SENATE—*Wednesday, June 21, 2000*

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.

SCHEDULE

Mr. ALLARD. Today, the Senate will be in a period of morning business until approximately 10:45 a.m., with Senators GRAHAM and VOINOVICH in control of the time. Following morning business, the Senate will resume consideration of the foreign operations appropriations bill. Under the order, Senator WELLSTONE will be recognized to offer his amendment regarding Colombia. There will be 90 minutes under Senator WELLSTONE's control and 45 minutes under Senator MCCONNELL's control. As a reminder, first-degree amendments to the bill must be filed by 3 p.m. today. Votes are expected throughout the day, with a vote on final passage anticipated prior to tonight's adjournment. Senators can expect the Labor-HHS appropriations bill to be the next bill for consideration. I thank my colleagues for their cooperation.

ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that the morning business time under the control of Senator GRAHAM of Florida be controlled by Senator DURBIN, or his designee, with 15 minutes of that time under the control of Senator TORRICELLI.

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

The Senator from Nevada 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 at 3 o'clock. 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.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business with Senators permitted to speak therein for up to 5 minutes each.

The Senator from South Carolina is recognized.

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 as 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 medal 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 the determined lieutenant. Using his good left hand to throw the final grenade, he destroyed the enemy's position. He continued to fight until he was struck by a bullet in the leg, and though in excruciating pain, refused to be evacuated until his men were deployed in defensive positions. 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, but during my term 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 of 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, as he should be, 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. That 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.

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

Mr. DASCHLE. Mr. President, I compliment the distinguished assistant Democratic leader for his remarks. 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 now 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 dearth 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 DAN 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 all of 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 tremendous respect and regard as 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 run to within five yards of the nearest of the three machine guns, 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 with devastating effect 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 1960 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 young people around 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 soon as Japanese Americans were permitted to serve.

Stationed in Italy with the war's end nearing, 2nd lieutenant INOUYE led his men into his final battle. Though he was shot and his platoon was pinned by gunfire, he continued on alone. Bravely he tossed two hand grenades before his right arm was shattered by a German rifle grenade. He threw a final grenade with his left arm before another shot in the leg forced him to retreat. It is for this tremendous act of courage that Senator INOUYE receives this long overdue honor.

Senator INOUYE is being honored for his courage in battle. We also know that Senator INOUYE's service to our country extends far beyond his bravery 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 in bringing the Senate 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 that complete and full disclosure 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 individuals 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 very simple. Campaign expenditures are 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 collapses. 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, Italy 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 broadcasting 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 Senate or Presidential campaign, 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 trend or 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 incumbents 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. 3498

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

Mr. HELMS. Mr. President, I send 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 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, attended the inauguration of President Vladimir Putin, and held talks with Russian Defense Minister Igor Sergeyev and Army Chief of Staff Anatoly Kvashnin;

(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;

(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 of a $150,000,000 loan 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;

(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 receiving corn and grain as food aid from the United States;

(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 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 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 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 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 obligated 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 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 any 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 Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guaranty Agency, and the European Bank for Reconstruction and Development.

(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 should instruct 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 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 promote the myth that the Russian 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 $102 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 relationship of the Kremlin and 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

proposes that the United States withhold assistance to Russia by an amount equal to the amount which Russia provides Serbia. The amendment also will preclude any debt forgiveness or rescheduling of OPIC and Eximbank programs along with U.S. support for loans from international financial institutions to Russia. This assistance certainly is not warranted unless and until the Kremlin demonstrates that it has at long last cut its ties to the Milosevic regime.

AMENDMENTS NOS. 3499 THROUGH 3513, EN BLOC

Mr. McCONNELL. Mr. President, I send a group of managers' amendments to the desk, en bloc, and ask for their immediate consideration. They have been cleared on both sides.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes amendments numbered 3499 through 3513, en bloc.

The amendments are as follows:

AMENDMENT NO. 3499

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. 3500

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

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 Sate shall submit a report to the appropriate congressional committees containing the following:

''(1) A description of the extent to which the Colombian Armed Forces have suspended from duty Colombian Armed Forces personnel who are credibly alleged to have committed gross violations of human rights, and the extent to which such personnel have been brought to justice in Colombia's civilian 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 or abetting paramilitary groups and the names of paramilitary leaders and members who were indicted, arrested and prosecuted.

''(3) A description of the extent to which the Colombian Armed Forces cooperate with civilian authorities in investigating and prosecuting gross violations of human rights allegedly committed by its personnel, including the number of such personnel being investigated for gross violations of human rights who are suspended from duty.

''(4) A description of the extent to which attacks against human rights defenders, government prosecutors and investigators, and officials of the civilian judicial system in Colombia, are being investigated and the alleged perpetrators brought to justice.

''(5) An estimate of the number of Colombian civilians displaced as a result of the ''push into southern Colombia,'' and actions taken to address the social and economic needs of these people.

''(6) A description of actions taken by the United States and the Government of Colombia to promote and support a negotiated settlement of the conflict in Colombia.

''(c)''.

AMENDMENT NO. 3501

On page 13, line 16, after ''vaccines'' insert in lieu thereof: '', notwithstanding any other provision of law''.

On page 13, line 8, delete ''41,000,000'' and insert in lieu thereof: ''$35,000,000''.

On page 13, line 11, delete ''$65,000,000'' and insert in lieu thereof: ''$50,000,000''.

AMENDMENT NO. 3502

On page 57, line 19, delete the following: ''Panama,''.

AMENDMENT NO. 3503

(Purpose: To appropriate funds to assist blind children)

Before the period at the end of the paragraph under the heading ''Global Health'', insert the following: '': *Provided Further*, That of the funds appropriated under this heading, not less than $1,200,000 should be made available to assist blind children''.

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 Prevention''.

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. 3505

On page 38, line 6, strike ''$330,000,000'' and insert ''$340,000,000''.

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 sell or otherwise make available under the Arms Export Control Act or chapter 2 of part II of the Foreign Assistance Act of 1961 any Stinger ground-to-air missiles to any country bordering the Persian Gulf.

''(b) ADDITIONAL TRANSFERS AUTHORIZED.—In addition to other defense articles authorized to be transferred by section 581 of the Foreign Operations, Export Financing, and Related Programs Appropriation Act, 1990, the United States may sell or 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. . (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 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).

(c) DEFINITIONS.—The term ''International Financial Institutions'' means the International Finance Corporation, the Inter-American Development Bank, the Inter-American Investment Corporation, the Enterprise for the Americas Multilateral Investment Fund, the Asian Development Bank, the Asian Development Fund, African Development Bank, the African Development Fund, the European Bank for Reconstruction and Development and the International Monetary Fund.

AMENDMENT NO. 3508

On page 21, line 21, after the word ''organizations'' insert, '': *Provided further*, That of the funds made available under this heading for Kosova, not less than $1,300,000 shall be made available to support the National Albanian American Council's training program for Kosovar women''.

AMENDMENT NO. 3509

On page 21, at the end of Section (c) insert the following: '': *Provided further*, That of the funds appropriated under this heading not less than $750,000 shall be made available for a joint project developed by the University of Pristina, Kosova and the Dartmouth Medical School, U.S.A., to help restore the primary care capabilities at the University of Pristina Medical School and in Kosova''.

AMENDMENT NO. 3510

(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 103, beginning on line 13, strike ''Committee on Appropriations'' and all that follows through ''House of Representatives'' and insert ''Committees on Appropriations and Foreign Relations 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. 3511

(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. ___. 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. 3512

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

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

SEC. ___. 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 490(e) or 620A of this Act or any other comparable provision of law.''.

AMENDMENT NO. 3513

(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 3513), 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.

AMENDMENT NO. 3507

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 interest was stimulated 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, skimming 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 implementing agencies had 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 key factors. Eight of Twelve projects reviewed did not identify corruption or political manipulation as a critical risk even though other Bank reports indicated both were serious issues in the countries included in the project sampling.

Finally, GAO determined that solving problems is made more difficult because audits are often late and of poor quality, and the Bank does not evaluate the quality of audits.

To remedy these problems, GAO recommends the Bank integrate the investigative 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 10% of our contribution to each institution until audits are 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 work 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 one care whether Chinese or Asian people breath 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 about global 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 Environmental Partnership? It is a public-private initiative implemented by the U.S. Agency for International Development (USAID). Its aim is to encourage environmentally sustainable 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 demand for 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 meetings 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 some cooperation between Beijing and Washington. I ask for my colleagues support for this common sense amendment.

AMENDMENT NO. 3501

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.

Like every Senator, I would like to see the highest possible levels of funding to combat these two dreaded diseases, which cause immeasurable 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 global health 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 preferable 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. 3512

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 (e.g. 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 element which allows these schools to 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 awareness regarding the insidious 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 counterproductive. 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; 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, growing 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 Senator 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 got a last-minute call from the Budget Committee, and we may have to work this 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? Is there an amendment pending? 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 $900 million 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 no way, shape, or form does this amendment say that.

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 absolutely are 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 Colombia 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 included not only funds for the drug 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 Congress 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 narcotraffickers 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 beginning to make progress in 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—cocaine 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, education, and treatment? 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 appropriations 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 aid they need; give them the equipment 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 turn Colombia into the first nation controlled by narcoterrorists. Think about that. That is a real possibility unless we act to get assistance there as soon as possible.

Will this aid package alone solve the problem overnight? No. I emphasize again we should have been doing more last year and the year before and over a period of years. But it will make a significant contribution by giving to the Colombian Government the wherewithal to challenge these narcoterrorists.

We know one thing for certain: Without this package, these narcoterrorists will be emboldened and they will have no incentive to come to the peace table. The freely elected pro U.S. government of President Pastrana will be dealt a very serious blow. We cannot leave them unassisted when they have asked for our help.

This is a question of standing up for our children, of standing up and fighting these narcoterrorists in our part of the world, in our neighborhood, in our region. Colombia has a chance. They are tired of the bloodshed. They are tired of kidnappings. They are tired of human rights abuses on all sides. I don't for a minute mean to push aside the complaints about some of the human rights violations on the other side, but that shouldn't be a reason not to act.

I urge my colleagues to support this legislation, support the foreign operations bill as it is, with the Colombian aid. As a matter of fact, I think it is possible the aid may actually be increased somewhat in conference. We should not let this be pecked apart. We should step up to our responsibility and fulfill our commitment to Colombia, to President Pastrana for his efforts, but particularly for the children of our country.

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 don't 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 narcotraffickers, 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 so 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 all have massed troops on their borders with Colombia. Panama, which has no army, is helpless to secure its frontier from smugglers of drugs and weapons.

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 blank check from the narcotraffickers who realize that chaos is good for their dirty enterprise.

These 20,000 guerrillas move about the country virtually unchallenged while most of Colombia's army is pinned down protecting bridges, oil pipelines, and power stations from terrorist attacks. That leaves only 40,000 soldiers, with a mere 30 helicopters, to take on the guerrillas in a rugged,

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 he 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 drags on—or if desperate Colombians 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 people 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 counternarcotics effort of the Colombian national police, as well as for other counternarcotics programs in other Latin American countries. It doesn't cut 1 cent from any of that.

I want colleagues to know what they are voting on. It simply removes and transfers to more effective domestic use the resources in this particular bill destined for the Colombian Army's push into southern Colombia.

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 link to paramilitary death squads with 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 increasing levels unarmed civilians expected of loyalty to an opposing party in the country.
>
> Government forces continue to commit numerous serious abuses, including extrajudicial killings, at a level that was roughly similar to that of 1998. Despite some prosecutions and convictions, the authorities rarely brought officers of the security forces 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 these paramilitary groups which have 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 by 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.

''Human Rights Watch World Report 2000,'' in Colombia,

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

I argue that we should take this seriously.

Amnesty International, May 3, 2000:

> Jesús 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 eight times in the latter part of April. On the 3rd of April, 500 paramilitaries

reportedly entered the municipalities of Segovia and Remedios, setting up camp in Otu. The large number of Colombian National Army 4th Brigade troops stationed in the area did nothing to confront the illegal paramilitary group.

That is a report from Amnesty International.

I could go on.

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 human rights, abduct innocent people and murder them, and we are going to be providing all of this support for this military?

Colleagues, if there had been some evidence over the last couple of years that there has been a change, that would be a different story.

This is a letter from a number of different religious organizations in the United States of America.

Mr. President, I ask unanimous consent that all of these documents be printed in the RECORD.

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

LEGAL ACTION CENTER, NATIONAL ASSOCIATION OF ALCOHOLISM AND DRUG ABUSE COUNSELORS (NAADAC), NATIONAL COUNCIL ON ALCOHOLISM AND DRUG DEPENDENCE (NCADD), PARTNERSHIP FOR RECOVERY, STATE ASSOCIATIONS OF ADDICTION SERVICES (SAAS),

May 18, 2000.

SUPPORT THE WELLSTONE AMENDMENT TO THE FOREIGN OPERATIONS APPROPRIATIONS BILL

DEAR SENATORS: We are writing in support of Senator Wellstone's Amendment to the Foreign Operations appropriations bill to transfer $225 million from the section of the bill funding military operations in Southern Colombia *to* drug and alcohol treatment and prevention programs funded by the Substance Abuse Prevention and Treatment (SAPT) block grant. We feel this amendment leaves 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 program reforms that decrease system capacity while increasing the need for public treatment and prevention services. Successful criminal justice programs involving (and often mandating) treatment, including drug courts, have proliferated and are steadily increasing the demand for treatment.

We feel that a balanced approach to the drug control effort is necessary, yet prevention and treatment programs have not received adequate funding to keep up with demand. The Wellstone amendment adds necessary prevention and treatment funds to domestic programs that will save lives and taxpayer 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 MCDANIELS,
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).

CAROL MCDAID,
Partnership for Recovery.

ART SCHUT,
President, State Associations of Addiction Services (SAAS).

1999 COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES

COLOMBIA

Colombia is a constitutional, multiparty democracy, in which the Liberal and Conservative parties have long 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 civilian judiciary is largely 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 (ELN), 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 1,085 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 narcotics production and trafficking. Guerrillas and paramilitary groups supplanted absent state institutions in many sparsely populated areas of the national territory. In July 1998, then-President-elect Pastrana met with the FARC's 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 Marulanda failed to appear for the scheduled formal inauguration of peace talks in the despeje. President Pastrana and Marulanda met again in May and agreed on an agenda for formal negotiations and on procedures for the creation of an international verification commission to monitor both sides' compliance with the terms of the despeje. However, the FARC refused to proceed with the establishment of the commission. Formal Government-FARC peace negotiations began in earnest in October and were underway at year's end, following the Government's concession to the FARC that, at least initially, there be no international verification commission. The Government also 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 kidnapings as a condition for undertaking formal negotiations and for demilitarizing 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 authorities, including the National Police, army, air force, navy, marines, coast guard, the Administrative Department of Security (DAS), and the Prosecutor 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 has broad intelligence gathering, law enforcement, and investigative authority, reports directly to the President, but is directed by a law enforcement professional. The police are charged formally with maintaining internal order and security, but in practice law enforcement responsibilities often were shared with the army, 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 economy is diverse and developed. 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 privatizations. Crude oil, coal, coffee, and cut flowers are the principal legal exports. Narcotics traffickers continued to control

large tracts of land and other assets and exerted influence throughout society, the economy, 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 austere 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; much of the population lives in poverty. Per capita GDP was approximately $2,100.

The Government's human rights record remained poor; there was some improvement in several areas, and the Pastrana administration took measures to initiate structural reform, but serious problems remain. Government forces continued to commit numerous, serious abuses, including extrajudicial killings, at a level that was roughly similar to that of 1998. Despite some prosecutions and convictions, the authorities rarely brought officers of the security forces 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; in some instances, individual members of the security forces actively collaborated with members of paramilitary groups by passing them through roadblocks, sharing intelligence, and providing them with ammunition. Paramilitary forces find a ready support base within the military and police, as well as local civilian elites in many areas.

On August 12, President Pastrana signed into law a revised Military Penal Code, which includes provisions that unit commanders no longer may judge their subordinates; that an independent judge advocate general corps is to be created; and that troops are to be protected legally if they refuse to carry out illegal orders to commit human rights abuses. However, necessary implementing legislation had not been passed at year's end. Also on August 12, the Government made public the Government's national human rights plan, which includes a provision that permits the armed forces commander to remove from service summarily any military member whose performance in combating paramilitary forces he deemed ''unsatisfactory or insufficient.'' The State demonstrated an increased willingness to remove from duty security force officers who failed to respect human rights, or ignored or were complicit in the abuses committed by paramilitary groups. The Government removed four army general officers from service during the year; the generals were under investigation for collaborating with or failing to combat paramilitary groups. A few other state security officers were removed from service or suspended during the year. The military judiciary demonstrated an increased willingness to turn cases involving security force officers accused of serious human rights violations over to the civilian judiciary, as required by a 1997 Constitutional Court ruling; however, concerns about impunity within the military judiciary remained.

Police, prison guards, and military forces continued to torture and mistreat detainees. Conditions in the overcrowded prisons are generally harsh; however, some inmates use bribes or intimidation to obtain more favorable treatment. Arbitrary arrest and detention, as well as prolonged pretrial detention, are fundamental problems. The civilian judiciary is inefficient, severely overburdened by a large case backlog, and undermined by intimidation and the prevailing climate of impunity. This situation remains at the core of the country's human rights problems. The Superior Judicial Council (CSJ) reported in August that 63 percent of crimes go unreported, and that 40 percent of all reported crimes go unpunished. The use of ''faceless'' prosecutors, judges, and witnesses, under cover of anonymity for security reasons, continued until June 30, in cases involving kidnaping, extortion, narcotics trafficking, terrorism, and in several hundred high-profile cases involving human rights violations. Human rights groups accused these courts of violating fundamental rights of due process, including the right to a public trial. On June 30, a ''specialized jurisdiction'' replaced the anonymous regional court system. The specialized jurisdiction prosecuted and tried cases of extortion, narcotics trafficking, money laundering, terrorism, and serious human rights violations, including massacres, some homicides, torture, and kidnaping. It permitted the use of anonymous witnesses and prosecutor in exceptional cases that potentially placed their lives in danger.

The authorities sometimes infringed on citizens' privacy rights. Journalists practices self-censorship. There were some restrictions on freedom of movement. There were unconfirmed reports of security forces harassing or threatening human rights groups. Violence and extensive societal discrimination against women, abuse of children, and child prostitution are serious problems. Extensive societal discrimination against the indigenous and minorities continued. Child labor is a widespread problem. Trafficking in women and girls for the purpose of forced prostitution is a problem. ''Social cleansing'' killings of street children, prostitutes, homosexuals, and others deemed socially undesirable by paramilitary groups, guerrillas, and vigilante groups continued to be a serious problem.

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 in an orchestrated campaign to terrorize them into fleeing their homes, thereby depriving guerrillas of civilian support. Paramilitary forces were responsible for an increasing number of massacres and other politically motivated killings. They also fought guerrillas for control of some lucrative coca-growing regions and engaged directly in narcotics production and trafficking. The AUC paramilitary umbrella organization, whose membership totaled approximately 5,000 to 7,000 armed combatants, exercised increasing influence during the year, extending its presence through violence and intimidation into areas previously under guerrilla control. Although some paramilitary groups reflect rural residents' desire to organize solely for self-defense, others are vigilante organizations, and still others are actually the paid private armies of narcotics traffickers or large landowners. Popular support for these organizations grew during the year, as guerrilla violence increased in the face of a slowly evolving peace process. The army's record in dealing with paramilitary groups remained mixed. In some locations the army on rare occasions attacked and captured members of such groups; in others it tolerated or even collaborated with paramilitary groups.

The FARC and the ELN regularly attacked civilian populations, committed massacres and summary executions, and killed medical and religious personnel. Guerrillas were responsible for the majority of cases of forcible recruitment of indigenous people and of hundreds of children; they also were responsible for the majority of kidnapings. Guerrillas held more than 1,000 kidnaped civilians, with ransom payments serving as an important source of revenue. Other kidnap victims were killed. In some places, guerrillas collected ''war taxes,'' forced members of the citizenry into their ranks, forced small farmers to sow illicit crops, and regulated travel, commerce, and other activities.

U.S. AID TO COLOMBIA,
March 8, 2000.

DEAR REPRESENTATIVE: We are writing as religious leaders in the United States to urge you to oppose the two-year $1.3 billion military aid package for the ''Push into Southern Colombia'' proposed by President Clinton on January 11. This aid targeting the coca growing regions of southern Colombia will escalate the violence and undercut efforts for a negotiated peace settlement to Colombia's 40-year civil war. We urge you instead to support much-needed assistance for peace, human rights, justice reform, alternative development, and humanitarian assistance to Colombia's internally displaced.

Colombia is currently the third largest recipient of U.S. military assistance. Yet reports from the United Nations, the U.S. Department of State, independent human rights organizations, and Colombian judicial authorities point to continuing ties between the Colombian security forces and brutal paramilitary groups 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 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. Even more disturbing, the proposed aid package includes plans for intensive aerial fumigation that will displace 10,000 more people from southern Colombia, forcing them off of their lands and deeper into the fragile rainforests, causing great human suffering and incalculable environment damage.

Aerial fumigation of coca cultivation in Colombia has failed to reduce coca production in Colombia or consumption in the United States. Between 1992 and 1998 the area under coca cultivation has increased from 40,000 to 100,000 hectares despite huge increases in U.S. assistance for weapons, training, and intelligence. This proposed aid package will only expand a failed war on drugs by increasing military force, while failing to address the complex political, economic, and social inequalities at the root of Colombia's internal conflict.

On October 24, 1999, more than 10 million Colombians marched for peace. Talks between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC), the largest guerrilla force, have resumed. Progress is being made toward opening negotiations with the National Liberation Army (ELN), the second largest guerrilla group. We ask you to honestly assess

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

RAQUEL 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 FASSETT,
General Secretary, United Methodist Church, General Board of Church amid 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 institutionality.

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 he narcotrafficking 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 narcotrafficking problem—

I say to the majority leader and others, ''that fails to resolve this problem,'' but that is what we want to do, is resolve the 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 nongovernment organizations, including religious organizations as well, in the country of Colombia. They are saying don't do this. Provide the assistance; we need it. Let's get it to 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—just think of Nicaragua or El Salvador—that the practical effect of this strategy now under 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 counternarcotics assistance for Colombia this year puts the United States at a crossroads. Do we back a major escalation in military aid to Colombia that may worsen 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 as well? 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 $739 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 world we can do, by way of monitoring 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 Department 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 paramilitary organizations toward which the military basically has turned a blind eye. Now we are going to provide the money for this military, for a military campaign, with American advisers, in the southern part of Colombia? That is what is problematical about this.

