Karl William Holmann, of Maryland, to be Ambassador to the Togolese Republic; Howard Franklin Holman, of South Carolina, to be Ambassador to the Federal Republic of Nigeria; John W. Limbert, of Vermont, to be Ambassador to the Islamic Republic of Mauritania; Roger A. Meece, of Washington, to be Ambassador to the Republic of Malawi; Donald Y. Yamamoto, of New York, to be Ambassador to the Republic of Djibouti; and Sharon P. Wilkinson, of New York, to be Ambassador to the Republic of Mozambique.
SD–419

JUNE 28
9:30 a.m.
Energy and Natural Resources
Business meeting to consider pending calendar business.
SD–366

Environment and Public Works
Business meeting to mark up S. 2437, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improved rivers and harbors of the United States; and other pending calendar business.
SD–406

10 a.m.
Finance
Business meeting to mark up proposed legislation relating to the marriage tax penalty.
SD–215

Judiciary
To hold hearings on the struggle for justice for former U.S. World War II POW’s.
SD–226

11 a.m.
Foreign Relations
Business meeting to consider pending calendar business.
SD–419

2 p.m.
Judiciary
Technology, Terrorism, and Government Information Subcommittee
To hold hearings on countering the changing threat of international terrorism.
SD–226

Foreign Relations
European Affairs Subcommittee
To hold hearings to examine the treatment of U.S. business in Central and Eastern Europe.
SD–419

Foreign Relations
Europe Affairs Subcommittee
To hold hearings to examine the treatment of U.S. business in Central and Eastern Europe.
SD–419

2:30 p.m.
Indian Affairs
To hold hearings on S. 2283, to amend the Transportation Equity Act for the 21st Century to make certain amendments with respect to Indian tribes.
SR–385

JUNE 29
9:30 a.m.
Governmental Affairs
Investigations Subcommittee
To hold hearings to examine the nationwide crisis of mortgage fraud.
SD–342
EXTENSIONS OF REMARKS

June 21, 2000

10 a.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee

11 a.m.
Governmental Affairs
To hold oversight hearings to examine the rising oil prices and the efficiency and effectiveness of the Executive Branch Response.

11:30 a.m.
Environment and Public Works
Superfund, Waste Control, and Risk Assessment Subcommittee
To hold hearings on S. 2700, to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs.

1:30 p.m.
Energy and Natural Resources
National Parks, Historic Preservation, and Recreation Subcommittee
To hold hearings on S. 275, to authorize the addition if land to Sequoia National Park; and S. 2512, to convey certain Federal properties on Governors Island, New York.

3:30 p.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold oversight hearings on potential timber sale contract liability incurred by the government as a result of timber sale contract cancellations.

4 p.m.
Indian Affairs
To hold hearings on S. 2526, to amend the Indian Health Care Improvement Act to revise and extend such Act.

JUNE 30
9:30 a.m.
Governmental Affairs
Investigations Subcommittee
To hold hearings to examine the nationwide crisis of mortgage fraud.

JULY 12
2:30 p.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold oversight hearings on the Draft Environmental Impact Statement implementing the October 1999 announcement by the President to review approximately 40 million acres of national forest for increased protection.

Indian Affairs
To hold oversight hearings on risk management and tort liability relating to Indian matters.

JULY 19
2:30 p.m.
Indian Affairs
To hold oversight hearings on activities of the National Indian Gaming Commission.