At the same time, however, forces from within Colombia threaten democracy. 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 acquiescence or open support of the military, account for most of the political violence.

Yet Colombia's military leaders have not taken a firm stand or taken clear steps necessary to purge human rights abusers from their ranks. The evidence is clear. They have taken no steps to purge human rights abusers from their ranks. They have acquiesced to these human rights abuses. 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 Appropriations noted in its committee report to this bill, I, too, ''have grave reservations.'' I quote from the Committee on Appropriations:

> . . . grave reservations regarding the Administration's ability to effectively manage the use of these resources to achieve the expected results of reducing production and supply of cocaine while protecting human rights.

Human rights organizations have detailed abundant and compelling evidence of 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:

> [I]n 1999 paramilitary [groups] were considered 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 Colombian Commission of Jurists, a highly respected human rights watchdog within Colombia. It has also collected evidence linking half of Colombia's 18 brigade-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 unbelievable. I hope all Senators will consider 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 Colombia Support Network. This organization is working to establish a sister-city relationship with the war-torn town of San Pablo in southern Colombia. San Pablo is directly in the path of the suggested push into southern Colombia. This is just one of hundreds, if not thousands, of heartbreaking stories:

> A young woman, with a confused and almost hopeless air about her, answered my questions and spoke into my taperecorder. She had been forced to join a military patrol and walk for 13 days through the mountains, guiding the soldiers and carrying their knapsacks. 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 visits to Bogota to attend meetings of ANUC (a national peasants organization with strong support during this period). According to the terrible details the young woman gave me, Chucho, as Jesus was affectionately called, died a slow and agonizing death on October 31, 1981. He was hung from a tree as psychopathic 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 organizations and the State Department reports of blatant violation of human rights now of these paramilitary organizations committing so many of these atrocities, most of the violence, with the military acquiescing and sometimes linked to it and supporting it, with no evidence 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 campaign in southern Colombia with American advisers, putting us in the middle of the civil war aligned with this military.

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

I will summarize so that other colleagues may speak.

We could put this money into the demand side. I am simply saying we take $225 million, leaving $700 million, or thereabouts, and we put it into the substance 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 talking about the data that is collected in our States, we are talking about a situation where 50 percent of adults or more and 80 percent of adolescents or more who need treatment are receiving no treatment because we do not have the funds for the treatment programs.

Our police chiefs tell us drug abuse is the most serious problem in their community. They also identify a shortage of treatment programs as a real limitation 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 treatment 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 package and if there are questions to be raised about the militarization of this aid, putting the money into the military for the southern campaign, a military 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 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.

AMENDMENT NO. 3518

(Purpose: To provide additional funding for the substance abuse and mental health services)

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

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

> The Senator from Minnesota [Mr. WELLSTONE], for himself and Mrs. BOXER, proposes an amendment numbered 3518.

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

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

The amendment is as follows:

On page 143, line 9, insert before the period the following: ": *Provided further*, That, subject to the 2 preceding provisos, of the funds appropriated for military purposes under this heading for the 'Push into Southern Colombia', $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.): *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 Congress of a formal budget request by 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 sent this amendment on behalf of myself and Senator BOXER. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Ohio.

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 Pensions 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 resources 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 was no longer balanced. I want to talk about this because I am afraid what my colleague 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: 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.

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

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 in 12 cities, 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 outside the United States both 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, sadly, cannot be said for our international eradication and interdiction components. This was not always the case.

I think these charts I have will 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 overall 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 efforts decreased dramatically. 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 allocated for demand reduction, 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 success. The amendment of the Senator from Minnesota, while it is very well intentioned, simply, effectively robs Peter to pay Paul just as Paul is getting back on his feet again. Just look at the example I mentioned earlier.

Through my visits to the Caribbean, Colombia, and Peru in the last several years, I have seen firsthand the dramatic decline in our eradication and interdiction capability. The results of this decline have been a decline in cocaine seizures, a decline in the price of cocaine, and an increase in drug use in the United States.

We have to turn this around. This is why we need emergency assistance to Colombia. We need to dedicate more resources for international efforts to help reverse this trend. We have to restore the balance.

I want to make it very clear, as I have time and time again, that I strongly support our continued commitment to demand reduction and to law enforcement programs in the United States. No one is a stronger supporter of these. It has to be a balanced program where we have money for treatment, where we have money for education, where we have money for domestic interdiction and law enforcement.

My concern is not that this amendment is not well intentioned, not that we should not be putting more resources in this area. My concern is what this does to the other side of the component, and that is international drug interdiction.

Let me make it clear. We do need this balanced program. I believe that reducing demand is the only real way to permanently end illegal drug use. However, this is not going to happen overnight. That is why we need a comprehensive counterdrug strategy that addresses all components of this problem.

Let me say again, if the United States does not make an effort to stop drugs before they reach our borders, no one else will. It is the Federal Government's responsibility. I remind my colleagues that our antidrug efforts here at home are done in cooperation with a vast number of public and private interests. Only the Federal Government has the ability and the responsibility to help deal with the problem at the source level overseas. Only the Federal Government has the ability to stop drugs in the transit routes. This is our responsibility; the buck stops with us.

It is not only an issue of responsibility. It also is an issue of leadership. The United States has to demonstrate leadership on an international level, especially in our own hemisphere, if we expect to get the full cooperation of source countries where the drugs originate, countries such as Colombia, Peru, Bolivia, as well as countries in the transit zones, including Mexico and Haiti.

In conclusion, ultimately what we are striving for is a balanced, effective antidrug strategy. I agree with the Senator from Minnesota; we can and should do more to reduce demand but not at the expense of our sole responsibility to stop drugs abroad. That would not result in the balanced approach we are looking for today. That is what we need to aim for, balance and effectiveness. It worked before; I believe it can work again.

If my colleague from Kentucky will indulge me, I will respond to a couple comments that have been made by my colleague from Minnesota. This bill is full of human rights, if I may say it that way. It is full of attempts by the U.S. Government to condition the money we send to Colombia and the money that will be spent in the antidrug effort. We have doubled the money for human rights monitoring. We have established conditions before the money can be released, including the fact that human rights violations must be prosecuted in civilian courts pursuant to Colombia law; troops will be vetted for abuse.

Ultimately, the question my colleague from Minnesota is raising is a fundamental question: Will we back away from our responsibilities in this hemisphere—our responsibility to a fellow democracy, our responsibility to our own citizens to protect us from drugs coming from Colombia into the United States? Will we back away from that, wash our hands of it and say we don't want to get involved in this, or will we become involved only in the sense that we condition the money that we send to Colombia on very tough conditions, great respect for human rights, and see what we can do in that arena?

I think we are better off staying. We can have more impact; we can have more influence; and it is the right thing to do. It is in our national interest. With this bill, my colleague from Kentucky brings to the floor a balanced approach, a logical approach, an approach that is very concerned about human rights, a bill that is concerned about our obligations to ourselves and our obligations in this hemisphere.

I thank the Chair and yield the floor.

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

Mr. MCCONNELL. Mr. President, I thank the distinguished Senator from Ohio for his important contribution to this debate. He is a real expert on the drug war. He has demonstrated that expertise over the 5 years he has been here. I thank him for his important contribution.

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

The PRESIDING OFFICER. The Senator from Kentucky has 27½ minutes remaining.

AMENDMENT NOS. 3476, 3164, AND 3514, RECALLED

Mr. MCCONNELL. Mr. President, in the package of amendments submitted earlier today, three amendments currently filed at the desk were included. I ask unanimous consent that amendment Nos. 3476, 3164, and 3514 be recalled.

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

Mr. MCCONNELL. The distinguished Senator from Illinois is here and wishes to speak, as well as the distinguished Senator from Delaware. I have 27 minutes remaining. How much does my friend from Illinois desire; 10 minutes? I yield to the Senator from Illinois 10 minutes.

Mr. WELLSTONE. Mr. President, since there are a lot of Senators here on the other side, I will take 2 minutes to respond to the Senator from Ohio.

Mr. MCCONNELL. As long as it is on the time of the Senator from Minnesota.

Mr. WELLSTONE. I would be pleased for it to be on my time.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I say to the Senator from Ohio, this effort to deal with

the demand side and to get some substance abuse prevention and treatment moneys to our States and our communities, I have no doubt the 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 such 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 colleague from Ohio on this question. I know he will be there.

I will wait 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 retain the remainder 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 produces 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 usually 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 military that has a record of 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 receiving the money are not going to collaborate with the narcotraffickers 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 or an internal conflict. What does that mean? Forty years ago, groups on the left who were inspired either by Moscow, or Beijing, or whatever, came 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, popular uprising 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 right-wing group, the terrorist 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 against it, it doesn't fit the description. 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 prevention and rehab 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 birddog you every step of the way, 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 also add, 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 the table from General Gilibert, who is head of the police, and General Tapias, head of the army. They work together. We want to use helicopters to secure

areas where we can send down planes to spray with Roundup these coca plants and kill them, so that coca is not turned into paste and white powder and sold on the streets of Washington, DC, and Chicago, IL, addicting people and sending them to prison after committing crimes. That is a good thing to do. I support the administration in their efforts to achieve that.

It is true that Senator WELLSTONE says we may be taking sides. I hope we are taking sides against narcotics and saying to the leftist guerrillas and right-wing paramilitaries: We have no use for either one of you.

As said to me by the President of Colombia, ''They are both our enemies. We have to deal with both of them.'' We should view it that way. As I met with the Army and Marine Corps personnel from the United States advising these troops in Tres Esquinas, a remote location in the Putumayo Province, it is clear that these men in the Colombian Army were prepared to put their lives on the line to stop the narcotrafficking that ultimately will corrupt and kill so many Americans. I think we have to stand behind them. We have no other choice. To step back and say we will do nothing now is unacceptable.

This bill makes it clear that we have not forgotten the poorest people in Colombia. I commend again the subcommittee for saying that additional assistance is given to the Agency for International Development, so that once that coca planter in Colombia has his crop sprayed, we can give him an alternative, find some other agriculture in which he can be involved. That is the humanitarian and sensible way to approach this. This bill does that; it tries to make sure some alternative, legal agriculture is available to the people there.

Is it worth a billion dollars to America to send this money to Colombia? I will use my State as an illustration. In 1987, we had 500 people in Illinois prisons for the possession of a thimbleful of cocaine. Today, we have 9,000 prisoners in Illinois for the possession of a thimbleful of cocaine. It costs us about $30,000 per prisoner a year. The taxpayers of Illinois are spending $270 million a year and the story can be repeated in every other State. That is $270 million a year in Illinois because of what is growing in Putumayo Province in Colombia.

I think we have to have a coordinated effort of interdiction and stop it at its source, to do everything in our power not to let these drugs come into the country. Then we can deal with the demand side of it and see that drug rehab is available—a sensible and a balanced approach.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Does the Senator from Minnesota want to respond?

Mr. WELLSTONE. That is right, yes. I will just be a few minutes.

Mr. MCCONNELL. All right.

Mr. WELLSTONE. I thank my colleague for his courtesy. I know Senator BIDEN 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 COVERDELL 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. A lot of times there is unnecessary flattery on the floor that may not seem sincere. I appreciate what he said. At the personal level, I thank him.

I was thinking about what my colleague from Illinois said. I want to raise a couple of quick questions as long as we are having this debate.

First of all, in terms of the explosion of the number of men and women incarcerated, I couldn't agree more.

This legislation, which is all about how to deal with the drug problem and is being billed as legislation that deals with trafficking of narcotics and trying to protect people in our own country, is very one sided. I am trying to take a portion of it and say let's deal with the demand side in our country.

Soon in this debate I will lay out all of the studies that have come out. It is a real scandal.

In the State of Illinois and my State of Minnesota, the big part of the problem is that people are not getting treatment. I am simply saying: Can't we take a portion of this legislation, which is all about trying to protect our citizens and trying to deal with this drug trafficking, and deal with the demand side? There is no real disagreement. I think most people in our country would say: Why don't we put money in the demand side and treating people right here?

My second point is that President Pastrana has made his own judgment about what he needs to do. I have tremendous respect for the President, but I think we also need to make our own judgment. In all due respect, again if we are talking about moving from police to military in a pretty dramatic way, and talking about putting ourselves right in the middle of this conflict, let's understand that we should be having a policy debate about our taking sides in this civil war.

I couldn't agree more about the left or the right. You have an unbelievable number of atrocities and murder being committed by both sides. There is no 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 counterinsurgency effort. 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 Americans there 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 didn't 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 thus far by paramilitary groups to which the military quite often is linked. We haven't 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 Colombia while safeguarding U.S. interests and avoid 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 from Delaware 12 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 no 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 disabled fighting the hearing impaired. Instead of saying we can choose between building a highway and taking care of all the needs of those in desperate need, or 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, unrelated to 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 as well as a country that turned raw product into the materials sold, 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 narcotraffickers are there, the laboratory laboratories are there, and the transiting 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. I ended up actually going 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 his children 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. The Federales in Mexico were 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, $750 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 we 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.

Tell me, bishop, you want us in or you want us out?

Stay. Stay.

Now, civil war. There is no civil war. We are so 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 said, I want a letter guaranteeing 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.

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

SANTEFÉ DE BOGOTÁ, *May 8, 2000.*

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 south, no matter what individual or organization may be promoting them.

This policy has been in effect since the beginning of my administration, generating very important results. In 1999, 51,415 hectares of coca and poppy were sprayed, 31 tons of coca and 691 kilos of heroin were seized, and 166 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 with an emphasis on the areas where there is the greatest cultivation and/or a marked increase in cultivation in the recent past—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,

civilian operations in the Department of Putumayo in the south where not only FARC but also auto-defense organizations are present. In that regard, the coordinated effort at drug eradication alternative development, support for the internally displaced, human rights protection, democratic governance, judicial reform and promotion of the rule of law will work to diminish drug-trafficking and violence in this fragile amazon region. We enjoyed your visit and hope to have you again as our guest. Your interest and that of your government in my nation's future strengthens our commitment and gives us crucial international support.

Sincerely,

ANDRÉS PASTRANA ARANGO,
President of Colombia.

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 police. We want to open up 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, the paramilitary comes through, the paramilitary terminates people, and they go back out.

Then they ask, what happened?

That is what they are doing.

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 whole world is going to be looking to the Colombian military, from Japan to Bonn, because they are all in the deal. They are all in the deal. 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 Presidential 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 politically and we lose office. 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 whether these guys are real. He 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, I thank 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 is 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 Colombia police; funds for alternative development and internally displaced people; funds for human rights; funds for regional assistance; funds to rehabilitate 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 President Pastrana, 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 the Senator 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. But let me tell 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 into 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 when I have been 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 can stop this whole thing before 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 addicts are here, in 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 have an amendment to 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 the Senator from Minnesota 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 drug 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, $37 million for research and treatment, $5 million—the list goes on. The Senator is aware of that?

Mrs. BOXER. If I may take back my time, and I will not be able to further yield because I have such a restriction, I stated that. I gave my friend absolute assurance I understand that. We are not doing enough when 50 percent——

Mr. BIDEN. I agree.

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

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

Mrs. BOXER. Yes, I will.

Mr. WELLSTONE. 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 $1.6 billion.

My colleague's figure lumps everything and anything together.

Mr. BIDEN. On treatment.

Mr. WELLSTONE. I am talking about direct treatment out in the community. When 80 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 high on 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 counternarcotics insurgency, which may well put us in a situation where we find ourselves between two bad actors: the FARC on the one hand, with a horrible story of violence 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 appropriations 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 endless war on drugs.

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

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

> Have we 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 in which civilians are a target.

This would be a tragedy if we repeated that kind of scenario. We have to learn from history. I think the amendment of the Senator is protecting us from just this problem.

> Washington should have learned long ago that partnership with an abusive and ineffective Latin American military rarely produces positive results and often undermines democracy in the region.

That is from the New York Times. It talks about the fact that President Pastrana is well intentioned, but all of the programs he faces, we are going to be faced with them as well.

Then, from the Detroit News:

> Colombia: The Next Quagmire?
>
> The Clinton Administration's proposed aid package intends to break the choke hold of the guerrillas by training and arming Colombia's military. The hope is that returning control to a legitimate government will help curb the illegitimate narcotrade. But this is a naive hope that ignores the other half of Colombia's gritty ground reality. The military is a corrupt institution with close links to the outlawed paramilitary groups that control the drug trade in urban areas.

It goes on. This is not Senator BOXER speaking or Senator WELLSTONE. These are editorial boards from all over the country.

We have others from California that I wanted to have printed in the RECORD. I ask unanimous consent they be printed in the RECORD.

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

[From the Sacramento Bee, View Related Topics July 31, 1999]

Five American soldiers were killed in a plane crash the other day in a mountainous region of Colombia. They were on a reconnaissance flight as part of an escalating U.S. effort in support of the Colombian government's war against heavily armed narcotics traffickers.

The deaths call attention to a U.S. aid program that has grown rapidly, partly because Washington has more confidence in Colombia's new president, Andres Pastrana, than in his corrupt predecessor, and partly because of a perception that the threat to this country posed by Colombian traffickers is increasing.

That perception is strongly held by Gen. Barry McCaffrey, President Clinton's anti-narcotics chief, who says cocaine production in Colombia has doubled in three years, that 80 percent of the cocaine and heroin entering the United States comes from Colombia and that traffickers have amassed so much wealth that they can buy all the weapons and recruit all the fighters they need, especially in a time of economic hardship for most Colombians, to fend off poorly trained and underarmed government forces.

McCaffrey has called for $1 billion in emergency U.S. aid to combat the drug trade in Latin America, most of it for Colombia, which is getting $289 million this year—triple last year's total. (Colombia now ranks 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 right-wing paramilitary groups. Thus the new battalion has been carefully recruited and will receive human rights training.

A 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 as guerrillas extort tribute from coca growers and traffic in drugs as well. The largest guerrilla group now controls much of the southern half of the country thanks to Pastrana's policy—deemed naive by many Colombians and by some U.S. officials.—of 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 to some extent from 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.

[From the Fresno Bee April 5, 2000]

ANTI-DRUG FOLLY: U.S. AID PLAN WOULD RAISE STAKES IN COLOMBIAN CONFLICT

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 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, that human rights are respected by 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 $12.7 billion supplemental appropriations bill that includes other military aid, domestic flood relief and various pork-barrel projects. He's right; the Colombian program is too critical to be obscured by typical 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 is probably unwinnable without far more intervention than most Americans would support. Backers say that Colombia's plight is a vital U.S. interest because of the impact among drug-addicted Americans. But every study, and common sense, tell us that the solution lies mostly at home—in prevention, treatment and rehabilitation programs that badly need more funds.

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 democratic reform. 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

(By Robert Dowd)

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

The Clinton administration has proposed, and congressional Republicans seem prepared to accept, a $1.7-billion military aid package to Colombia. This formiable expenditure builds on existing aid—Colombia is already the largest recipient of U.S. military aid outside the Middle East—and involves us more deeply in a 4-decades-old civil war, as well as perpetuates programs that have failed to control drug production.

As a veteran, I know the importance of a clear military objective, of having the resources needed for success, and a clear exit strategy. In Colombia, we are sending a handful of helicopters and a few hundred of troops. Yet we were unable to control a smaller Vietnam with hundreds of helicopters and half a million troops.

The Colombia military intervention seems poorly planned, unrealistic and doomed to fail. After a few years of military support, we will face the choice of accepting defeat or gradually being pulled into an expensive military quagmire in which victory is unattainable.

The reason the U.S. is becoming more involved in Colombia's internal affairs is that our government's efforts to reduce cocaine availability have failed miserably, and drug money has strengthened the rebel armies. We already spend hundreds of millions of dollars annually to eradicate crops in South America, especially in Colombia. According to a 1999 report by the General Accounting Office, ''Despite two years of extensive herbicide spraying, U.S. estimates show there has not been any net reduction in coca cultivation—net coca cultivation actually increased 50%.''

Rather than escalate a failed policy, we should recognize that the present strategy cannot succeed and look for new approaches.

According to the Rand Corp., eradication is the least-effective way to reduce drug use. Rand's research found that $34 million spent on drug treatment in the U.S. would have the same effect as $783 million in eradication expenditures. Naturally, the less cocaine the U.S. consumes, the less incentive growers in Colombia will have to grow coca. That would be the best eradication policy.

Further, we need to face the difficult and politically controversial question of whether prohibition enforced by the drug war provides better control of the drug market than regulation enforced by administrative law. If we want to get international cartels and urban gangs out of the drug market we must determine how to control the market through civil law rather than criminal law.

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.

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

The PRESIDING OFFICER. The Senator has 2½ minutes remaining.

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. Yet the two have become virtually indistinguishable 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.

The newspaper says that is 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 violations, and violent. We have the right wing on the other side, with which the Colombian 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 escalation 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 laudable, 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 cosponsor of this amendment and why, quite frankly, I am a little surprised there is not more concern in the Senate.

There is a Fresno Bee editorial that is excellent. It says in part:

> [This amendment] allows that U.S. advisers 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 Colombian 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 dollars 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. I do not want that on the hands of the people from my State.

The Senator from Minnesota is giving us today an opportunity to do all the good things we should do in Colombia. I 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, upgrades for existing aircraft, secure communications, sea- and river-based interdiction.

He is leaving in $93 million for Colombian police to pay for spray aircraft, helicopter upgrade, communications, ammunition, equipment.

He is leaving in funds for alternative development for internally displaced people, $109 million—funds to help displaced people.

He is leaving in human-rights-boosting government capabilities. This funding 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 Colombia.

He is leaving in regional assistance for Bolivia, Ecuador, and Peru. This funding would be used for alternative development programs in these nearby countries.

He is leaving in $5 million to help rehabilitate child soldiers, children who got involved in this conflict.

For people to talk against this amendment as if it is eviscerating aid to Colombia, eviscerating aid to President 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 narcotics.

As I look around my State and I read the studies from my State—for example, 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 county'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 Senator 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 is good at 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 amendment, 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 support.

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 deserve.

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 Senator 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 remainder of the time when I conclude my remarks for our side.

We have heard a lot of interesting remarks. I rise against the amendment of the Senator from Minnesota. I associate myself with the remarks of the Senator from Delaware.

I would like to try to not repeat everything 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 billion. I repeat, it has increased over the last 8 years. The amendment of the Senator from Minnesota would increase it even further.

On the interdiction side of the ledger, during the same 8 years, there has been a decrease in the funding for interdiction. So interdiction is dropping and treatment and prevention is growing.

What happens when the Federal Government moves away from its responsibilities to protect our borders and to engage international narcotics entities? 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 become 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—14.7 percent, about 15 percent, said they used marijuana. Who is ''they''? They are 9-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 treatment and prevention. What has happened? We have had more and more youngsters—kids, children—using drugs.

In 1991, 31 percent of students reported they tried marijuana at least once. By 1999, when we cut off the interdiction, it had grown to 47 percent.

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. Minnesota 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 trouble into Panama, into Ecuador, and into Peru. The entire region is being affected by this struggle to maintain a democratic government in Colombia. War is a very ugly thing. It is particularly ugly when it is driven by narcotics and narcotics money, by people who care for no life, none of these 9- to 12-year-olds, no person, not even their own citizens who would be laced with armaments and blown up.

Will this be a perfect exercise? No. It isn't a perfect world. And this is a very imperfect circumstance.

We have told the people of Colombia—the President of the United States; his representatives, from Ambassador Pickering to General McCaffrey—that we understand the scope of this problem, both its relationship to Colombia, the United States, and the entire hemisphere, and that we are going to help, and that we are going to join the Europeans, and we are going to join the Colombians in the struggle; that we are going to train; that we are going to work on human rights; that we are going to work on social institutions and the fundamentals of law and the judiciary.

Legislation to do that was introduced last October. The President and the White House endorsed their version of it—it is 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 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 $110 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.

As of 1996, there were more than 13.6 million illicit drug users in the United States. Some 50 percent of adults in immediate need of drug treatment are not receiving it, and many treatment programs have lines out the door.

Eighty percent of adolescents who need treatment—those who will, if not provided treatment, sustain the demand for drugs in the future—cannot get it.

We should help Colombia. I support President Pastrana's efforts to combat the violence, corruption, and poverty which plagues his country. But I am not convinced that 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 to cocaine users is 10 times more effective than drug interdiction efforts, and 23 times more cost effective than eradicating coca at its source. Scientific advances promise to make future treatment and prevention programs even better.

Ultimately, reducing the demand for drugs—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 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 case with respect to the 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 escalated U.S. role in what 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. The FARC, 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. Sophisticated 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 Miraflores, overwhelming both.

This should give us pause. The Colombian government's position is precarious. Already, 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 point 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, including 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 increases 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 purport to defend.

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 teams 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 decisions on their equipment should be decided 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 in the Christian Science Monitor, ''If the guerrillas [so] choose, they don't have to continue to protect the narcos, [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 should not be surprised that many of us will be watching the situation there very carefully. To do less would be to acquiesce in the possible materialization of that most feared foreign policy scenario, another Vietnam.

Mr. LEVIN. 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 Columbia 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. In this respect, the Senate Foreign Operations Appropriations bill makes important contributions. The bill provides approximately $138 million in funding for efforts to protect

human rights, strengthen the judicial system in Colombia, and support peace initiatives. In addition, all assistance to Colombian armed forces 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 anti-addiction medications aimed at suppressing heroin addiction. I have also strongly supported government funding for state and local 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. LAUTENBERG. 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 in the U.S. interest. 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 forcing 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 various 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, kidnaping, 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 Fiscallia—is firmly committed to prosecuting criminals, particularly human rights violators. But in meeting with Colombian human rights 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 between its military and the 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 drastically 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 sold 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. WELLSTONE. Mr. President, I remind my colleagues 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 talked about this quite a bit—there are about 5 million people in need of treatment and only about 2 million receive it, private or public. 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 long 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 treatment.

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—I remember when I heard Joe Califano say this; I was stunned—and 104 percent more likely to use amphetamines, including methenamine. 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 in 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 shifted because Senators 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 counterinsurgency effort in 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 unwilling 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 terrorism 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 will be able to invest this money in 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 about to do. We haven't 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, either directly by the military or the military assigned with these paramilitary groups, very seriously. Again, that is a declaration from social and human rights nongovernment 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, murder, violation 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 BOXER did a great job on that point. We can take a couple hundred 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 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 some 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 21,277 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 on 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 naive.

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 excerpts 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 now 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 this 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.

For the past 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, has been incorporated into the bill by the Appropriations Committee. 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.

Let me explain why I, and the Task Force, feel so strongly that 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 kidnapings 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 cultivation in Peru and Bolivia 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 provides them with an almost limitless source of revenue. For the first time we have a guerrilla organization that does not rely on external sources of funding.

Third, the Colombian economy is experiencing its worst recession since the 1930s. An unemployment rate of over 20 percent is exacerbating social and political tensions. The violence is deterring investment making economic recovery more difficult.

Fourth, Colombians are leaving Colombia at record rates. Last year over 100,000 Colombians moved to my State of Florida alone. Hundreds of thousands more have come to other parts of

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 $1.6 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 of 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 are far greater than 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 problems. A further downturn in the Colombian situation could lead to an immigration crisis that would directly impact the United States.

Finally, for those concerned about human rights, and I consider myself in that category, the deteriorating human rights situation in Colombia can only be reversed through the implementation of Plan Colombia, with the government gaining affective 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 it is hard 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 are to be 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 calisthenics since my 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 legislature 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 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 David Sumberg, United Kingdom.
Mrs Myrsini Zorba, Greece.

RECESS

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 local 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 will also 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 advocate.

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 WELLSTONE 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 $110 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 need treatment—those 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.

And 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 plagues 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—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. 3492, 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 155, 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:

(A) Section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; relating to counter-drug assistance).

(B) Section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; relating to counter-drug assistance to Colombia and Peru).

(C) Section 23 of the Arms Export Control Act (Public Law 90–629; relating to credit sales).

(D) Section 481 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 sell protection for 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 BIDEN 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. Heroin is going 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. 3518. 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	Chafee, L.	Fitzgerald
Akaka	Cleland	Frist
Allard	Cochran	Gorton
Ashcroft	Collins	Graham
Baucus	Conrad	Gramm
Bayh	Coverdell	Grassley
Bennett	Craig	Gregg
Biden	Crapo	Hagel
Bingaman	Daschle	Hatch
Bond	DeWine	Helms
Breaux	Dodd	Hollings
Brownback	Domenici	Hutchinson
Bryan	Durbin	Hutchison
Bunning	Edwards	Inhofe
Burns	Enzi	Inouye
Campbell	Feinstein	Jeffords

Johnson	McCain	Sessions
Kennedy	McConnell	Shelby
Kerrey	Moynihan	Smith (NH)
Kerry	Murkowski	Smith (OR)
Kohl	Nickles	Snowe
Kyl	Reed	Stevens
Landrieu	Reid	Thomas
Lautenberg	Robb	Thompson
Levin	Roberts	Thurmond
Lieberman	Rockefeller	Torricelli
Lincoln	Roth	Voinovich
Lott	Santorum	Warner
Lugar	Sarbanes	Wyden
Mack	Schumer	

NAYS—11

Boxer	Grams	Murray
Byrd	Harkin	Specter
Dorgan	Leahy	Wellstone
Feingold	Mikulski	

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, would like to ask consent to further modify his amendment after a discussion we have had.

AMENDMENT NO. 3492, AS FURTHER MODIFIED

Mr. SESSIONS. Mr. President, I have a further modified amendment consistent with the request of Senator LEAHY to strengthen 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 in the bill.

The PRESIDING OFFICER. Is the Senator asking unanimous consent?

Mr. SESSIONS. I ask unanimous consent.

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

The amendment (No. 3492), as further modified, is as follows:

On page 155, 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 conditions in section 6101, 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:

(A) Section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; relating to counter-drug assistance).

(B) Section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; relating to counter-drug assistance to Colombia and Peru).

(C) Section 23 of the Arms Export Control Act (Public Law 90–629; relating to credit sales).

(D) Section 481 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 question is on agreeing to the underlying amendment.

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

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 (Mr. CRAPO). 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.

AMENDMENTS NOS. 3519, 3528, AND 3532, EN BLOC

Mr. MCCONNELL. I call up amendment No. 3519 by Senator STEVENS, amendment No. 3528 by Senator INHOFE, and amendment No. 3532 by Senator LEAHY. These three amendments have been cleared on both sides of the aisle.

The PRESIDING OFFICER. The clerk will report the amendments, en bloc.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes amendments Nos. 3519, 3528, and 3532, en bloc.

The amendments are as follows:

AMENDMENT NO. 3519

On page 38, on lien 12 after the world ''Appropriations'' insert the following: ''*Provided further*, That foreign military financing program funds estimated to be outlayed for Egypt during fiscal year 2001 shall be transferred to an 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 authenticated instructions from the Defense Finance and Accounting Service: Provided further, That in the event the interest bearing account is closed, the balance of the account shall be transferred promptly to the current appropriations account under this heading: Provider further, That none of the interest accrued by the account shall be obligated except as provided through the regular notification procedures of the Committees on Appropriations''.

AMENDMENT NO. 3528

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

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 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 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 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 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.

AMENDMENT NO. 3532

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 599E of Public Law 101–167.

AMENDMENT NO. 3519

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 structured accounts 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 consideration 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 form 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 statement of support for Hezbollah's terrorist war against Israel. At this delicate juncture with rising concern about cross border violence against Israel, Mr. Mubarek'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 Mubarek's need to address the requirements of ''his key constituents, the military.'' Frankly, I think Mr. Mubarek 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 parties and activities are among many 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. 3528

Mr. INHOFE. Mr. President, S. 2522 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 that this bill is attempting to address is the abduction of individuals by paramilitary 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-guerilla 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 control of the village had been secured, the guerrillas went to the homes of the Mankins, Riches, Tenenoffs, 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 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 kidnaping, FARC made contact with New Tribes Mission, claimed 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 Tenenoff have the dubious distinction 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 kidnaping; 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 needs 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 en bloc.

The amendments (Nos. 3519, 3528, and 3532) were agreed to.

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 amendment is 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: ''$200,000,000 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 the 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 the use of 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 such purpose, none of the funds appropriated or otherwise made available by any Act (including unobligated balances of prior appropriations) shall be available for support of Plan Colombia unless and until—

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

(2) Congress enacts 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 and 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 fatuously 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 almost each of the 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.

At a later stage in a similar adventure, we went through an almost identical debate just a couple of weeks ago on Kosovo. We voted the money and lacked, by a small margin, the courage even to say that it had to be justified and authorized by Congress a year from now. I hope we may have learned something from that experience. Should we not seriously debate this matter first—not just in a couple of hearings in an Appropriations Committee and essentially a rider on an appropriations bill but seriously and extensively? 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 is not any in Kosovo. And we sure 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 next year'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 in which this problem has been treated in 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 monetary support as this one seems to have.

In any event, I suppose one can even say that this is a good, thoughtful, and responsible idea, but we do not know that. We have not had any kind of national debate on the subject. We have not had anything more than the most superficial justification for it by an administration whose foreign policy guesses so far during the last few years do not lend a great degree of confidence to most of us with respect to the responsibility of this adventure.

In the relatively short period of time we have available, I ask my colleagues to ask themselves the simple question: Do you know enough about this idea to risk $1 billion on it in an open-ended commitment to an entirely new adventure in a campaign which has rather spectacularly lacked in success for the last 10 or 20 years? Wouldn't you like a little bit more advanced justification? Wouldn't you like a little bit more time to thoughtfully consider whether we want to involve ourselves in this particular civil war? Isn't there somewhere that you can think of that $700 million would be spent more wisely, even in connection with our struggle against illegal drug usage in the United States or for some other program entirely or for the reduction in the national debt to which we all give so much lipservice, except when it comes up against a new spending program?

What I offer is an amendment that will still have us spending four times as much money in Colombia than we are spending during the course of the current year—four times as much money, $50 million to $200 million—but one that will require the President to come up to us with the very requirements that are set out on pages 151 and 152 of this bill but with a difference. He will have to come up and justify it before we give him the money rather than after it is over.

Next year, this request will be a very simple one: Oh, gosh, we have already spent $1 billion. We can't stop now; it is just beginning to show results; the helicopters have only been down there for 2 months; we are only asking another $1.5 billion, or whatever the request; we can't quit now; we won't show constancy; we won't show purpose. The time to show constancy and purpose is right now.

This spending program, even with the restrictions and limitations included in this bill, is not responsible. It is not the right way to spend money. It is almost impossible to conceive that it will be successful, and we should deal with it today, here and now, by very simply saying: No; no, Mr. President, not until there is a far greater justification than any that you have presented so far.

We should heed in our votes as well as in our words the very words of the committee and show ''grave reservations regarding the administration's ability to effectively manage the use of these resources.'' If we have grave reservations, we should not be spending the money until those reservations are met and we have a far greater degree of confidence than any of us can show today that this spending will be effective.

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, I am planning on making a motion to table at 4 p.m. and that would give us a time certain for the vote. We can lay the amendment of the Senator from Washington aside and go on to Senator DODD who has an amendment as well.

Mr. DODD. Mr. President, has the unanimous consent request been propounded?

Mr. MCCONNELL. Not yet.

Mr. DODD. I am going to make a suggestion before my colleague makes it. There are at least two other people who I know want to speak on the amendment I am going to offer. I am worried about the timing. If we schedule a vote at 4 p.m. and I presume a vote on my amendment to follow immediately thereafter——

Mr. MCCONNELL. I was not going to propound that.

Mr. GORTON. Will the Senator from Kentucky yield?

Mr. MCCONNELL. I yield to the Senator from Washington.

Mr. GORTON. This Senator has made his case. He will need 5 minutes at the most to repeat it. As the Senator from Kentucky knows, however, a somewhat more drastic version of this amendment received 11 votes on the Appropriations Committee, and there may very well be other Members who do wish to speak on it.

While I am perfectly happy at this point to grant unanimous consent to go on to another amendment, I would like the two Cloakrooms to be able to circulate the thought that this amendment is before the body, and if other Members want to come, that they be given an opportunity to speak. I hope he defers his motion to table until that opportunity has been presented.

Mr. MCCONNELL. I will be happy to defer. As a fellow chairman of a subcommittee on Appropriations, the Senator is sympathetic, I am sure, of my goal to finish the bill. I was trying to move this along. Obviously, I will defer to my friend from Washington if he is not prepared to have that vote.

Mr. GORTON. If other people wish to speak, I want them to have that opportunity. I am perfectly happy to vote before we leave this evening.

Mr. MCCONNELL. I say 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 friend and colleague from 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 listen 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

alone, it would be somewhat different than the package before us. I understand with 535 Members of Congress and a Defense Department 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 very much, in my view, 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, regretfully, 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 $6 billion.

Whether we like it or not, we are engaged in the conflict in Colombia. Because of events in that country and because of our own habits in this Nation, people are dying in the streets of America. This is not some distant conflict without any ramifications here at home.

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 request for help from 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 and dozens of people who have had 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 available to them in order to 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. We 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.

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.

So I hope that this amendment will be rejected, as was the previous amendment, and that we will get about the business of passing this legislation, and giving these people a chance to fight back, and also giving ourselves an opportunity to reduce the hardship in our own streets as a result of the narcotrafficking problem.

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 admiration, support, 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. He even turned over a sizable portion of Colombia, his own nation—a small percentage of the population resides in this area of Colombia.

I have here a partial map of Colombia. It is not clearly shown on the map, but a substantial portion of Colombia is in 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 conceded—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. 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 areas very similar—in fact, this is 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.

It is estimated, by the way, these narcotraffickers have profits in excess of $1 million a day—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 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 narcotraffickers has gotten gunned 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. Rather we will be saying that 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 now an emergency?

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. They have 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. Colombian, 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 of activities between the Military and 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 to stop drugs 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 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 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:''.

Mr. DODD. Mr. President, I offer this amendment on behalf of myself and my colleague from Connecticut, Senator LIEBERMAN, and others who may wish to join us. I will read the substance of the amendment; then I will go into the language. The substance of the amendment is as follows: We would strike the words ''procurement, refurbishing, 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 United 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 particular 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 colleague 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 hardware 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 in stemming 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. There are 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 Colombian Government 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 threat levels and logistical difficulties in mounting substantial counter narcotics programs, President Pastrana has made a central feature of his plan the so-called push into southern Colombia, where the bulk of the problem resides. The key components of the push into southern Colombia are to equip and train two additional Colombian counter narcotics battalions, the training and 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 request essentially met 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 the capacity and capability of the equipment with 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.

Let me share 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 our top military people 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, taking 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 in 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. 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—40 years ago. The production of Hueys ended in 1976, a quarter of a century ago. 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 retrofitted Huey. The upgrade package that the Committee mark would fund was only developed 4 years ago and sold to the Colombian armed forces to improve the performance of Hueys currently in operation in that country. 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. Armed Forces are in the process of phasing out current inventories of the 800 Huey aircraft and replacing them entirely with the newer model aircraft, including Blackhawks. Hueys are no longer used in combat missions by any of the U.S. Armed Forces.

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 II's, instead of 30 Blackhawks. 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 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 it's committee report that one of the rationales for substituting Hueys for Blackhawks was the more immediate availability of Huey II's. I think that is disputable, in light of the fact that the 60 Hueys would require major refurbishing. There is currently a limited capacity in the United States, or Colombia for that matter, to do that in a time frame that is much faster than the delivery schedule that Sikorsky has proposed for the 30 Blackhawks. However, setting that point aside for the moment, there is another more fundamental flaw, with all due respect, in the committee's argument. It assumes the Colombian army has trained pilots available to fly in the 60 Hueys once they arrive. Mr. President, that simply is not the case.

The expectation is that it will take between 6 to 9 months to train a pilot to fly those Hueys, or the Blackhawks for that matter. In the case of Hueys, at least double the number of pilots will need to be trained to enable the Colombian Army to have an equivalent air mobility for its elite battalions. You will need at least double the number of pilots trained to carry out the missions. Frankly, the serious questions as to whether or not that many individuals can be identified on short notice in Colombia to undergo such training in order to actually produce the necessary pilots to operate that many Hueys safely and with the capacity and efficiency that is necessary.

Again, I don't claim to be an expert on this, conversant in all the nuances of various helicopter technologies. For that reason, my amendment does not demand that the Huey be the choice. I have made a case for it here, but I have tried to point out the fallacies in the demanding choice in the bill.

Again, whether or not you agree with this policy overall, I hope you will support this amendment. In fact, if you will oppose the policy because you think it is not likely to work well, then you ought to be for this because at least this increases the chance of success of this program. So my amendment simply says let the pros make the choices—not Senators or Congressmen for a specific State, but those who are knowledgeable about this issue, the defense experts in our own country, and those in Colombia who know this terrain.

Last, I will put up a chart that shows the relative ranges of the two helicopters. If you look at the colored circles on the chart, the red line is the range of a Huey. The black line is the range of a Blackhawk. Look at the difference in terms of range capacity of these two pieces of equipment.

With that, I hope that my colleagues will support this amendment when a vote is called for on it.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. At the outset, neither of these helicopters were made in the Commonwealth of Kentucky. My good friend from Connecticut has done, as usual, a very effective job of representing his position. Were I the Senator from Connecticut, I am confident I would be making a very similar speech. Even though the amendment of the Senator from Connecticut doesn't specify the particular kind of helicopter, as a practical matter, if you leave that decision entirely to the Pentagon, I think the Senator would agree that they are likely to prefer the Blackhawk.

Let me just point out to my colleagues why the committee made the decision that it did. First, this is primarily a cost decision. While we didn't want to compromise on safety or capability, we had to consider the fact that over the next several years of use, this subcommittee will have to provide financial support to maintain and operate whatever aircraft is selected to move Colombian troops. Mr. President, this is not a one-time procurement decision. We will be dealing with this in future years. According to the Defense Security Cooperation Agency, the Blackhawks will cost about $12 million each and then at least $1,200 an hour to operate. Counternarcotics aircraft are expected to average 25 hours of flying time a month year-round. To cover these costs, the administration has requested $388 million to procure, maintain, and operate the 30 Blackhawks.

In comparison, the Huey II will cost $1.8 million to refurbish, and then roughly $500 an hour for fuel, spare parts, and other operational costs.

Frankly, the strongest argument the administration made for Blackhawks over Hueys was that the former had twice the troop-carrying capability, as Senator DODD pointed out. While the Huey manufacturer challenged this argument, I decided it was better safe than sorry. So to address the issue, we doubled the number of aircraft we are funding to 60. Even doubling the number of helicopters, the cost of the Huey program stays under $120 million.

Supporters of the Huey have also argued that they can be made available sooner than the delivery schedule of the end of the year for the Blackhawk. Given the pilot shortages and the time it will take to ''train up'' either Blackhawk or Huey pilots, I don't see this aspect as particularly decisive.

I think we have assured the Colombians that they can successfully achieve their mission by taking the approach we recommended in the bill.

I think we have assured the Colombians that they can successfully achieve their mission at a lower cost, not only now but, very importantly, to the budget here in the United States, and lower it in the future for the United States.

With the savings we achieved by taking the approach we recommended in the bill, we have been able to increase the regional support for the Colombian police, increase support for human rights programs, and sustain requested levels for equipment, training, and related support for counternarcotics battalions.

Senator DODD's chart points out the precise reason we chose to fund 60 Huey IIs rather than 30 Blackhawks. His chart points out that the cost to operate the Huey is $617 per hour compared with the Blackhawk cost of $1,675 per hour.

The foreign operations account has to pay for these operational costs this year, next year, and every year after that. Those are years in which we will probably not have $1 billion in emergency funds for Colombia. That means we will have to cut into other accounts to keep these helicopters flying in future years. Which accounts do we cut?

Refugees, UNICEF, funds for Armenia, and Russia, demining, or health? What accounts will pay the price to fly Blackhawks 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 PRESIDING OFFICER. 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 the purchase but, 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 troops 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 counternarcotics battalion which will push into the South from the provinces of Putumayo and Caqueta. 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 counternarcotics troops will perform 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 were able to see you 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 Blackhawks. Again, tactically, four Blackhawk aircraft flying at higher speeds and moving in without 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—and also the survivability 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 landing zones. 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 ability 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 will stress their logistical ability 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 Larandia 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 appropriate we should be 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 this debate 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 account is under attack 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 Blackhawks. The Blackhawks 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 maintain 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 Blackhawks 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 operate these machines.

I cannot see why we should start this precedent. I assume Senator MCCONNELL made the same comments. We have similar situations 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 suppress drug producers.

I wish I had more time to deal with this because I believe very strongly that if we go to the Blackhawks—with the cost of operation per hour, the high maintenance cost, the high cost of continued operation—we will start a trendline that this budget cannot sustain 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 overloaded, I seriously question 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 position of building up a military force in Colombia to deal with the other problems they face internally.

I hope the Senate agrees with our position.

The PRESIDING OFFICER (Mr. INHOFE). The Senator from Connecticut.

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 disagree. 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 Blackhawks, 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 supporting the counterdrug effort.

Additionally, the number of acquired pilots, crew chiefs, gunners, and mechanics to operate and maintain the Hueys is twice that of the Blackhawks. Infrastructure requirements, maintenance, building, parking, and refueling areas, as well as other associated building requirements, are essentially double to support the 60 Hueys as opposed to the 30 Blackhawks.

If this issue were to be decided strictly on dollars and cents—put aside the issue of whether or not one piece of equipment is better than the next—the 18 Hueys that are there, plus the 60 they talk about sending, those numbers exceed what it would cost in order to have the equipment that the military says they need to do the job. These are the numbers from the military.

I am not suggesting you blindly follow the military in every case. But my amendment says at least let them make a recommendation as to what they think is right. It doesn't say you have to take the Blackhawk. It says make the proper, intelligent decision.

We heard from my colleague from Rhode Island, a graduate of West Point Academy, who served with distinction in the U.S. military for a career. He was just in Colombia, along with others, going down to assess what makes the best sense. He comes back with the same conclusion: We ought to let the military people decide.

I have been to Colombia many times. I know that terrain, where the flatlands are, where most of this problem exists. If I can get that chart here which shows the map of Colombia? Let me make the point again.

When you get down to the area where most of the narcotraffickers operate, that is jungle. That is down along that Ecuadorian border, the Putumayo River. There are no roads here at all. The roads end up here in the highlands.

The idea that you are going to have the capacity to handle 90 helicopters—they do not have the personnel in Colombia to do that. If you want to condemn this program to failure, then demand this language be in this amendment. The change we are offering at least offers this program a much higher chance of success down the road by allowing 60 Blackhawks, which every military expert who has looked at this says is what you ought to have to deal with the altitude of the Andes because of its lift capacity, personnel capacity to be able to move into this area, and the speed to move in and out.

Again, it seems to me, if you look at the charts, on all the comparisons here, using 1976 equipment—the last year the Huey was made—as opposed to a modern piece of equipment is wrong. Unless you think this is not an issue worth fighting over, if you think you want to have these narcotraffickers control this country and take over this place and ship on an hourly basis to this country the drugs that are killing 50,000 people a year, we ought not support it at all. But if you are going to do it and you think it is worthy of doing, then do it right. Do it with the kind of equipment that will guarantee at least a higher possibility of success, or we will end up doing it ourselves down the road, which I don't welcome at all.

We now have Colombians who can fly these helicopters or can be trained to do so. Let them do the job. If we send in inferior equipment that can't get the job done, the problem gets worse, the situation gets worse, and then we will be regretting the day we made a political decision about the Hueys rather than a military decision about what works best.

I urge colleagues, regardless of their position on whether or not this is a program they want to support, to support this amendment which says this decision ought to be left to the people who make the calculated determinations of what works best. That is all this amendment does. It does not demand a Blackhawk. It just says make the decision about what makes the best sense. I will live with whatever decision that is. But I don't want to have a

political decision, I don't want to be told I have to accept 60 or 90 Hueys, when I know in 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 amendment 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 Blackhawks are produced to send to Colombia, which could get by 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 Blackhawks yet and will have to wait, as I just said, while these are sent to Colombia. And, No. 2 is the cost of operation.

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 operations 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 this year, next year, and in 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 reason for 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 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 dispensed with.

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

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 time 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 two 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 votes after those votes?

Mr. MCCONNELL. I am told the majority leader wants to continue and try to wrap the bill up tonight.

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 set 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. I yield the floor.

Mr. WARNER. 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 support of the subcommittee's efforts 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. Seeing no one else on the floor at the moment, 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.

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. ___. 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.

AMENDMENT NO. 3540

(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. . (a) FINDINGS.—The Senate finds that—

(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 (3.8 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—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. 3544

(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. ___. 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;

(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 within OLS; or

(vi) any other reason for exclusion from or denial of coverage by OLS;

(D) areas of Sudan where 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

(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. 3568

(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''.

On page 24, line 14, before the period insert the following: ''*: Provided further*, That of the funds appropriated under this heading, not less than $1,500,000 shall be available only to meet the health and other assistance needs of victims of trafficking in persons''.

Mr. MCCONNELL. Mr. President, they have been cleared 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 and move to lay that 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 Senator from Kentucky [Mr. MCCONNELL], for Mr. COVERDELL, for himself and Mr. LEAHY, proposes an amendment numbered 3521, as modified.

The amendment, as modified, is as follows:

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

SEC. . 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 promoting representative democracy in the Americas by working to ensure free and fair elections in Peru and 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 establish the conditions for free and fair elections—both for the April 9 election as well as the May 28 run-off—by not taking effective steps to correct the ''insufficiencies, irregularities, inconsistencies, and inequities'' documented by the OAS Electoral Observation Mission.

(3) the United States Government should support the work of the OAS high-level mission, and that such mission should base its specific recommendations on the views of civil society in Peru regarding commitments by their government to respect human rights, the rule of law, the independence and constitutional role of the judiciary and national congress, and freedom of expression and journalism.

(4) in accordance with P.L. 106–186, the United States must review and modify as appropriate its political, economic, and military relations with Peru and work with other democracies in this hemisphere and elsewhere toward a restoration of democracy in Peru.

(b) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report evaluating United States political, economic, and military relations with Peru, in accordance with P.L. 106–186. Such report should review, but not be limited to, the following.

(1) The effectiveness of providing United States assistance to Peru only through independent non-governmental organizations or international organizations;

(2) Scrutiny of all United States anti-narcotics assistance to Peru and the effectiveness of providing such assistance through legitimate civilian agencies and the appropriateness 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 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.

(5) The extent to which Peru benefits from the Andean Trade Preferences Act and the ramifications of conditioning 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 the enactment 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 civilians), the independence and constitutional role of the judiciary and national congress, and freedom of expression and independent journalism.

(d) PROHIBITION.—If the President determines and reports 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 assistance for the Government of Peru, and the Secretary of the Treasury shall instruct the United States executive directors to the international financial institutions to use the voice and vote of the United States to oppose loans to the Government of Peru, except loans to support basic human needs.

(e) EXCEPTION.—The prohibition in subsection (d) shall not apply to humanitarian assistance, democracy assistance, anti-narcotics assistance, assistance to support binational peace activities involving Peru and Ecuador, assistance provided by the Overseas Private Investment Corporation, or assistance provided by the Trade and Development Agency.

(f) WAIVER.—The President may waive subsection (d) for periods not to exceed 90 days if he certifies to the appropriate committees of Congress that doing so is important to the national interests of the United States and will promote the respect for human rights and the rule of law in Peru.

(g) DEFINITION.—For the purposes of this section, ''appropriate committees of Congress'' means the Committee on Appropriations and the Committee on Foreign Relations in the Senate and the Committee on Appropriations and Committee on International Relations in the House of Representatives. For the purposes of this section, ''humanitarian assistance'' includes but is not limited to assistance to support health and basic education.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] for Mr. ABRAHAM, proposes an amendment numbered 3584, as modified.

The amendment, as further modified, is as follows:

On page 14, line 4, strike ''$15,000,000'' and insert $8,000,000, of which $3,000,000 shall be made available from Economic Support Fund assistance fun assistance''.

Mr. MCCONNELL. Mr. President, these amendments that have been modified have been approved by both sides. I ask unanimous consent that the amendments be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendments are agreed to.

The amendments (Nos. 3521 and 3584), as modified, were agreed to.

Mr. MCCONNELL. I move to reconsider the vote and 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.

Mr. WARNER. Mr. President, if the Senator would withhold.

Mr. MCCONNELL. I withhold.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank the managers for their efforts on this very important piece of legislation. They will have my support.

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. My quick research and consultation with other 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 number is 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 to foster this legislation.

Mr. President, to reiterate I rise to speak in support of United States counter-narcotics activities in the Andean Ridge and neighboring countries as provided for in this bill, and the impact of drug trafficking on the 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 narco-trafficking in Colombia is having on the democratically elected governments in the region. Many of these countries have only recently transitioned from military dictatorships to democracies—and as recent events have demonstrated—these democracies are fragile. The ''spill over'' effect from the narco-trafficking 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 through this and other acts for that purpose, 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 narco-trafficking, including kidnaping 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 Plan 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 problem. 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 Colombia 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 Romero, Acting Assistant Secretary of State for Western Hemisphere Affairs.

Mr. President, at that hearing I asked our witnesses five questions I believe to be essential in making a decision regarding what role the United States should play in this effort:

(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? and

(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, we will be voting in just a few moments in regard to the Gorton amendment. I rise to talk about the bill but also to oppose, with due respect, the Gorton amendment.

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, improve rule of law programs, and increase economic development. The fact is, there is an emergency in our neighbor to the south, in the country of Colombia. This country, 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. In that context, I remind my colleagues 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.

Many of us 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 heavy price, but I think that price 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—not communism—is now the dominant threat to peace and freedom in the Americas. It threatens the sovereignty 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 in 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 ELN—these guerrillas—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 crop alternative development funding. 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 enormous progress in reducing drug cultivation in their respective countries, and they have done it with the help, candidly, of our assistance, and it has worked. Now, an emphasis only on the Colombian drug problems risks the obvious ''spillover'' effect of Colombia's drug trade shifting to adjacent countries in the region.

Some of my colleagues have taken the floor today to express hesitancy and reluctance and opposition to this assistance package. I wish to take a moment to direct my comments specifically to them and 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, on our own Customs, 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 made sense.

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 balanced policy 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. This assistance package before us, 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 role we played in trying to increase the money we were spending and the resources we were providing to stop drugs from ever coming into to 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 down there. What 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 Americas 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 commitment. But I think it is clearly in our national interest.

We vote today not to assist Colombia. We vote today really 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 Cincinnati, 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 PRESIDING OFFICER (Mr. VOINOVICH). 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 PRESIDING 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, as emergency spending. 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 Colombia 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 the murderous paramilitary forces that terrorize Colombian citizens. The package in the foreign operations appropriations bill seems, in the words of 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, the emergency designation frees 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 future. This 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 appropriations bill.

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 Indonesia to key conditions—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. Provisions like those included in this bill are still 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 $262 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 $85 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 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 2000 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 this bill falls $1.7 billion 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 no doubt will see 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 turning 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. 3517

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 Vermont controls the time, and there are 17 minutes.

Mr. LEAHY. Mr. President, I am sorry. I was distracted. What is the Senator from Florida asking?

Mr. GRAHAM. Is the Senator controlling the time in opposition to the amendment of 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 eviscerate not 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 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 if, by our lack of responding 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, fractious 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 southern most 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 outflow 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 United States.

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 Bogota, 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 just as we, 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 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.

AMENDMENT NO. 369

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 Connecticut.

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 from Connecticut. I am proud to be a cosponsor 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 on the floor today, Colombia is in a crisis 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 urgently 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 quite responsibly pledged that the United States will make a major contribution to this critical effort, and I am convinced 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 capacity, and they are well suited for long-range operations. 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 counternarcotics 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 rapid reinforcement, all necessary to achieve success against opponents on the ground. For some missions in the mountains at high altitudes, the Huey II simply will not work at all.

In sum, the Colombians have concluded that the Blackhawks best suit their need for counter drug missions, which is at the heart of our American interest in this aid package. Both General McCaffrey and General Wilhelm have strongly concurred.

In addition, in May, a team of 24 U.S. Army aviation experts was sent to Colombia to conduct an assessment of the operational effectiveness and support requirements of the Blackhawks versus the Huey IIs in Colombia. In a preliminary report on its finding, the team said:

> 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 indicated 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.

Senator DODD and I have offered an amendment that says the U.S. Department of Defense, in consultation with the Colombian military, will determine what kind of helicopters will be most effective to support the purposes for which we are spending this money, which are counternarcotics in Colombia. The Senate ought not to micromanage the decision on which helicopters will be used. It is a decision that ought to be left to those who are the experts.

We cannot pretend this overall emergency aid package is a perfect solution to all the problems confronting Colombia or any of the other countries in the

region. Neither is this assistance a panacea to the problems of drug abuse and addiction in the United States. It is a strong and credible 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. GORTON. 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 doing exactly the same thing here that we have done so frequently in the last 7 or 8 years. This bill includes almost $1 billion for an entirely new, and almost totally military, involvement in a civil war in Latin America, without the slightest promise that our intervention will be a success, and it does it in a totally backward fashion.

The very committee report that recommends spending this almost $1 billion says that the committee ''has grave reservations regarding the administration's ability to effectively manage the use of these resources to achieve the expected results.''

Well, if we have grave reservations, why are we doing it before those reservations have been met?

The bill is a paradox. It says to the administration, spend $934 million, and then come to us and tell us what you have done and why it should go on. But if Kosovo and Bosnia are any indication, when the administration comes back next year, the answer will be: Well, we are already in it; we can't quit now.

That is what we have been told for 6 or 7 years in Bosnia and 2 or 3 in Kosovo, with no end in sight. And there will be no end in sight here either, Mr. President. This bill says let's get in a war now and justify it later. My amendment says let's hear the justification first; let's seriously consider what we are getting into and then maybe vote the money.

This amendment takes $700 million of the $934 million and says, for now, let's pay down the debt with it. Let's expand our present help to Colombia and its police forces, rather substantially, but let's not get into a new armed conflict until we have far greater justification than we have received to this point.

It just seems impossible to me to believe that in the absence of the debate of the whole country, with all of the lessons we must have learned not just in this administration, but in previous administrations, about how easy it is to get in and how hard it is to get out, 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 is recognized.

Mr. MCCONNELL. Mr. President, let me remind my colleagues that the WELLSTONE amendment was defeated 89–7. That would have taken $225 million out of the committee's proposal to fight the war on drugs in Colombia. The amendment of the Senator from Washington, my good friend, would leave only $200 million. It would, in fact, completely terminate this effort, as he candidly admits would be his desire. I hope the GORTON amendment will not be approved.

Mr. President, there are several amendments cleared on both sides which I would like to get out of the way at this point. Temporarily, I ask unanimous consent to lay aside the two amendments upon which we are about to vote.

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

AMENDMENTS NOS. 3495, 3491 AND 3539, AS MODIFIED, EN BLOC

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)

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

SEC. ___. SENSE OF SENATE REGARDING 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) recent 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 enemies 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 the 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; and

(17) events in Zimbabwe could threaten stability and economic development in the entire region.

(18) the Goverment 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.

(b) 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 prosperity, 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 protect 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;

(4) condemns government-directed violence against farm workers, farmers, and opposition party members;

(5) encourages the local media, civil society, and all political parties to work together toward a campaign environment conducive to free, transparent and fair elections within the legally prescribed period;

(6) recommends international support for voter education, domestic and international election monitoring, and violence monitoring activities;

(7) urges the United States to continue to monitor violence and condemn brutality against law abiding citizens;

(8) congratulates all the democratic reform activists in Zimbabwe for their resolve to bring about political change peacefully, even in the face of violence and intimidation; and

(9) desires a lasting, warm, and mutually beneficial relationship between the United States and a democratic, peaceful Zimbabwe.

AMENDMENT NO. 3491

(Purpose: To express the sense of the Senate regarding the significance of the availability of certain funds under this Act for an acceleration of the accession of Estonia, Latvia, and Lithuania to the North Atlantic Treaty Organization (NATO))

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

SEC. 591. It is the sense of the Senate that nothing in this Act regarding the assistance provided to Estonia, Latvia, and Lithuania under the heading ''FOREIGN MILITARY FINANCING PROGRAM'' should be interpreted as expressing the sense of the Senate regarding an acceleration of the accession of Estonia, Latvia, or Lithuania to the North Atlantic Treaty Organization (NATO).

AMENDMENT NO. 3539, AS MODIFIED

(Purpose: To authorize non-lethal, material assistance to protect civilians in Sudan from attacks, slave raids, and aerial bombardment)

On Page 20, line 2, after the word ''Development'', insert the following: ''*Provided further*, That up to $10,000,000 of the funds appropriated under this heading, should be used, notwithstanding any other provision of law, to provide 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 'assistance' includes nonlethal, non-food aid such as blankets, medicine, fuel, mobile clinics, water drilling equipment, communications equipment to notify civilians of aerial bombardment, nonmilitary vehicles, tents, and shoes.''

Mr. MCCONNELL. Mr. President, 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 3539, 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. 3476 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 Senator 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

Allard	Gorton	Leahy
Boxer	Gramm	Mikulski
Collins	Grams	Murray
Craig	Gregg	Specter
Crapo	Harkin	Thomas
Enzi	Hutchinson	
Fitzgerald	Kohl	

NAYS—79

Abraham	Feingold	Moynihan
Akaka	Feinstein	Murkowski
Ashcroft	Frist	Nickles
Baucus	Graham	Reed
Bayh	Grassley	Reid
Bennett	Hagel	Robb
Biden	Hatch	Roberts
Bingaman	Helms	Rockefeller
Bond	Hollings	Roth
Breaux	Hutchison	Santorum
Brownback	Inhofe	Sarbanes
Bryan	Jeffords	Schumer
Bunning	Johnson	Sessions
Burns	Kennedy	Shelby
Byrd	Kerrey	Smith (NH)
Campbell	Kerry	Smith (OR)
Chafee, L.	Kyl	Snowe
Cleland	Landrieu	Stevens
Cochran	Lautenberg	Thompson
Conrad	Levin	Thurmond
Coverdell	Lieberman	Torricelli
Daschle	Lincoln	Voinovich
DeWine	Lott	Warner
Dodd	Lugar	Wellstone
Dorgan	Mack	Wyden
Durbin	McCain	
Edwards	McConnell	

NOT VOTING—2

Domenici	Inouye

The amendment (No. 3517) was rejected.

Mr. BYRD. Mr. President, may we have order.

The PRESIDING OFFICER. The Senate will come to order. Senators will please clear the well.

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

The PRESIDING OFFICER. There are 2 minutes equally divided on the Dodd amendment.

The Senator from Connecticut.

The Senate will be in order. Senators will take their conversations to the Cloakroom, please. If Senators will give their attention to the Senator from Connecticut, we can begin.

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. The present 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 experts to make the decision, not Members of Congress.

I urge adoption of the amendment and ask unanimous consent the letter be printed in the RECORD.

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

REPUBLICA DE COLOMBIA,
MINISTERIO DE DEFENSA NACIONAL,
Santa Fe De Bogotá, June 21, 2000.

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 CHAIRMEN: We wish to thank the U.S. Congress for its support of Plan Colombia and the U.S. Administration's aid package to assist the people of Colombia in our 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 Senate's proposal to replace the 30 UH–60L, Blackhawks with 60 ''Huey II'' helicopters. The decision to provide the Colombian Military with UH–60 helicopters was determined jointly by Colombian and US 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, affords 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, specially taking in consideration 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 Blackhawks. In addition to more trained pilots, they require more trained mechanics, maintenance facilities, spare parts, equipment, force protection, and hangar space at airfields. Any initial savings in acquiring the Huey II's 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 for the future 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 Blackhawks.

Some members of the US Congress have proposed a combination of Blackhawks and Huey's. Given our force structure planning stated above, introducing new Huey II's into our fleet would require separate pilot training, 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 tactical, technical and administrative costs. The Ministry does believe that the UH–1Ns will be vitally important for a successful transition to the more advanced UH–60 Blackhawk. We also believe there will be a continuing need to retain some of the UH–INs after the integration of the UH–60 fleet into the Colombian counternarcotics 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 U.S. 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 the aid pack in this process. Thank you for your consideration.

Sincerely,

MAYOR GENERAL LUIS ERNESTO GILBERT VARGAS,
Director of National Police.

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 STAHELIN,
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 Blackhawks for our own troops, much less the Colombian troops. The Blackhawks are much more expensive, 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 have to pick up the operation and maintenance cost on the Blackhawk in subsequent years. The Huey II will do the job.

The Senator from Connecticut has done his usual articulate job of arguing for a home State interest. The Blackhawk is made in Connecticut. I would probably be making the same speech if I were from Connecticut. But the least expensive alternative is the Huey II. That is why the committee recommended what it did.

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. DOMENICI) 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

Akaka	Graham	McCain
Baucus	Grams	Moynihan
Bayh	Hagel	Murray
Biden	Harkin	Reed
Boxer	Hollings	Reid
Breaux	Johnson	Robb
Bryan	Kennedy	Rockefeller
Byrd	Kerrey	Santorum
Cleland	Kerry	Sarbanes
Conrad	Landrieu	Schumer
Daschle	Lautenberg	Smith (OR)
Dodd	Leahy	Snowe
Durbin	Levin	Specter
Edwards	Lieberman	Torricelli
Feingold	Lincoln	Wellstone
Feinstein	Mack	

NAYS—51

Abraham	Dorgan	Lugar
Allard	Enzi	McConnell
Ashcroft	Fitzgerald	Mikulski
Bennett	Frist	Murkowski
Bingaman	Gorton	Nickles
Bond	Gramm	Roberts
Brownback	Grassley	Roth
Bunning	Gregg	Sessions
Burns	Hatch	Shelby
Campbell	Helms	Smith (NH)
Chafee, L.	Hutchinson	Stevens
Cochran	Hutchison	Thomas
Collins	Inhofe	Thompson
Coverdell	Jeffords	Thurmond
Craig	Kohl	Voinovich
Crapo	Kyl	Warner
DeWine	Lott	Wyden

NOT VOTING—2

Domenici	Inouye

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 stacked 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 rollcall 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. 3553, 3537, 3515, 3546, AS MODIFIED, 3547, AS MODIFIED, 3549, AS MODIFIED, 3545, AS MODIFIED, 3172, 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. 3537, 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 CHAFEE, amendment No. 3545; Senator HELMS, amendment No. 3172; 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. McCONNELL] 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 28, 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 unearmarked 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 years as a volunteer had a profound impact on my life. I will 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 insure 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; 3537; 3515; 3546, as modified; 3547, as modified; 3549, as modified; 3172, as modified; and 3522, as modified), en bloc, were agreed to as follows:

AMENDMENT NO. 3553

On page 33, line 18, insert, ": *Provided further*, That funds made available as a U.S. contribution to the Heavily Indebted Poor Countries Trust Fund shall be subject to the regular notification procedures of the Committees on Appropriations''.

AMENDMENT NO. 3537

(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:

(a) 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 ''500''.

On page 152, strike 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) 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 by the Department of Defense) 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.

On page 153, line 19, strike ''(d) MONTHLY REPORTS.—'', and insert ''(f) BIMONTHLY REPORTS.—''.

On page 153, line 21, strike ''30'' and insert ''60''.

On page 154, line 1, insert ''United States'' after ''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 ''(f)'' and insert ''(h)''.

AMENDMENT NO. 3515

(Purpose: To make the limitation on assignment of United States personnel in Colombia inapplicable to certain intelligence and intelligence-related 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 140, between lines 19 and 20, insert the following:

SEC. ___. 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 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 prevalence 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:

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 study shall include the existence and enforcement of laws prohibiting the practice. The Secretary shall submit the findings of the study and recommendations on how the United States can best work to eliminate the practice of female genital mutilation, to the appropriate congressional committees by June 1, 2001.

AMENDMENT NO. 3172, AS MODIFIED

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

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, attended the inauguration of President Vladimir Putin, and held talks with Russian Defense Minister Igor Sergeyev and Army Chief of Staff Anatoly Kvashnin;

(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;

(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 of a $150,000,000 loan 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;

(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 receiving corn and grain as food aid from the United States;

(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 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 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 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 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 obligated 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 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 any 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 Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guaranty Agency, and the European Bank for Reconstruction and Development.

(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 may waive the actions described in subsections 2A, 2B, and 2C if he determines and reports to Congress that it is in the national interests of the United States of America.

(3) It is the sense of the Senate that—The President of the United States should instruct 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 negotiations.

AMENDMENT NO. 3522 AS MODIFIED

(Purpose: To provide for the rehabilitation of the transportation infrastructure of Bulgaria and Romania)

At the appropriate place, insert:

Of the funds appropriated under the heading ''Support for East European Democracy'' rehabilitation and remediation of damage done to the Romanian and Bulgarian economies as a result of the Kosovo conflict should be given priority especially 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''), particularly those projects that encourage bilateral cooperation between Romania and Bulgaria, and that seek to offset the difficulties associated with the closure of the Danube River.

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

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, we previously agreed to amendment No. 3536. I ask unanimous consent that the distinguished senior Senator from Michigan, Mr. LEVIN, be added as a cosponsor.

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

The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I ask unanimous consent Senator HELMS be added as a cosponsor to the Coverdell amendment on Peru.

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

Mr. REED. Mr. President, I ask unanimous consent that Senator LAUTENBERG be added as a cosponsor to Senator EDWARDS' and Senator TORRICELLI's amendment No. 3589.

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

AMENDMENT NO. 3584, AS FURTHER MODIFIED

Mr. LEAHY. Mr. President, amendment No. 3584 was accepted earlier. The sponsor of that amendment, the distinguished Senator from Michigan, Mr. ABRAHAM, has agreed to a modification of his amendment. I ask unanimous consent to send the modification to the desk and ask that it be accepted in lieu of the earlier amendment No. 3584.

The PRESIDING OFFICER. Without objection, the amendment, as further modified, is agreed to.

The amendment (No. 3584, as further modified) was agreed to, as follows:

In lieu of amendment No. 3584, insert the following:

On page 14, line 4, strike ''$15,000,000'' and insert: ''$18,000,000''.

On page 14, line 7, after ''Lebanon'' 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 proceeded to call the roll.

Mr. WELLSTONE. 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. 3568

Mr. WELLSTONE. Mr. President, I don't know whether we have reached agreement or not or whether there will be time for discussion tomorrow.

I thank my colleagues. I believe amendment No. 3568 has been accepted. This is an amendment I have offered with Senator BROWNBACK, 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 Senator from Vermont for accepting this amendment.

I especially thank Senator BROWNBACK for the work I have been able to do with him dealing with the awful aspect of this new global economy: 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, Senator BROWNBACK, for his support. I thank Senators for supporting this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 3588

(Purpose: To make available up to $1,000,000 to fund the Secretary of Defense 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 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 consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER] proposes an amendment numbered 3588.

Mr. SPECTER. 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:

SEC. . UNITED STATES-CUBAN MUTUAL ASSISTANCE IN THE INTERDICTION OF ILLICIT 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 such assistance may be provided after the President determines and certifies to Congress that Cuba has appropriate procedures in place to protect against innocent loss of life in the air and 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 sharp disagreement as to what 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 will do.

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 by 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 spend money on rehabilitation 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 move up the chain to 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 many 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. 3588) 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: ''*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 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.

I see Senator REID is looking over the consent request. If he has any questions, I will be glad to respond.

UNANIMOUS CONSENT AGREEMENT

Mr. LOTT. Mr. President, I ask unanimous consent that all remaining first-degree amendments 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 relative 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. LOTT. Certainly. That is always the case. If the Senator gets it worked out, or something changes his mind, he obviously would 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 that 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. LOTT. 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 certainly very proud 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 REED 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. LOTT. 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. LOTT. 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. LOTT. 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 shows the comity of the Senate, as well. I thank all of the leaders for that.

Mr. LOTT. 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. REID. Mr. President, will the Senator 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 finish tonight.

Mr. LOTT. The Senator was right.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 3589

(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 3589.

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 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.

(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. 900 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 unstinting 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 ROBB on this amendment. They have fought hard for their States.

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)

District and county	Applicant	Total project cost	Project description
7—Brunswick	Brunswick County	$6,600,000	Construct 1.65 mgd WWTP that will immediately serve a new industry creating 300 jobs.
5—Alamance	Burlington	5,000,000	Upgrade existing 12.0 mgd East Burlington facilities to meet effluent limits (400 jobs).
7—Duplin	Duplin County/Beulaville	2,500,000	Water improvements to serve three existing industries retaining/saving 350 jobs and the construction of a multi-tenant building.
1—Edgecombe	Edgecombe W/S Districts No. 1&2	4,242,000	Water and sewer improvements to serve a new industry that will create 800 jobs.
4—Chatham	Goldston-Gulf Sanitary District	227,389	Water improvements (50 jobs).
2—Harnett	Harnett County/Fuquay-Varina	4,000,000	Regional water transmission main and municipal sewer improvements to serve an expanding industry (400 jobs) and industrial development.
3—Lenoir	Lenoir County	3,512,700	Upgrade and expand the city's 4.08 mgd plant to 6.0 mgd. The expansion requires upgrades to more stringent effluent limits. (300 jobs).
—Nash	Rocky Mount	10,000,000	Infrastructure for new subdivisions of affordable housing.
4—Chatham	Siler City	2,050,000	Collection system rehabilitation to eliminate inflow/infiltration adversely impacting WWTP's treatment capacity. (125).
5—Rockingham	Town of Reidsville	2,537,512	Water, sewer and street construction to develop phase I of the Town of Reidsville's 300 acre industrial part (800 jobs).
1—Warren	Warren County	2,943,999	Sanitary sewer replacement to eliminate inflow and infiltration that is reducing the WWTP's treatment capacity that will create 600 jobs.
3—Wayne	Wayne County	2,080,000	Sewer improvements that will serve industries creating 700 jobs.
2—Wilson	Wilson County	1,751,065	Replacement of a major sewer interceptor to correct inflow/infiltration resulting in WWTP operating under a moratorium and SOC (400 jobs).
Total		47,444,665	

POTENTIAL EDA PROJECTS—FY 2000 SUPPLEMENTAL

District and county	Applicant	Total project cost	Project description
1—Edgecombe	Tarboro	$3,000,000	Water and sewer improvements in Kingsboro corridor to retain commerce and support industrial growth in non flood-prone areas.
1—Edgecombe	Pinetops	1,500,000	Waste water treatment plant flooded during Hurricane Floyd. Funds would allow for expansion of industrial and residential capacity of facility.
1—Edgecombe	Tarboro	600,000	Water and sewer lines to accommodate the expansion of commerce and the development of 2 low to moderate income subdivisions.
1—Edgecombe	Tarboro Area Development Corporation/NC Department of Commerce, Division of Community Assistance.	350,000	As part of NC "Main Street" project, rehabilitate Royster-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.
2—Nash	Rocky Mount	4,000,000	Water and sewer and natural gas improvements to Whitakers industrial park to accommodate the relocation of businesses to non flood-prone areas.
3—Lenior	Coastal Community College	1,300,000	Acquire and renovate existing building to accommodate the relocation of businesses located in flood-prone areas (business incubator).
3—Lenior	La Grange	3,000,000	Expansion of water and sewer capacity will support the relocation of existing businesses and residents to non flood-prone areas.
3—Onslow	Onslow County	3,000,000	Water and sewer extensions to county owned industrial park to support the relocation of commercial activities to non flood-prone areas.
7—Duplin	Duplin County/Beulaville	2,500,000	Water improvements to serve existing industries (retaining more than 300 jobs) and the construction of multi-tenant commercial building to serve flood-displaced businesses.
7—Pender	Pender County	1,400,000	Berming and drainage improvements to save more than 600 jobs at industrial sites severely impacted by Hurricane Floyd.
1 and 8—Pitt	Farmville	1,500,000	Provide sewer pump stations and extensions to serve new ethanol facility that will create 1000 jobs—replenishing the 450 jobs lost after hurricanes.
1 and 8—Beaufort	Beaufort EDC	1,500,000	Construct industrial building for lease to flood-displaced businesses.
1 and 3—Pitt	Greenville	3,000,000	Water and sewer extensions to serve business and housing relocations to non flood-prone areas.
1 and 3—Pitt	Farmville	1,000,000	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.

POTENTIAL EDA PROJECTS—FY 2000 SUPPLEMENTAL—Continued

District and county	Applicant	Total project cost	Project description
Multiple	NC Department of Commerce, Division of Community Assistance.	1,400,000	The "Main Street" program is an ongoing, successful State initiative to revitalize commercial districts in North Carolina communities. Targeting vacant or abandoned buildings for rehabilitation, the program infuses new activity into commercial districts by reclaiming and renovating structures for commercial and mixed-use. Building renovation is an important part of comprehensive projects that enhance quality of life and commerce for North Carolina towns. Planning and technical assistance and construction funds for "Main Street" program in disaster impacted communities (Clinton, Elizabeth, Wilson, Farmville, Goldsboro, Kinston, Lumberton, New Bern, Smithfield, Southport, Tarboro, and Washington). $400,000 in planning and technical assistance funds would support economic improvement feasibility analyses of "Main Street" projects, including use of appropriate hazard mitigation technologies. $1 million in construction funds would facilitate the implementation of project/rehabilitation of buildings—supporting new jobs and the revitalization of towns and commercial areas.
Multiple	Multiple Counties	20,000,000	2 urban and 5 rural communities were under water/sewer moratoriums due to capacity prior to the 1999 hurricane season (Wilson, Bethel, Fremont, Mount Olive, Snow Hill, Kinston, and Ahoskie). $300 in RM alone—4 additional rural facilities are now operating under moratorium due to flood damage (Fountain, Winton, Aulander, and Pikeville). As a critical component of the repair and recovery and reconstruction process, especially regarding the reconstruction of affordable housing and relocation of commercial activities, the capacity of these facilities must be addressed.
Total		49,050,000	

[1] Unless waived, EDA projects require a 50% cost-share.

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—$55 million for EDA plus more than $225 million for CDBG; Tropical Storm Alberto in 1994—$50 million for EDA plus $180 million for CDBG; Red River Valley Floods in 1997—$52 million in EDA plus $500 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 two 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. 3545

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?

Without objection, it is so ordered.

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 vehicles 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

more comprehensive aid package to Lebanon is considered here in the Senate. I appreciate your suggested amount, and would like to work with you once all the elements for a successive aid package are assembled. This requires input by the Administration, and a plan as to what programs would be funded and which ones would receive priority funding. It is my hope that the Administration will consult with us as soon as possible regarding figures for an assistance package. However, until the Administration produces a comprehensive package, I will have to lay your amendment aside.

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 this package together. I highly 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.

CLIMATE CHANGE LANGUAGE

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.

THE INTER-AMERICAN FOUNDATION

Mr. MCCAIN. Mr. President, last year, the Senate adopted an amendment to the FY 2000 Foreign Operations Appropriations Act that deleted language restricting the availability of funds for the Inter-American Foundation. I offered that amendment, which was included in the managers' amendment to the bill and accepted without objection, because the basis for restricting the Foundation's funding was inaccurate and misleading. Chairman STEVENS and Chairman MCCONNELL, when apprised of the facts of the situation, agreed to remove the language from the bill, and I appreciate their willingness to do so.

This year, the report contains language that is similarly inaccurate and misleading, and that implies that a principal reason for terminating funding for the Foundation is an ongoing concern about the activities of a staff member of the Foundation. Based on the agreement of Chairman STEVENS and Chairman MCCONNELL to remove similar language from the bill last year, as well as the subsequent resolution of this matter, I was surprised to again see a reference to this matter in the Committee's report.

First, let me say that I am not passing judgment on whatever other reasons the Committee may have for terminating the funding for the Inter-American Foundation. However, I object to the Committee's continued reference to an individual staff member of the Foundation as a reason for shutting down the Foundation. Let me take a moment to clearly state the facts of the matter.

Last year, the General Accounting Office conducted an investigation of allegations of contract and hiring regulatory abuses at the Foundation that were reported anonymously to their fraud hotline. The GAO completed their investigation and forwarded a report to the Committee on May 20, 1999, and requested permission to brief the Board of Directors of the Foundation on their findings, as well as certain additional allegations received during the course of interviews at the Foundation. On June 30, 1999, when Chairman STEVENS and Chairman MCCONNELL agreed to remove language from the bill last year that withheld funding for the Foundation until GAO completed a further investigation, the GAO was free to brief the Foundation. At that time, the Chairmen advised me that, by referring the matter to the Foundation's Board, the Appropriations Committee would view this investigation as complete and no further action would be taken by the Committee regarding the subject of the GAO investigation.

GAO briefed the Foundation Board on July 23, 1999. The minutes of that Board meeting indicate that GAO investigators stated that GAO had issued a final report on their review of the Foundation's contracting and personnel actions and that no further review would be undertaken. In addition, GAO investigators stated to the Board that the anonymous allegations received against a Foundation staff member were administrative in nature and would not be further investigated by GAO. Board members expressed concern and indignity at the allegations against the staff member, and concluded that no further action would be necessary. On August 5, 1999, the Board adopted a formal resolution to that effect.

Mr. President, continued references to unfounded, disproven anonymous allegations against this staff member contribute nothing to the public's understanding of any legitimate reasons the Committee may have for terminating the funding for the Inter-American Foundation. I would like to ask Chairman STEVENS if he agrees that long-resolved issues regarding a now-former staff member at the Foundation are not related to the Committee's action.

Mr. STEVENS. Mr. President, I share the views of my colleague, Senator MCCAIN, that the Committee's report language could be misread to imply that the actions of a former staff member are a principal reason to shut down the Foundation, and I do not believe that is or should be cited as a reason for doing so.

Mr. MCCAIN. Thank you, Senator STEVENS. Mr. President, I would also like to ask Chairman STEVENS if he would agree to include in the conference statement of managers on the FY 2001 Foreign Operations Appropriations bill a clear statement disavowing this report language regarding a now-former employee of the Foundation.

Mr. STEVENS. Mr. President, I would be happy to accept the Senator's suggestion that we include clarifying report language in the conference agreement.

Mr. MCCAIN. Thank you, Senator STEVENS.

Mrs. FEINSTEIN. Mr. President, I rise today to voice my strong support for the long-in-coming supplemental appropriations request for Colombia included as part of this Foreign Operations bill. I believe that there are few

requests more important to the security and well-being of this nation in the coming years than this one.

I believe that 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 swaths 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, as the ability 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 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.

Plan Colombia is focused on 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 Steller 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 how 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 of State 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 then, 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.

Let me say that I strongly believe that even as we provide the resources necessary to implement Plan Colombia that we must also attack the demand side of the drug problem in this country with a multi-pronged, concerted effort.

I support funding for domestic prevention and demand reduction programs, and I believe we must continue to provide domestic law enforcement with the tools they need to combat the drug trade within our borders.

But much of the demand-side, domestic effort can be accomplished by state and local governments.

What state and local governments cannot do is to keep drugs from entering this country in the first place. That task can only be accomplished by the federal government, which has control over our borders and over foreign policy.

In fact, of the $18 billion in the Federal Government's counterdrug funding, 32 percent goes to domestic demand reduction, 49 percent to domestic law enforcement; 10 percent to interdiction along our borders; and only 3.2 percent to international counterdrug efforts.

Less than 4 percent for the one area that is clearly and unambiguously the one area in this fight that is the sole responsibility of the Federal Government.

Even with passage of this package of assistance to Colombia this figure will still be well under 10 percent.

So I say to my colleagues who believe more effort needs to be directed to domestic programs to address demand that they are right. More effort in this area is needed. Our states should do more. Our cities should do more. But clearly more effort supporting our friends and allies in international efforts to curtail production, refinement, and transportation are needed too. And that is the one area where only the Federal government can act.

Only with assistance from the United States will the Government of Colombia be able to eradicate and intercept the tons of illegal narcotics that leave that country each year bound for our shores.

The ongoing narco-crisis in Colombia and the overall crisis of drugs in America represent an important threat to our nation's security and stability. The war against drugs is real, and should be treated with the same seriousness of purpose and resources as any other war.

The funding provided for the Colombia supplemental request in the Foreign Operations bill, although expensive, is clearly within our national interest. We face a crisis in this nation, and that crisis demands action.

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 all 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 severely underfunded. I will introduce shortly an amendment to address that severe problem.

The funding line to which I refer is known as ''NADR.'' That does not refer to Ralph Nader. It does refer to ''Nonproliferation, Antiterrorism, Demining, and Related Programs.'' The 10 programs in this category are all on the front line of protecting our people from terrorism and from weapons of mass destruction.

Unfortunately, the funding in this bill for 7 of those 10 programs is 37 percent below the levels requested by the President. (And that ignores another $30 million that was cut because the Foreign Operations Subcommittee concluded that a new counter-terrorism training center must be funded in the Commerce, Justice, State appropriation.) I submit that the national security requires that we provide substantially more of those requested funds.

Let me describe the programs that are treated so badly in this bill:

In the non-proliferation field, the Department of State's Export Control Assistance program helps foreign countries to combat the proliferation of weapons of mass destruction.

Recently customs agents in Uzbekistan stopped a shipment of radioactive contraband from Kazakhstan that was on its way to Iran, with an official final destination of Pakistan. Some press stories suggested that the shipment was really intended for a terrorist group affiliated with Osama bin Laden in Afghanistan, who would have used it to build a radiological weapon for use against Americans.

Those customs agents were trained by 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.

But the Export Control Assistance program provides the same sort of assistance when Nunn-Lugar funds can not be used, and it helps other countries to enact the laws and regulations that they need in order to have effective export controls. The personal ties that are forged by this program with export control officials from other countries are equally crucial to improving other countries' export control performance.

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.

Last 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 400 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, compared to 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.

I, for one, am not disturbed by that. Russia still has a nuclear weapons program, just as we do. There are bound to be security concerns that keep us at arm's length.

Unlike us, Russia may also have illegal chemical and/or biological weapons programs. There are military biological institutes to which we do not have access.

As a result, there is always a risk that non-proliferation assistance will be diverted to illegal military research, or that the funds we provide will keep afloat people or institutes involved in an illegal chemical or biological weapons program. That risk pales, however, compared to the risk of weapons proliferation if we leave those weapons scientists unable to put food on their table. So we must be ''guarded,'' and we must do more.

The Science and Technology Centers program takes great care to minimize the risk of diversion. The General Accounting Office, after studying the Science Center's programs to employ Russia's former biological weapons experts, reported recently that the Center:

> . . . has directly deposited grant payments into project participants' individual bank accounts, which prevents the institutes from diverting funds for unauthorized purposes. . . . Program managers from the Science Center review programmatic and financial documents on a quarterly basis, and the Science Center requires a final audit of every project before it releases an overhead payment to an institute.
>
> In addition, the U.S. Defense Contract Audit Agency has conducted internal control audits for 10 Science Center biotechnology projects through 1999.

Those precautions work. A few months ago, Science Center officials were warned by Russian scientists of a possible diversion of funds. That information was received and acted upon in a timely manner, and steps were taken to make sure that no diversion occurred.

The Science Centers program also takes steps to guard against proliferation. After all, that's the point of this assistance. We can be proud of the job that this program is doing to reduce the risk of proliferation of Russian materials and expertise.

When the GAO looked at Science Center biotechnology projects, they found that nearly half the recipients of project assistance were ''former senior weapons scientists.'' On the average, the scientists devoted more than half of the year to Science Center projects. Institute directors told the GAO that these projects ''were crucial to their institute budgets.''

The GAO also reports:

> Prior to the funding of any U.S. collaborative research project, Russian institute officials must pledge that their institute will not perform offensive weapons research or engage in proliferation activities. According to a January 1999 State Department report, engaging in such inappropriate behavior would have an immediate and negative impact on any U.S. assistance.

Institute officials with whom we met consistently told us that they are no longer involved in offensive biological weapons activities and that they clearly understand the conditions of U.S. collaborative research assistance.

The GAO report continues:

> Officials at three institutes we visited reported that, in the past, representatives of countries of proliferation concern had approached them seeking to initiate questionable dual-use research. Officials at the three institutes told us they had refused these offers because of a pledge made to U.S. executive branch officials as a condition of receiving U.S. assistance.
>
> The pledge includes avoiding cooperation both with countries of proliferation concern or with terrorist groups.
>
> State and Defense Department officials identified at least 15 former Soviet biological weapons institutes in which the United States has evidence that these programs have discouraged the institutes and scientists from cooperating with countries of proliferation concern such as Iran.
>
> The Department of Defense informed Congress in a January 2000 report that the access gained through the collaborative research programs has provided ''high confidence'' that Biopreparat institutes such as Vector and Obolensk are not presently engaged in offensive activities.

Did everyone get that? This program is giving assistance to Russian biological weapons experts in order to keep them out of the clutches of rogue states. The GAO has found that it is succeeding in doing that. At the same time, we are guarding against the diversion of our funds to improper purposes. And the access we get to the institutes we assist—thanks to this program—has enabled the Defense Department to say that those institutes are clean.

Finally, we get useful research as an end product. If the executive branch gets the funding it wants, we will get help on defending against biological weapons. We will also help the Russians safeguard the dangerous pathogens that they keep for research purposes, thus guarding against their sale

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 third 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 allots 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 everybody admits that we need 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 tests. Indeed, some of those stations will be in locations where we could not hope to get seismic coverage 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, ultrasound 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 multiple-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 can not 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. The executive 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 Khobar Towers complex in Saudi Arabia, is not ours. Rather, it is the security services of the host countries. All over the world, those countries need our assistance in border control and airport security. They need our training in spotting terrorist groups hiding behind legitimate charities, and in handling terrorist incidents—including future attacks that could use weapons of mass destruction. The Anti-Terrorism Assistance program does all of this.

Right now, the Anti-Terrorism Assistance program trains up to 2,000 people per year. There is so much demand for our training that we could help 3,000 a year, if only we had the funds and the facilities. An increase in training funds would make a real contribution to our security.

The State Department also runs a Terrorist Interdiction Program—known as TIP—that provides other countries the training and equipment needed for them to apprehend terrorists entering their countries. The TIP program enables countries to compare a person's travel documents to their own data-bases. It also works through INTERPOL to link these countries and promote information sharing. Finally, it trains immigration and customs workers in interview and screening techniques.

The State Department recently began a program to provide these important capabilities to Pakistan. We all know about Pakistan, the gateway to Afghanistan for Osama bin Laden 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 program in Kenya, which we know all too well has been used as a terrorist gateway to Africa, and site surveys in four more countries.

The proposed budget cut in the bill before us would force us to choose between Pakistan and Kenya. It is simply contrary to our national interest to force such a Hobson's choice.

These two anti-terrorist 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 a crisis. We should be 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-terrorist programs. This is simply unacceptable.

Finally, the Department of State's Small Arms program has underwritten successful arms buy-backs in Africa, notably in Mali. This is 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 supply of arms 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 conferees to break the ridiculous cap on this whole bill.

With that in mind, the amendment that I am introducing simply states the sense of the Senate that the conferees should find the funds needed to make NADR whole.

We have been through this drill before. In due course, more funds for foreign operations will be found. The crucial question is how the conferees will allocate those funds. This amendment calls on the conferees to give priority to these important national security efforts.

I am pleased to report that this amendment is co-sponsored by Senators LUGAR, HAGEL, BINGAMAN, CONRAD, DOMENICI and LEVIN. I urge all of my colleagues to support it.

This amendment is not certain to succeed in conference—but it surely is the least we can do. The safety of our diplomats and military personnel overseas, and the safety of all of us from the proliferation of weapons of mass destruction, demand no less.

Mr. DOMENICI. Mr. President, the Senate is now considering S. 2522, the foreign operations and export financing appropriations bill for fiscal year 2001.

The Senate bill provides $13.4 billion in budget authority and $4.5 billion in new outlays to operate the programs of the Department of State, export and military assistance, bilateral and multilateral economic assistance, and related agencies for fiscal year 2001.

When outlays from prior year budget authority and other completed actions are taken into account, the bill totals $13.4 billion in budget authority and $14.3 billion in outlays for fiscal year 2001.

The subcommittee is below its section 302(b) allocation for budget authority and at its section 302(b) allocation for outlays.

Mr. President, I ask unanimous consent that a table displaying the budget committee scoring of this bill be printed in the RECORD.

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

S. 2522, FOREIGN OPERATIONS APPROPRIATIONS, 2001: SPENDING COMPARISONS—SENATE-REPORTED BILL

[Fiscal year 2001, dollars in millions]

	General purpose	Mandatory	Total
Senate-reported bill:			
Budget authority	13,384	44	13,428
Outlays	14,273	44	14,317
Senate 302(b) allocation:			
Budget authority	13,385	44	13,429
Outlays	14,273	44	14,317
200 level:			
Budget authority	15,306	44	15,350
Outlays	13,527	44	13,571
President's request:			
Budget authority	15,097	44	15,141
Outlays	15,329	44	15,373
SENATE-REPORTED BILL COMPARED TO:			
Senate 302(b) allocation:			
Budget authority	−1	.....	−1
Outlays	.....	.....	.....
2000 level:			
Budget authority	−1,922	.....	−1,922
Outlays	746	.....	746
President's request:			
Budget authority	−1,713	.....	−1,713
Outlays	−1,056	.....	−1,056

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions. Prepared by SBC Majority Staff, May 18, 2000.

Mr. DOMENICI. Mr. President, I urge adoption of this bill.

METHAMPHETAMINE LAB CLEANUP/CHILD SOLDIERS

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 has already paid some $300,000 out 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 Columbia, 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 one of the most alarming 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 units 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 can think of no better use for these funds than 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 $5 million 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 NGO's 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 friends as they make the difficult 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 debt relief.

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 suffering through 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—out of a population of 600,000—60,000 people are addicted to heroin or cocaine. These individuals not only wreck their own lives but they also have left a horrible mark on the city—drug-related crimes are now at $2 to $3 billion a year. Drugs destroy individuals, 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—more like 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 this package is 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 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 Armed Forces before this 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 members of Colombia's Armed Forces continue 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 requires 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 in 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. COVERDELL. 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 56% 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 that also includes strong investments in demand reduction and domestic 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 first-hand. Upon my return, Senator DEWINE, Senator GRASSLEY and I introduced an assistance package, the Alianza Act, in October of 1999. The Alianza 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 plan largely mirrored the Alianza Act, though 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 law enforcement agencies such as the Customs Service and the Coast Guard.

In March, the House passed a $13 billion Supplemental Package, which included $1.7 for Colombia. The Colombia portion is a good bill that rectifies many of the shortcomings in the Administrations proposal. Then in May, the Senate Foreign Operations Appropriations Subcommittee 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, immediate passage of counter-narcotics assistance is crucial to reduce the flow of drugs onto our streets and to bring stability to the Andean Region. It's time to realize that the emergency in Colombia threatens an important source of U.S. oil, continues to fuel the flood of illegal drugs entering America's streets, and endangers our hemisphere's common march toward democracy and free enterprise.

Mr. BYRD. Will the Senator yield for a unanimous consent request?

Mr. REED. I am happy to yield.

Mr. BYRD. I have an amendment on the list. I would like to call this amendment up tomorrow. I ask unanimous consent that I may be authorized to call up one of my amendments on the list tomorrow.

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

Mr. BYRD. I thank the Senator for yielding.

Mr. REED. Mr. President, I rise in support of the underlying legislation that would provide support for the country of Colombia to fight the drug problem which not only involves Colombia but involves the United States very decisively and directly.

I commend Senators MCCONNELL and colleagues who drafted this legislative vehicle to assist Colombia.

Part of my discussion tonight is based upon a trip last weekend that I took with Senator DURBIN to Colombia. We had the opportunity to travel to Cartegena to meet with President Pastrana and his key national security advisers. We also traveled to Bogota to meet with the Defense Minister and the chairman of their joint chiefs of staff.

But I think much more importantly, we traveled out to where the military forces are being deployed to counteract this drug problem, to the town of Larandia. It is not really a town, it is a base camp. It is a forward post for the Colombians to conduct these counterdrug operations.

One of the first impressions you get when you go to Colombia and leaf through the materials provided by the Embassy is that this country has a long history of violence—or, as the Colombians say, La Violencia.

In fact, according to the Embassy, there is one kidnapping every 5 hours in Colombia. And 75 percent of the world's reported kidnappings occur in Colombia. The Embassy points out that Bogota is the murder capital of the world. In a city of 7 million people, there are 16 murders a day and 6,000 murders a year.

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.

Then there was a period from 1958 until 1974 in which both parties literally transferred power each 4 years from one president to another, and there was a semblance of stability in the country. But certainly by the 1960s, there was renewed agitation by guerrilla forces, principally Marxist and Leninist forces—the whole spectrum—the two principals being Fuerzas Armadas Revolucionarias de Colombia, or

FARC, and Ejercito de Liberacion Nacional, or ELN.

These forces, spurred on 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 counterinsurgence 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—which are the 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—the Cali cartel, 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 great 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 are no longer capable with their equipment and their technology to deal with this. This has become a military problem. As a result, we are in a military problem that requires military support of the United States, just as it required police support in the 1980s and the early 1990s.

Part of the reason the cultivation 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 we have been able to suppress 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 military 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 unless we do something.

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 profiting 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 we face.

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 plank 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 had 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 where coca was being cultivated. This plan calls not only for military operations but also calls for heightened sensitivity to peace, a commitment and a contribution to economic development. The United States share 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, and 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 is not responsive to efficient, fair, and appropriate justice. Here, too, Plan Colombia, will call for a reform and renewal of those institutions, which are so important.

Then part of it, of course, is a military component. Without security in these areas, in these areas we have talked about—without security in these areas, there will be no way in which we can effectively conduct—''we,'' meaning the Government of Colombia and its international partners—can conduct the kind of economic development and alternative development that is necessary for long-term stability.

Here is another map that focuses clearly on Colombia alone. Here are the regions where the production is significant, Putumayo and Caqueta, these provinces. Here in the pink is the zone controlled by FARC. You can see it really is in between major production areas.

In order to get into these areas, in order to provide the kind of economic development that is necessary, there has to be, first, security, and, because of the nature of the armed combatants in the area, that calls for military assistance.

This is a big part but not the only part of Plan Colombia. Within the context of Plan Colombia, there are basically two significant components militarily: first, the training of counternarcotics troops, and, second, the provision of helicopters for their mobility, because without helicopters you really cannot be effective in this region.

The training has already been finished for the 1st Battalion and they are in Tres Esquinas. The second is up here in Larandia. They are awaiting our approval so American special forces troops can conduct the training. Without helicopters, however, none of these trained troops can effectively get to where the cultivation is taking place, where the clandestine laboratories are located, where they must go in order to upset and defeat the drug lords in this part of Colombia. So it is very critical we move today with dispatch with this legislation, and move forward to allow the military plan to go forward as well as to provide the basis for later alternative development.

Many legitimate concerns have been raised with respect to the program that is being presented within this legislation. First of significance, one we should all be very concerned about, is 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 already have 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 that 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 units must receive this vetting. 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 cahoots with 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 section of last week's major paper in Bogata, 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 the violence that is the result 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 are 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.

There is 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 non-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 our training for their police, equipment for their police, intelligence reports for their police, but they went after the cartels themselves. It was their responsibility. They carried it out successfully.

The other difference between Vietnam and the situation in Colombia is that our focus is on drugs. Our focus is on supporting Colombian military authorities to provide the security so that police authorities can destroy labs and destroy coca fields. That is a lot different from trying to win the hearts and minds, to win the political allegiance of a population, as we were by default forced to attempt in Vietnam.

Winning the political allegiance of the people of Colombia is strictly and only the function and responsibility of the Colombian Government. That is why President Pastrana's peace plan represents a sincere effort to do just that. It is their plan, their peace plan. Our effort should rightfully be 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, but 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 Castro as a potent revolutionary 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 paramilitary 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 a market economy that did very well. 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 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. If they cannot sell drugs—we hope they will not be able to sell drugs—they will return to their old ways—kidnapping, extortion, et cetera. 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 guerrilla 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, more willingness on the part 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—could 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 surfacing 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 Samper, where, effectively, the President of Colombia was subverted by narcotraffickers, 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 with 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 collision of the cocaine cultivation in the hinterlands, 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.

MORNING BUSINESS

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

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

HONORING ELIZABETH MCGARR

Mr. DASCHLE. Mr. President, I think we all agree how important 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 nation's proud history and its 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 Hockaday 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. One that 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 observed the 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 did celebrate 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, travails and victories 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 is concerned, we are as united as 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. 2549

Mr. INHOFE. Mr. President, yesterday a delayed flight due to weather and the closing of flights through Chicago caused me to miss 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 make those 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 getting 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. 3474

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 credence to creating 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 we 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 must 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

Airwing for a brief period in Korea as a communications officer. I have an indelible memory of the sacrifices of many others, those 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 office. They did not invent great new machines or conquer disease. Many died before they were old enough to make an enduring mark on the world.

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 more than 50 years. The draft expired long ago, and the bulk of our young no longer consider service as a career or even as an occupational way-station.

Furthermore, technology has brought us the possibility of ''bloodless'' wars, such as the Kosovo incursion—operations in which we kill others from afar, while denying enemies the chance to kill our own. We no longer speak of ''patriotic gore'' or assume we pay for freedom with blood and treasure. For that reason, we don't appreciate fully the lives and deaths of those we commemorate on Memorial Day.

But we owe it to ourselves to try. The rows of markers at Arlington and other national cemeteries serve as stark reminders that evil lives and thrives in the world. Humans instituted and maintained slavery for centuries, and Americans tried to maintain discrimination through force of terror for nearly a century after the Civil War. Our fellow humans venerated such butchers as Adolf Hitler and Josef Stalin—treating them as living gods and worshipping them as men of surprising vision and virtue.

It has become unfashionable to talk in stark terms of good and evil. We like to pretend they are antediluvian categories that have given way to ''subtler'' distinctions—between justice and injustice, for instance, or between fairness or unfairness. But our own wooziness on matters of morality does not change the fact that good and evil exist—and that most evils flourish under the care of men and women who claim to be doing good.

The hills of Arlington attest to this.

They tell us more. America became a superpower less than a century ago. We are relatively inexperienced at the business of maintaining peace. But history does disclose a few lessons about how to avoid trouble. The most important is Teddy Roosevelt's injunction that we carry a big stick.

Potential enemies don't care much about our prosperity. Many despise it. Would-be assailants worry instead about whether we have the might and will to thrash those who attack us. In the years following the First World War, we converted our swords into plowshares. A grinding depression struck the nation, leaving us both weak and poor—and this combination of unpreparedness and irresolution emboldened the Japanese to bomb Pearl Harbor.

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 devastating bio-weapons.

Military history teaches us an important lesson about such attitudes. When great powers refuse to keep up with the latest 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 Arlingtons, 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 amd 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 2000 budget 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 2001, 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.

TABLE 1. FISCAL YEAR 2000 SENATE CURRENT LEVEL REPORT, AS OF JUNE 19, 2000

[In billions of dollars]

	Budget resolution	Current level [1]	Current level over/under resolution
On/budget:			
Budget authority	1,467.3	1,469.6	2.3
Outlays	1,441.1	1,447.9	6.8
Revenues	1,465.5	1,465.5	(2)
Debt Subject to Limit	5,628.3	5,558.0	−70.3
Off-budget			
Social Security Outlays	326.5	326.5	0.0
Social Security Revenues	479.6	479.6	0.0

[1] Current level is the estimated revenue and direct spending effects of all legislation that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest information from the U.S. Treasury.

[2] Equal less than $50 million.

Source: Congressional Budget Office.

TABLE 2. SUPPORTING DETAIL FOR THE FISCAL YEAR 2000 SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES, AS OF JUNE 19, 2000

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted in previous sessions:			
Revenues	0	0	1,465,480
Permanents and other spending legislation	876,140	836,751	0
Appropriation legislation	869,318	889,756	0
Offsetting receipts	−284,184	−284,184	0
Total, enacted in previous sessions	1,461,274	1,442,274	1,465,480
Enacted this session:			
Omnibus Parks Technical Corrections Act of 1999 (P.L. 106–176)	7	3	0
Wendell H. Ford Aviation Investment and Reform Act (P.L. 106–181)	2,805	0	0
Trade and Development Act of 2000 (P.L. 106–200)	53	52	−8
Total, enacted this session	2,865	55	−8
Cleared pending signature: Agricultural Risk Protection Act of 2000 (H.R. 2559)	5,500	5,500	0
Total Current Level	1,469,639	1,447,878	1,465,472
Total Budget Resolution	1,467,300	1,441,100	1,465,500
Current Level Over Budget Resolution	2,339	6,778	n.a.
Current Level Under Budget Resolution	n.a.	n.a.	28
Memorandum: Emergency designations for bills enacted this session.	0	0	0

Source: Congressional Budget Office.
Note: P.L.=Public Law; n.n=not applicable.

AGAINST AMNESTY FOR MILOSEVIC

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 public enemy number-one. We need to add him to the growing list of indicted suspects in detention.

The Panic op-ed argues that we won't be able to capture Milosevic. In the short run, we probably won't. But as the vice tightens on Milosevic's cronies and makes it clear to them that they will have absolutely no future in a Milosevic-run state, I think it may occur to them to serve Slobo up on a platter to the Hague.

We have all learned not to make rash predictions about when Milosevic will fall from power, and I won't fail 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 retinue 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 falls 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.

Give me a break. Even if we could persuade Putin to go against his self-interest—a total impossibility, of course—such a deal would only 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 ''Exit Milosevic.'' 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 outmaneuvered 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 fund the vast majority of the cost 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 an alliance with teeth, so you still have to spend a lot to upgrade your forces. Don't worry, though. The Milosevic buyout 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 this amnesty idea is just too politically naive 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 isn't one of them.

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 sophomore political science seminars and think-tank luncheons—but not to serious consideration by our Government.

Let's get on with the vital, if prosaic, business of rebuilding Bosnia 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.

VICTIMS OF GUN VIOLENCE

Mrs. BOXER. 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 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; Izeall Hester, 41, Miami-Dade County, FL; Curtis Hill, 20, Oakland, CA; Sixto Ibarra, 17, Chicago, IL; Alex James, 20, Miami-Dade County, FL; Pedro Resendiz, 24, Kansas City, MO; Keith Siverand, 10, Houston, TX; Stefan Sure, 38, New Orleans, LA; Lung Van Lam, San Francisco, CA; Michael D. Washington, 21, Chicago, IL; Summersett Wheeler, 29, Miami-Dade County, FL; and Laran Wilson, 23, 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 news stories 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, nor does it 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 backstop for 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 enjoying 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.

PLACING 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 months 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 allegations of war 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 invited to take part in this summit in 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 evoluation.

In February this body passed Rsolution 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 in Chechnya. 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 condemnation, 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 capital Grozny 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 been given access to 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 control their own destinies, 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.

NECESSARILY ABSENT

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 fifty-nine million, eight hundred fifty thousand, eight hundred eighty-one dollars and ninety-nine cents).

Five years ago, June 20, 1995, the Federal debt stood at $4,895,341,000,000 (Four trillion, eight hundred ninety-five billion, three hundred forty-one million).

Ten years ago, June 20, 1990, the Federal debt stood at $3,121,083,000,000 (Three trillion, one hundred twenty-one billion, eighty-three million).

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).

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 fifty thousand, eight hundred eighty-one dollars and ninety-nine cents) during the past 25 years.

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. FREELAND, 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. Ron 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 an unwavering 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 355,000 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 Ron for 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 advocating 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 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. I have 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, and as a 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 Internal 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 fortunate 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 names, has in no small way made our jobs in the United States Senate that much easier. Those companies represent the very heart of our national 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 Mrs. Morgan Dukes of Summerville, 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 teaches us the importance of teamwork, goal-setting and determination. 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 respectable 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. Down 46 points on 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 M. 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 in 1945 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 Veterans Claims Examiner.

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 five Special Contribution 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 office morale and increased the 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. Niland, 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. 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.''

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 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.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent, and referred as indicated:

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; 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, the pay-as-you-go report 507 dated June 8, 2000; to the Committee on the Budget.

EC–9300. A communication from the Deputy Secretary of Housing and Urban Development, transmitting the HUD Management Reform Plan Progress Review and Accomplishments report entitled ''Promises Made—Promises Kept''; to the Committee on Banking, Housing, and Urban Affairs.

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, the report of a rule entitled ''Rules and Regulations for the Allocation of Fiduciary Responsibility, Federal Retirement Thrift Investment Board'' (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 Science and Technology 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 submission for the DOE Office of Science; to the Committee on Appropriations.

EC–9306. 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 Appropriations.

EC–9307. A communication from the Acting Commandant of the Coast Guard, Department of Transportation, transmitting, pursuant to law, a report relative to substances to be classified as oils; to the Committee on Environment and Public Works.

EC–9308. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Withdrawal of Direct Rule for the Interim Enhanced Surface Water Treatment Rule (IESWTR), the Stage 1 Disinfectants and Disinfection Byproducts Rule (Stage 1 DBPR) and Revisions to State Primacy 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–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 ''Nonreactor Nuclear Safety Design Criteria and Explosives Safety Criteria Guide for Use With DOE 0–420.1, Facility Safety'' (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 Nonnuclear 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 Techniquest 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 Priority'' received on June 15, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9313. A communication from the Deputy Executive Secretary of the Department of Health and Human Services (Health Resources and Services Administration), transmitting, pursuant to law, the report of the rule entitled ''Interim Final Rule for the Ricky Ray Hemophilia Relief Fund Program'' (RIN 0906–AA56) received on June 14, 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 ''Obstetrical and Gynecological Devices; Classification of Female Condoms'' (RIN 99N–1309) received on May 24, 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 ''Indirect Food Additives: Paper and Paperboard Components'' (RIN 00F–0813) received on June 1, 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 ''Secondary Direct Food Additives Permitted in Food for Human Consumption'' (RIN 00F–0786); 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 ''Sterility Requirement for Aqueous-Based Drug Products for Oral Inhalation'' (RIN0910–AA88) received on June 5, 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 ''Investigational New Drug Applications; Amendment to Clinical Hold Regulations for Products Intended for Life-Threatening Diseases and Conditions'' (RIN0910–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; Selenium Yeast'' (RIN98F–0916) received on June 14, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9320. 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 ''General Hospital and Personal Use Devices; Classification of Liquid Chemical Sterilants/High Level Disinfectants and General Purpose Disinfectants'' (RIN98N–0786) received on June 16, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9321. A communication from the Assistant Secretary for Employment and Training, Department of Labor, transmitting, pursuant to law, the report of a rule entitled

''Workforce Investment Act'' (RIN1205–AB20) received on May 24, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9322. 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–9323. 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)'' (RIN1820–AB14) received on May 31, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9324. 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 ''NIDRR–Assistive Technology Act Technical Assistance Program'' (RIN84.224) received on May 31, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9325. 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—The Challenge Newsletter'' received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9326. 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 Models on College Campuses Grant Competition'' received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9327. 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–9328. 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—Grant 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.

EC–9329. 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 Suspended or Expelled'' received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMPSON, from the Committee on Governmental Affairs, without amendment:

H.R. 642: A bill to redesignate the Federal building located at 701 South Santa Fe Avenue in Compton, California, and known as the Compton Main Post Office, 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 Watts Finance Office, as the ''Augustus F. Hawkins Post Office Building''.

H.R. 1666: A bill to designate the facility of the United States Postal Service at 200 East Pinckney Street in Madison, Florida, as the ''Captain Colin P. Kelly, Jr. Post Office''.

H.R. 2307: 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. 2357: A bill to designate the United States Post Office located at 3675 Warrensville Center Road in Shaker Heights, Ohio, as the ''Louise Stokes Post Office''.

H.R. 2460: A bill to designate the United States Post Office located at 125 Border Avenue West in Wiggins, Mississippi, as the ''Jay Hanna 'Dizzy' Dean Post Office''.

H.R. 2591: 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. 2952: A bill to redesignate the facility of the United States Postal Service located at 100 Orchard Park Drive in Greenville, South Carolina, as the ''Keith 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 ''Joel T. Broyhill Postal Building''.

H.R. 3701: A bill to designate the facility of the United States Postal Service located at 3118 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''.

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:

By Mr. DURBIN:

S. 2759. 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. 2760. 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. KOHL):

S. 2761. A bill to fund task forces to locate and apprehend fugitives in Federal, State, and local felony criminal cases and to provide administrative subpoena authority; to the Committee on the Judiciary.

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 Health, Education, Labor, and Pensions.

By Mr. BAUCUS:

S. 2763. 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 conservation reserve contracts; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KENNEDY (for himself, Mr. SPECTER, Mr. DODD, Mr. DEWINE, Ms. MIKULSKI, Mr. SMITH of Oregon, Mr. BINGAMAN, Mr. L. CHAFEE, 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. BREAUX):

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 such Acts, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 2765. 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. 2760. 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.

MICROBIOLOGICAL PERFORMANCE STANDARDS CLARIFICATION ACT OF 2000

Mr. HARKIN. Mr. President, today I am introducing the Microbiological

Performance Standards Clarification Act of 2000. Passage of this bill is vital because on May 25th, the 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) 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 says that USDA does not have the authority to enforce Microbiological Performance Standards for reducing viral and bacterial pathogens.

The Pathogen Reduction Rule recognized that bacterial and viral pathogens were the foremost food safety 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 primary 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 reduce levels of dangerous pathogens in meat and poultry products. To ensure the new inspection system accomplished this, USDA developed Microbiological Performance Standards. These 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 to ensuring the modernization of our food safety system, and ensuring consumers 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 apprehend fugitives in Federal, State, and local felony 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 combined. 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 flaunt courts order and avoid arrest, breeds disrespect for our laws and poses undeniable risks to the safety of our citizens. 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 federal 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, including 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's efforts have resulted in the arrest of a total of 65,359 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, requesting a comprehensive report on the administrative subpoena authorities held by federal agencies, which vary in scope, enforcement and privacy safeguards.

''Administrative subpoena'' is the term generally 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 over. Use 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 subpoena power 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 necessary to obtain an order for nondisclosure 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 from justice. 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 arrest 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 by the recipient and for delaying notice to the person about whom the record pertains. 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—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 of 2000''.

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 authorities in designated 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; or

''(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 whom an appropriate law enforcement officer or official of a State or political subdivision has requested the Attorney General to assist in the investigation, and the Attorney General finds that the particular circumstances of the request give rise to a Federal interest sufficient for the exercise of Federal jurisdiction under section 1075; and

''(3) the term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

''(b) SCOPE.—In any investigation with respect to the apprehension of a fugitive, the Attorney General may subpoena witnesses for the purpose of the production of any records (including books, papers, documents, electronic data, and other tangible and intangible items that constitute or contain evidence) that the Attorney General finds, based upon articulable facts, are relevant to discerning the fugitive's whereabouts. A subpoena under this subsection shall describe the records or items required to be produced and prescribe a return date within a reasonable period of time within which the records or items can be assembled and made available.

''(c) JURISDICTION.—The attendance of witnesses and the production of records may be required from any place in any State or any other place subject to the jurisdiction of the United States at any designated place where the witness is served with a subpoena, except that a witness shall not be required to appear more than 500 miles distant from the place where the witness was served. Witnesses subpoenaed under this section shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

''(d) SERVICE.—A subpoena issued under this section may be served by any person designated in the subpoena as the agent of service. Service upon a natural person may be made by personal delivery of the subpoena to that person or by certified mail with return receipt requested. Service may be made upon a domestic or foreign corporation, a partnership, or other unincorporated association that is subject to suit under a common name, by delivering the subpoena to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process. The affidavit of the person serving the subpoena entered on a true copy thereof by the agent of service shall be proof of service.

''(e)ENFORCEMENT.—

''(1) NONCOMPLIANCE.—In the case of the contumacy by or refusal to obey a subpoena issued to any person, the Attorney General may invoke the aid of any court of the United States within the jurisdiction of 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;

''(B) the subpoena fails to meet the requirements of this section; or

''(C) the subpoena violates the constitutional rights or any other legal right or privilege of the subpoenaed party.

''(3) TIME FOR RESPONSE.—The time allowed for compliance with a subpoena in whole or in part shall be suspended during the pendency 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, in accordance with section 2705(b) of this title, for an order commanding 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.

''(3) NONDISCLOSURE REQUIREMENTS.—Except as provided in paragraphs (1) and (2), the Attorney General may apply to a court for an order requiring the party to whom an administrative subpoena is directed to refrain from notifying any other party of the existence of the subpoena or court order for such period as the court deems appropriate. The court shall enter such order if it determines that there is reason to believe that notification of the existence of the administrative subpoena will result in—

''(A) endangering the life or physical safety of an individual;

''(B) flight from prosecution;

''(C) destruction of or tampering with evidence;

''(D) intimidation of potential witnesses; or

''(E) otherwise seriously jeopardizing an investigation or undue delay of a trial.

''(g) IMMUNITY FROM CIVIL LIABILITY.—Any person, including officers, agents, and employees, who in good faith produce the records or items requested in a subpoena shall not be liable in any court of any State or the United States to any customer or other person for such production or for nondisclosure of that production to the customer, in compliance with the terms of a court order for nondisclosure.

''(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 after review and approval 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 identification of the agency issuing the subpoena and imposing the charges. This reporting requirement shall terminate in 3 years after enactment.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The analysis for chapter 49 of title 18, United States Code, is amended by adding at the end the following:

''1075. Administrative subpoenas to apprehend fugitives.''.

SEC. 4. STUDY AND REPORT OF 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. 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 Health, Education, Labor, 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.

Our Nation has been rich in learning and education. We have an impressive system of public education, with fundamentally strong public schools—yes, some need help, but they continue to reach all children and open the doors of learning to over 50 million children each year. The strength of our post-secondary education system is unmatched in the world with an estimated 80 percent of our high school graduates going on to some post-secondary education. We have public libraries across the country that contribute the building blocks of lifelong learning with educational programs and access to books and other educational resources for the public—from the youngest to the oldest. We enjoy significant cultural institutions—museums, art galleries and other centers—that allow us to explore and continue to learn.

This infrastructure of learning has not been achieved without significant effort. From our very first days, leading Americans have dedicated time and resources to developing schools, universities and other institutions of learning. Thomas Jefferson viewed the creation of the University of Virginia as one of his greatest accomplishments. Other Americans are well known for their passion and vision for learning—from Helen Keller to the Little Rock 9.

There have been many here in Congress too who have lead on education issues. We tend to remember the more recent steps—the creation of the Pell Grant program or Head Start. But in fact, our commitment and involvement in these issues began much earlier. I believe one of these most significant, 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, accessible Land Grant Colleges and Universities. 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 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.

Morrill'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 potential to expand the reach of education.

The 1996 Telecommunications Act and Balanced Budget Act of 1997 established a framework 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 telecommunications 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, 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. CHAFEE, 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. BREAUX):

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 such acts, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

THE NATIONAL AND COMMUNITY SERVICE AMENDMENTS ACT OF 2000

• Mr. KENNEDY. Mr. President, I am pleased today to introduce a bill to reauthorize the Corporation for National Service, along with 25 co-sponsors from both sides of the aisle.

In 1993 Congress created the Corporation for National Service to enhance opportunities for all Americans to participate in contributing to their communities by actively engaging in local service programs. Community service should not be an option only for those who can afford to perform an important job without pay. It should be an opportunity for everyone. Every week, I have the privilege of reading with a third grade student in Washington, and I have seen her make very impressive progress during the last three years. I know first-hand that those who engage in community service gain as much as they give when they participate.

The Corporation for National Service is expanding these opportunities for service by offering stipends and education awards to AmeriCorps members, and stipends to senior volunteers. It also offers professional development opportunities to teachers and identified leader schools, who will mentor other schools interested in beginning to pursue service learning. In the last five years, 150,000 adults have given a year of service to communities across the country as AmeriCorps members. 500,000 senior citizens each year provide service to their communities in Foster Grandparent Programs, Senior Companion Programs, and the Retired Senior Volunteer Corps. In addition, over 1 million school children each year participate in service learning programs.

The national service movement has also encouraged businesses to become actively involved in improving their communities. Local business leaders have stepped up to the plate to sponsor service corps programs, to offer technical support for existing programs, and to use community service as a way to work with local schools.

As Robert Kennedy said, in words that became the hallmark of his life, ''Some people see things as they are and say why. I dream things that never were, and say why not?'' Because of community service, more and more citizens are asking that question every day in communities across the country.

In Massachusetts, under the leadership of Maureen Curley and her talented Board of Directors, the Massachusetts Service Alliance has helped citizens to act against the injustices that they see around them. From City Year and Peace Games in Boston to Greenfield READS and the Barnstable Land Trust, they have created new opportunities to tutor, to provide useful information on health care, to fight domestic violence, to help senior citizens live independent lives, and to repair and revitalize their communities in many other ways. They have found that many citizens in their communities are eager to be involved and to stay involved, and they have been successful in creating large numbers of opportunities for that involvement. Last year, 180,000 citizens contributed 3.5 million hours of service in 140 communities across the state. Programs such as City Year, which began as a dream of Michael Brown and Alan Khazei in Boston, has a program in 13 sites across the country, engaging over 2,000 Corps members in service. We will welcome their newest site here in Washington in September.

This bipartisan bill that we offer today will allow these programs to continue to grow and enable many more Americans to participate in improving their communities and building a stronger America.

Our former colleague, Dan Coats, has written an eloquent article in support of AmeriCorps. The article appeared in today's edition of The Hill, and I ask unanimous consent that it be made a part of the RECORD.

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

[From The Hill, June 21, 2000]

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

Brothers Big Sisters and Habitat, and hundreds of other organizations large and small. The number of Republicans who have changed their mind about AmeriCorps continues 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 bipartisan support in Congress, a new middle ground has emerged, leading to a unique partnership between AmeriCorps, the nonprofit organizations and private and religious institutions that are critical to 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 ''[W]hat they do in terms of leveraging 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 a better future for us all.●

● Mr. DODD. Mr. President, I am pleased to rise this 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 independent and 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 effect, 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 Services 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 340,000 people to find jobs, and providing food, clothing and other necessities to over 2.5 million homeless people. With regard to our natural environmental, 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 meet the needs of their communities and they have 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 kindergarten 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—their 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 or providing health care 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. These are emotions that drive participants in either the PeaceCorps 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 awakens in its members 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 is 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.

Acorss 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 employed 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 their needs.

Secondly, these programs harness what we all know is the true strength of America, it's 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 Service continues through 2005. It retains the successful structure of the system that has been so effective over the last seven years, but makes allowances for a few improvements in the overall program, including a more responsive effort to ensure an increased participation by people with disabilities and a recognition that Indian tribes are qualified organizations to receive grants. This is a good bill. I hope we can work with our colleagues in the House to ensure that legislation reauthorizing the Corporation for National Service is passed by both houses and sent to the president for signature this year.●

● Mr. JEFFORDS. Mr. President, I am pleased to join a number of my colleagues in introducing the National and Community Service Amendments Act of 2000. This legislation will reauthorize the National and Community Service Act and the Domestic Volunteer Service Act.

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 shave become AmeriCorps members, serving 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 Northeast Kingdom Initiative AmeriCorps Program in Lyndonville, Vermont. Her assignment involves the Cobleigh 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 see the world and introducing 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 life and career. It's great to feel good about what you do, knowing you are making a difference in your community.''

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 half a million Americans, age fifty-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 been instrumental in getting 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 democrat, 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 called Emmons. Working to improve 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 drop out of school just because 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 a 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 program, Energy Express, provides balanced meals, an environment that abounds with literature, 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 populace.

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

S. 353

At the request of Mr. GRASSLEY, the name of the Senator from Texas (Mr. GRAMM) was added as a cosponsor of S. 353, a bill to provide for class action reform, and for other purposes.

S. 662

At the request of Mr. L. CHAFEE, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 662, a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

S. 708

At the request of Mr. DEWINE, 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.

S. 729

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.

S. 1017

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.

S. 1066

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.

S. 1322

At the request of Mr. DASCHLE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1322, 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.

S. 1443

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.

S. 1805

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.

S. 2018

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 update factor used in making payments to PPS hospitals under the medicare program.

S. 2045

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.

S. 2070

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.

S. 2071

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.

S. 2271

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.

S. 2272

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.

S. 2299

At the request of Mr. L. CHAFEE, 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.

S. 2394

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.

S. 2423

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.

S. 2505

At the request of Mr. JEFFORDS, the name of the Senator from Virginia (Mr.

ROBB) was added as a cosponsor of S. 2505, a bill to amend title XVIII of the Social Security Act to provide increased assess to health care for medical beneficiaries through telemedicine.

S. 2528

At the request of Ms. 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 biologicals.

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 response to the illegal sale, transfer, or misuse of certain 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. 2689

At the request of Ms. LANDRIEU, the names of the Senator from Louisiana (Mr. BREAUX) and the Senator from Alaska (Mr. MURKOWSKI) were added as cosponsors of S. 2689, 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. 2698

At the request of Mr. MOYNIHAN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 2698, 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. 2699

At the request of Mrs. FEINSTEIN, the names of the Senator from Nebraska (Mr. KERREY) and the Senator from Alaska (Mr. MURKOWSKI) were added as cosponsors of S. 2699, a bill to strengthen the authority of the Federal Government to protect individuals from certain acts and practices in the sale and purchase of social security numbers and social security account numbers, and for other purposes.

S. 2741

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. 2742

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 section 527 and section 501(c), and for other purposes.

S. 2750

At the request of Mr. REID, the name of the Senator from Nevada (Mr. BRYAN) was added as a cosponsor of S. 2750, a bill to direct the Administrator of the Environmental Protection Agency, the Secretary of the Army, the Secretary of Agriculture, and the Secretary of the Interior to participate constructively in the implementation of the Las Vegas Wash Wetland Restoration and Lake Mead Water Quality Improvement Project, Nevada.

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. REID) 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.

AMENDMENTS SUBMITTED

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 ''$25,000,000''.

On page 156, lines 7 and 8, strike ''the entire amount'' and insert ''$25,000,000''.

On page 141, lines 9 and 10, strike ''$934,100,000, to remain available until expended: *Provided*,'' and insert ''$909,100,000, to remain available until expended: *Provided*, That of the funds appropriated under this heading, not more than $225,600,000 shall be available for the Push into Southern Colombia, of which amount not less than $25,000,000 shall be available for resettlement and alternative development activities of the Push into Southern Colombia: *Provided further*,''.

HELMS AMENDMENT NO. 3498

Mr. HELMS proposed an amendment to the bill, S. 2522, supra; as follows:

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, attended the inauguration of President Vladimir Putin, and held talks with Russian Defense Minister Igor Sergeyev and Army Chief of Staff Anatoly Kvashnin;

(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;

(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 of a $150,000,000 loan 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;

(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 receiving corn and grain as food aid from the United States;

(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 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 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 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 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 obligated 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 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 any 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 Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guaranty Agency, and the European Bank for Reconstruction and Development.

(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 should instruct 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 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'' 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 Columbia, 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''.

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 a report to the appropriate congressional committees containing the following:

''(1) A description of the extent to which the Colombian Armed Forces have suspended from duty Colombian Armed Forces personnel who are credibly alleged to have committed gross violations of human rights, and the extent to which such personnel have been brought to justice in Colombia's civilian 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 and prosecuted.

''(3) A description of the extent to which the Colombian Armed Forces cooperate with civilian authorities in investigating and prosecuting gross violations of human rights allegedly committed by its personnel, including the number of such personnel being investigated for gross violations of human rights who are suspended from duty.

''(4) A description of the extent to which attacks against human rights defenders, government prosecutors and investigators, and officials of the civilian judicial system in Colombia, are being investigated and the alleged perpetrators brought to justice.

''(5) An estimate of the number of Colombian civilians displaced as a result of the 'push into southern Colombia,' and actions taken to address the social and economic needs of these people.

''(6) A description of actions taken by the United States and the Government of Colombia to promote and support a negotiated settlement of the conflict in Colombia.

''(c)''.

AMENDMENT NO. 3501

On page 13, line 16, after ''vaccines'' insert in lieu thereof: '',notwithstanding any other provision of law''.

On page 13, line 8, delete ''41,000,000'' and insert in lieu thereof: ''$35,000,000''.

On page 13, line 11, delete ''$65,000,000'' and insert in lieu thereof: ''$50,000,000''.

AMENDMENT NO. 3502

On page 57, line 19, delete the following: ''Panama,''.

AMENDMENT NO. 3503

Before the period at the end of the paragraph under the heading ''Global Health'', insert the following: '':*Provided Further*, That of the funds appropriated under this heading, not less than $1,200,000 should be made available to assist blind children''.

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 Prevention''.

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''.

MCCONNELL AMENDMENTS NOS. 3505–3506

Mr. MCCONNELL proposed two amendments to the bill, S. 2522, supra; as follows:

AMENDMENT NO. 3505

On page 38, line 6, strike ''$330,000,000'' and insert ''$340,000,000''.

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 sell or otherwise make available under the Arms Export Control Act or chapter 2 of part II of the Foreign Assistance Act of 1961 any Stinger ground-to-air missiles to any country bordering the Persian Gulf.

''(b) ADDITIONAL TRANSFERS AUTHORIZED.—In addition to other defense articles authorized to be transferred by section 581 of the Foreign Operations, Export Financing, and Related Programs Appropriation Act, 1990, the United States may sell or 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.''

MCCONNELL (AND LEAHY) AMENDMENT NOS. 3507–3508

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)

(c) DEFINITIONS.—The term ''International Financial Institutions'' means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the Inter-American Investment Corporation, the Enterprise for the Americas Multilateral Investment Fund, the Asian Development Bank, the Asian Development Fund, African Development Bank, the African Development Fund, the European Bank for Reconstruction and Development and the International Monetary Fund.

AMENDMENT NO. 3508

On page 21, line 21, after the word ''organizations'' insert, '': *Provided further*, That of the funds made available under this heading for Kosova, not less than $1,300,000 shall be made available to support the National Albanian American Council's training program for Kosovar women''.

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 appropriated under this heading not less than $750,000 shall be made available for a joint project developed by the University of Pristina, Kosova and the Dartmouth Medical School, U.S.A., to help restore the primary care capabilities at the University of Pristina Medical School and in Kosova''.

SHELBY AMENDMENT NO. 3510

Mr. MCCONNELL (for Mr. SHELBY) proposed an amendment to the bill, S. 2522, supra; as follows:

On page 103, beginning on line 13, strike ''Committee on Appropriations'' and all that follows through ''House of Representatives'' and insert ''Committees on Appropriations and Foreign Relations 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''.

BAUCUS (AND OTHERS) AMENDMENT NO. 3511

Mr. LEAHY (for Mr. BAUCUS (for himself, Mr. ROBERTS, Mrs. FEINSTEIN, Mr. BINGAMAN, 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. ___. 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.

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 both 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.

USAEP 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. MCCONNELL (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. ___. 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 490(e) or 620A of this Act or any other comparable provision of law.''.

LOTT (AND COCHRAN) AMENDMENT NO. 3513

Mr. MCCONNELL (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 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.

SHELBY AMENDMENTS NOS. 3514–3515

(Ordered to lie on the table.)

Mr. SHELBY submitted two amendments 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 ''House of Representatives'' and insert ''Committees on Appropriations and Foreign Relations 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. 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 National 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 following:

SEC. ___. PERMANENT NORMAL TRADE RELATIONS 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 will give United States businesses, workers, and farmers an opportunity 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 negotiated last fall in the context of the accession of the People's Republic of China to the World Trade Organization;

(2) 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 passage by the House of Representatives of legislation 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 amendment 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: ''$200,000,000 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.''.

WELLSTONE AMENDMENT NO. 3518

Mr. WELLSTONE proposed an amendment to the bill, S. 2522, supra; as follows:

On page 143, line 9, insert before the period the following: '': *Provided further,* That, subject to the 2 preceding provisos, of the funds appropriated for military purposes under this heading for the 'Push into Southern Colombia', $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.): *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 Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in such Act''.

GORTON AMENDMENT NO. 3517

Mr. MCCONNELL (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: ''$200,000,000 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.''.

STEVENS (AND OTHERS) AMENDMENT NO. 3519

(Ordered to lie on the table.)

Mr. MCCONNELL (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 ''Appropriations'' insert the following: ''*: Provided further,* That foreign military financing program funds estimated to be outlayed for Egypt during the fiscal year 2001 shall be transferred to an 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 authenticated instructions from the Defense Finance and Accounting Service: *Provided further,* That in the event the interest being account is closed, the balance of the account shall be transferred promptly to the current appropriations account under this heading: Provided further, That none of the interest accrued by the account shall be obligated except as provided through the regular notification procedures of the Committees on Appropriations''.

FEINGOLD AMENDMENT NO. 3520

(Ordered to lie on the table.)

Mr. FEINGOLD submitted an amendment 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 expended'' 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 Mozambique and Southern Africa: *Provided further,* That, of the amounts that are appropriated under this Act (other than under his heading) and that are available without an earmark, $25,000,000 shall be withheld from obligation and ependiture''.

COVERDELL (AND LEAHY) AMENDMENT NO. 3521

(Ordered to lie on the table.)

Mr. COVERDELL (for himself, Mr. LEAHY, and Mr. HELMS) submitted an amendment 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. . 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 promoting representative democracy in the Americas by working to ensure free and fair elections 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 establish the conditions for free and fair elections—both for the April 9 election as well as for the May 28 run-off—by not taking effective steps to correct the ''insufficiencies, irregularities, inconsistencies, and inequities'' documented by the OAS Electoral Observation Mission.

(3) the United States Government should support the work of the OAS high-level mission, and that such mission should base its specific recommendations on the views of civil society in Peru regarding commitments by their government to respect human rights, the rule of law, the independence and constitutional role of the judiciary and national congress, and freedom of expression and journalism.

(4) in accordance with P.L. 106–186, the United States must review and modify as appropriate its political, economic, and military relations with Peru and work with other democracies in this hemisphere and elsewhere toward a restoration of democracy in Peru.

(b) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report evaluating United States political, economic, and military relations with Peru, in accordance with P.L. 106–186. Such report should review, but not be limited to, the following.

(1) The effectiveness of providing United States assistance to Peru only through independent non-governmental organizations or international organizations;

(2) Scrutiny of all United States anti-narcotics assistance to Peru and the effectiveness of providing such assistance through legitimate civilian agencies and the appropriateness 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 organizations 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 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.

(5) The extent to which Peru benefits from the Andean Trade Preferences Act and the ramifications of conditioning 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 the enactment 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 national congress, and freedom of expression and independent journalism.

(d) PROHIBITION.—If the President determines and reports 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 international financial institutions to use the voice and vote of the United States to oppose loans to the Government of Peru, except loans to support basic human needs.

(e) EXCEPTION.—The prohibition in subsection (d) shall not apply to humanitarian assistance, democracy assistance, anti-narcotics assistance, or assistance to support binational peace activities involving Peru and Ecuador.

(f) WAIVER.—The President may waive subsection (d) for periods not to exceed 90 days if he certifies to the appropriate committees of Congress that doing so is vital to the national interests of the United States and will promote the respect for human rights and the rule of law in Peru.

(g) DEFINITION.—For the purposes of this section, ''appropriate committees of Congress'' means the Committee on Appropriations and the Committee on Foreign Relations in the Senate and the Committee on Appropriations and Committee on International Relations in the House of Representatives. For the purposes of this section, ''humanitarian assistance'' includes but is not limited to assistance to support health and basic education.

LANDRIEU AMENDMENT NO. 3522

(Ordered to lie on the table.)

Mr. LANDRIEU submitted an amendment 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:

(j) Of the funds appropriated under this heading, $20,000,000 shall be available only to assist with the rehabilitation and remediation 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''), particularly those projects that encourage bilateral cooperation between Romania 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 amendment 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. ___. UNITED STATES-CUBAN MUTUAL ASSISTANCE IN THE INTERDICTION OF ILLICIT DRUGS.

(a) FINDINGS.—Congress finds the following:

(1) In 1989, the Department of Defense was designated by Congress as the ''lead agency for detection and monitoring of areal and maritime trafficking''.

(2) Several United States law enforcement authorities have expressed the need for increased 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 smugglers and are vital to the flow of illegal drugs to the United States.

(5) There is no evidence of the involvement of the Government of Cuba in drug trafficking.

(6) Cuban authorities have cooperated with United States authorities to interdict illegal drug shipments.

(7) The Government of Cuba has expressed its desire to expand cooperation with the United States on drug interdiction efforts by accepting an upgrading of the current telex link between the Cuban Border Guard and

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–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:''.

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–1H 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: ''$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,''.

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 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 Rich, 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 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 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 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''.

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 107, 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 serve along 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 utility and feasibility study referenced under the heading of ''Management of MASINT'' in Senate Report 106–279 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 251(b)(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 only to the extent an official budget request for $18,500,000, 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.

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 599E of Public Law 101–167.

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 ON 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 this Act or any other Act during fiscal year 2001 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); 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 counter-drug activities of Colombia to exceed 350.

(2) EXCEPTION.—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, activities, 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.

AMENDMENT NO. 3534

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.

AMENDMENT NO. 3535

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 313, 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.

''(b) LIMITATION ON ASSIGNMENT OF UNITED STATES PERSONNEL IN COLOMBIA.—

(1) LIMITATION.—Except as provided in paragraph (2), more of the funds appropriated or otherwise made available by this Act or any other Act during fiscal year 2001 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); 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 counter-drug activities of Colombia to exceed 350.

''(2) EXCEPTION.—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, activities, 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.

BIDEN (AND OTHERS) AMENDMENT NO. 3536

(Ordered to lie on the table.)

Mr. BIDEN (for himself, Mr. LUGAR, Mr. HAGEL, Mr. BINGAMAN, Mr. CONRAD, and Mr. DOMENICI) submitted an amendment intended to be proposed by them to the bill, S. 2522, supra; as follows:

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

SEC. ____. 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.

BYRD AMENDMENTS NOS. 3537–3538

(Ordered to lie on the table.)

Mr. BYRD submitted two amendments intended to be proposed by him to the bill, S. 2522, supra; as follows:

AMENDMENT NO. 3537

Beginning on page 151, line 21, strike ''(a)'' and all that follows through line 7 on page 152 and insert the following:

(a) 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 ''500''.

On page 152, strike 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) 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 by the Department of Defense) 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.

On page 153, line 19, strike ''(d) MONTHLY REPORTS.—'', and insert ''(f) BIMONTHLY REPORTS.—''.

On page 153, line 21, strike ''30'' and insert ''60''.

On page 154, line 1, insert ''United States'' after ''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 ''(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.

(a) 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.

(b) LIMITATION ON 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 this 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 by the 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 by the Department of Defense) 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) BIMONTHLY 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 aggregate 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 Emergency 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).

(h) PLAN COLOMBIA DEFINED.—In this section, the term ''Plan Colombia'' means the plan of the Government of Colombia instituted 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

(Ordered 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 bombardment, non-military vehicles, tents, and shoes.''

BOXER AMENDMENTS NOS. 3540–3542

(Ordered 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 that—

(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 (3.8 million) were in sub-Saharan Africa.

(2) Sub-Saharan Africa is the only region in the world where a majority of those with HIVAIDS—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, is 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, $94 million shall be available for necessary expenses to carry out the provisions of Chapters 1 and 10 of part I of

the Foreign Assistance Act of 1961, for global health and related activities: *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 of the funds appropriated 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 Congress of a formal budget request by the President that includes designation of the entire amount of the request an emergency requirements as defined in such Act.

On page 155, 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 a Colombian unit 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 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.

LANDRIEU 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:

ADOPTION INCENTIVE PAYMENTS

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) such sums as may be necessary for fiscal year 2001 and each succeeding fiscal year.''; and

(2) in subsection (j), by adding at the end the following new paragraph:

''(3) EXTENSION FOR FISCAL YEAR 2001.—For purposes of making grants under this subsection for fiscal year 2001—

''(A) paragraph (1) shall be applied by substituting '1999' and '2000' for '1998' and '1999' respectively; and

''(B) paragraph (2) shall be applied by substituting '$36,500,000' and '2001' for '$23,000,000' and '2000' respectively.''.

FRIST AMENDMENT NO. 3544

Mr. MCCONNELL (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. ___. 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;

(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 within OLS; or

(vi) any other reason for exclusion from or denial of coverage by OLS;

(D) areas of Sudan where 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

(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.

L. CHAFEE (AND OTHERS) AMENDMENT NO. 3545

Mr. MCCONNELL (for Mr. L. CHAFEE (for himself, Mr. MACK, Mr. SARBANES, Mr. BIDEN, Mr. HAGEL, Mr. WELLSTONE, Mr. LIEBERMAN, Ms. LANDRIEU, Mr. DODD, Mr. JEFFORDS, Mr. LAUTENBERG, and Mr. DEWINE)) 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 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 coordinated 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 fiscal year 2000 and in the fiscal year 2001 budget request submitted by the President, the President asked for $435,000,000 to fund both bilateral debt owed by the HIPC to the United States and contributions to the HIPC Trust Fund which would forgive debt owed by the HIPC 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, combat AIDS, and 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 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 the human rights of its citizens, or is engaged in military or civil conflict that undermines poverty alleviation efforts or spends 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 ensure 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. 2524, 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;

(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 study shall include the existence and enforcement of laws prohibiting the practice. 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.

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

SEC. ___. ELIMINATION OF DOWRY DEATHS AND HONOR KILLINGS.

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(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.''.

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(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;

(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 study shall include the existence and enforcement of laws prohibiting the practice. 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:

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

SENSE OF CONGRESS ON EFFECTS OF HIPC ON DEVELOPING LENDER COUNTRIES

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) certain 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.

(b) It is the sense of Congress that—

(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. WELLSTONE, 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 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 coordinated 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 fiscal year 2000 and in the fiscal year 2001 budget request submitted by the President, the President asked for $435,000,000 to fund both bilateral debt owed by the HIPC to the United States and contributions to the HIPC Trust Fund which would forgive debt owed by the HIPC 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, combat AIDS, and 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 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 the human rights of its citizens, or is engaged in military or civil conflict that undermines poverty alleviation efforts or spends 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 ensure the maximum leverage of international funds and the maximum benefit to the eligible countries.

HELMS AMENDMENT NO. 3552

Mr. MCCONNELL (for Mr. HELMS) proposed an amendment to the bill S. 2522, supra; as follows:

On page 34, line 19, insert the following: '': *Provided further,* That notwithstanding the previous proviso, $250,000,000 of the funds appropriated for Israel under this heading shall not be disbursed until the Secretary of Defense certifies to the appropriate committees of the Congress that the proposed transfer by Israel to China of equipment and technology associated with the ''Phalcon'' radar system does not pose a threat to the national security of the United States or has been canceled by the Government of Israel:''.

MCCONNELL AMENDMENT NO. 3553

Mr. MCCONNELL proposed an amendment to the bill S. 2522, supra; as follows:

On page 33, line 18, insert, '': *Provided further,* That funds made available as a U.S. contribution to the Heavily Indebted Poor Countries Trust Fund shall be subject to the regular notification procedures of the Committees on Appropriations''.

COCHRAN AMENDMENT NO. 3554

Mr. MCCONNELL (for Mr. COCHRAN) proposed an amendment to the bill S. 2522, supra; as follows:

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

SEC. . (a) IDENTIFICATION AND REPORTING.—Within 40 days of the submission of the National Trade Estimate Report, the Department of Commerce shall submit an annual report to the President and appropriate Congressional committees that identifies countries that lack the necessary organization, resources, and expertise to ensure openness, efficiency, and transparency in government procurement and that are recipients of multilateral or U.S. bilateral assistance. That report shall:

(i) identify countries that lack the necessary organization, resources, and expertise to ensure openness, efficiency, and transparency in government procurement and that are recipients of multilateral or U.S. bilateral assistance; and

(ii) describe patterns or practices of the lack of transparency in government procurement or government owned enterprises procurement in each country.

The Department of Commerce shall consult with interested private sector representatives in compiling its report.

(b) IMPACT OF THE LACK OF TRANSPARENCY.—When the report determines that a country lacks the necessary organization, resources, and expertise to ensure openness, efficiency, and transparency in government procurement and that are recipients of multilateral or U.S. bilateral assistance,

(i) the Secretary of the Treasury shall instruct the United States Executive Director of each international financial institution to use the voice and vote of the United States to oppose the use of funds appropriated or made available by the United States for any non-humanitarian assistance until the granting institution and recipient country has adopted an anti-corruption plan that requires the use of independent third party procurement monitoring and other similar services designed to enhance transparency, and

(ii) no funds appropriated or made available by the United States for non-humanitarian foreign assistance programs, including the activities of the Agency for International Development, may be expended for a government procurement practice unless such non-humanitarian foreign assistance programs incorporate independent third party procurement monitoring and other similar services designed to enhance transparency.

SMITH OF NEW HAMPSHIRE AMENDMENT NO. 3555

Mr. MCCONNELL (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 loans, credits, 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 (for himself 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 expanded, 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 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. 900 et seq.): *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)).

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), $50,000,000, to remain available until expended, to provide grants under the rural community facilitates 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 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 1974, for emergency expenses resulting from Hurricane Floyd, Hurricane Dennis, and Hurricane Irene, and surrounding events, $150,000,000, 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.

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 an 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 (PFIAB) 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 arrogance—both at DOE headquarters 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. * * * 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] oversee all nuclear weapons-related matters previously housed in DOE.''

(6) The bipartisan Select Committee on U.S. National Security and Military/Commercial Concerns with the People's Republic of China of the House of Representatives released an unclassified report on May 25, 1999 which concluded that ''The People's Republic of China (PRC) has stolen design information on the United States' most advanced thermonuclear weapons. These thefts of nuclear secrets from our national weapons laboratories enabled the PRC to design, develop, and successfully test modern strategic nuclear weapons sooner than would otherwise have been possible. The stolen U.S. nuclear secrets give the PRC design information on thermonuclear weapons on a par with our own.''

(7) The report of the Select Committee further concluded that, ''Despite repeated PRC thefts of the most sophisticated U.S. nuclear weapons technology, security at our national nuclear weapons laboratories does not meet even minimal standards.''

(8) 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 of the House of Representatives and the President's Foreign Intelligence Advisory Board, Senators Kyl, Domenici, and Murkowski offered Amendment 446 to the Fiscal Year 2000 Intelligence Authorization Act calling for the creation of a semi-autonomous agency to manage all United States nuclear weapons programs, which was passed by the Senate on July 21, 1999, by a vote of 96 to 1. This amendment called for the semi-autonomous agency to be organized with clear lines of authority and accountability to replace the previous structure with confused, overlapping reporting channels and diffused responsibility that led to earlier security failures.

(9) The provisions of Amendment 446 were incorporated in the Fiscal Year 2000 Defense Authorization Conference Report, which was approved by the House of Representatives on September 15, 1999, by a vote of 375 to 45, and the Senate 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.

(11) Notwithstanding his signing into law the legislation creating the National Nuclear Security Administration headed by a new Under Secretary, 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. . . .''

(12) 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.

(13) The Secretary of Energy has failed to fully implement the law signed by the President on October 5, 1999. For example, Section 3213 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) sates that, with the exception of the Secretary of Energy, NNSA employees, ''shall not be responsible to, or subject to the authority, direction, or control of, any officer, employee, or agent of the Department of Energy.'' Yet page 16 of the Department of Energy's Implementation Plan for the National Nuclear Security Administration released on January 1, 2000, states that in order to manage the performance of non-weapons related work at NNSA facilities such as the three national labs, ''non-NNSA officers or employees of the Department retain the authority to direct NNSA employees and contractor employees with regard to the accomplishment of such work.''

(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 Committees on Energy and Natural Resources, and Governmental Affairs of the Senate on October 19, 1999, that ''So if there's a problem, God forbid, with security at our Nation's labs while we have not fulfilled or appointed somebody as Under Secretary in this new agency within an agency, you would be willing to assume full responsibility. . . .'' Secretary Richardson testified that, ''I would 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 put 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 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.

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 Grants'', as authorized 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. TORRICELLI (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 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), $3 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 Manville, New Jersey 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. 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 Bound Brook, New Jersey 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)).

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,'' $17 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 Passaic, 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,'' $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 Lodi, 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,'' $9 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 Trenton, New Jersey. *Provided further,* That the entire amount made available under this heading shall be available only to Trenton, 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,'' $8 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 Patterson, 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 shall be available only to Manville, 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).

WELLSTONE 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 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''.

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 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''.

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. *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,'' $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 La Grange, North Carolina. *Provided further,* That the entire amount made available under this heading is designated by 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,'' $4 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 Rocky Mount, North Carolina. *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. 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 Pinetops, North Carolina. *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. *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,'' $1.3 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 Nashville, North Carolina. *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,'' $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 Greenville, North Carolina. *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

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. *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,'' $15 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. *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. 3579

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,'' $2.5 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

Duplin County, North Carolina. *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. 3580

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 Beaufort County, North Carolina. *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. 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 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.

EMERGENCY CONSERVATION PROGRAM

Unobligated balances previously provided 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 dues 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*, 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.

COMMODITY 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 agriculture 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 amendment: *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

RURAL COMMUNITY ADVANCEMENT PROGRAM

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 grants 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 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 HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

For the additional cost of direct loans, as authorized by title V of the Housing Act of 1949, $15,872,000 from the Rural Housing Insurance Fund for section 515 rental housing, to remain available until expended, to address emergency needs resulting from Hurricane Dennis, Floyd, or Irene: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans estimated to be $40,000,000: *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.

For additional gross obligations for the principal amount of direct loans as authorized by title V of the Housing Act of 1949 to be available from funds in the Rural Housing Insurance Fund to meet the needs resulting from natural disasters, as follows: $296,000,000 for loans to section 502 borrowers, as determined by the Secretary and $13,000,000 for section 504 housing repair loans.

For the additional cost of direct loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, to meet the needs resulting from natural disasters, to remain available until expended as follows: section 502 loans, $25,000,000 and section 504 loans, $4,000,000: *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.

RENTAL ASSISTANCE PROGRAM

For additional amount for ''Rental Assistance Program'' for rental assistance 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, $13,600,000, 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.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), to meet the needs resulting from natural disasters, $6,000,000, to remain available until expended (7 U.S.C. 2209b): *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 HOUSING ASSISTANCE GRANTS

For grants and contracts for very low-income housing repair, as authorized by 42 U.S.C. 1474, to meet the needs resulting from natural disasters, $8,000,000, 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: *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.

CHAPTER 2

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.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for ''Operations, Research and Facilities'', $19,400,000, to remain available until expended, to provide disaster assistance pursuant to section 312(a) of the Magnuson-Stevens Fishery Conservation Management Act, and for repairs to the Beaufort Laboratory, resulting from 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.

RELATED AGENCY

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

For an additional amount for the cost of direct loans, $33,300,000, to remain available until expended to subsidized additional gross obligations for the principal amount of direct loans: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974; and for the direct administrative expenses to carry out the disaster loan program, and additional $27,600,000, to remain available until expended, which may be transferred to and merged with appropriations for ''Salaries and Expenses'': *Provided further,* That no funds shall be transferred to and merged with appropriations for ''Salaries and Expenses'' for indirect administrative expenses: *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: *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.

CHAPTER 3

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

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 for the town of Princeville, North 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.

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for ''Operation and maintenance, general'' for emergency expenses due to hurricanes and other natural disasters, $27,925,000, to remain available until expended: *Provided,* That the total amount appropriated, the amount for eligible navigation projects which may be derived from the Harbor Maintenance Trust Fund pursuant to Public Law 99–662 shall be derived from that Fund: *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 4

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount of ''Construction'', $5,000,000, to remain available until expended, to 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, to 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.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for ''Surveys, Investigations, and Research'', $1,800,000 to remain available until expended, to 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

HOME INVESTMENT 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 101–625), as amended, $36,000,000: *Provided,* That of that said amount, $11,000,000 shall be provided to the New Jersey Department of Community Affairs and $25,000,000 shall be provided to the North Carolina Housing Finance Agency for the purpose of providing temporary assistance in obtaining rental housing, and for construction of affordable replacement housing: *Provided further,* That assistance provided under this paragraph shall be for very low-income families displaced by flooding caused by Hurricane Floyd and surrounding events: *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: *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.

ADMINISTRATIVE PROVISION

SEC. 3801. (a) Subject to subsection (d) and notwithstanding any other provisions of law, from any amounts made available for assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) that remain unobligated, the Secretary of Housing and Urban Development shall, for each request described in subsection (b), make a 1-year grant to the entity making the request in the amount under subsection (c).

(b) A request described in this subsection is a request for a grant under subtitle C of the title IV of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11381 et seq.) For permanent housing for homeless persons with disabilities or subtitle F of such title (42 U.S.C. 11403 et seq.) that—

(1) was submitted in accordance with the eligibility requirements established by the Secretary and pursuant to the notice of funding availability for fiscal year 1999 covering such programs, but was not approved;

(2) was made by an entity that received such a grant pursuant to the notice of funding availability for a previous fiscal year; and

(3) requested renewal of funding made under such previous grant for use for eligible activities because funding under such previous grant expires during calendar year 2000.

(c) The amount under this subsection is the amount necessary, as determined by the Secretary, to renew funding for the eligible activities under the grant request for a period of only 1 year, taking into consideration the amount of funding requested for the first year of funding under the grant request.

(d) The entire amount for grants under this section 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. The entire amount for grants under this section shall be available only to the extent that an official budget request for a specific dollar amount, 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.

INDEPENDENT AGENCIES

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

For an increase in the authority to use unobligated balances specified 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 $77,400,000 may be used by the Director of 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: *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.

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:

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 2001, 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.

(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. 900 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 2001, 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)).

KYL (AND DOMENICI) AMENDMENT NO. 3583

(Ordered to lie on the table.)

Mr. KYL (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by them to the bill, S. 2522, supra; as follows:

At an 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 (PFIAB) 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 arrogance—both at DOE headquarters 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 . . . 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] oversee all nuclear weapons-related matters previously housed in DOE.''

(6) The bipartisan Select Committee on U.S. National Security and Military/Commercial Concerns with the People's Republic of China of the House of Representatives released an unclassified report on May 25, 1999 which concluded that ''The People's Republic of China (PRC) has stolen design information on the United States' most advanced thermonuclear weapons. These thefts of nuclear secrets from our national weapons laboratories enabled the PRC to design, develop, and successfully test modern strategic nuclear weapons sooner than would otherwise have been possible. The stolen U.S. nuclear secrets give the PRC design information on thermonuclear weapons on a par with our own.''

(7) The report of the Select Committee further concluded that, ''Despite repeated PRC thefts of the most sophisticated U.S. nuclear weapons technology, security at our national nuclear weapons laboratories does not meet even minimal standards.''

(8) 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 of the House of Representatives and the President's Foreign Intelligence Advisory Board, Senators Kyl, Domenici, and Murkowski offered Amendment 446 to the Fiscal Year 2000 Intelligence Authorization Act calling for the creation of a semi-autonomous agency to manage all United States nuclear weapons programs, which was passed by the Senate on July 21, 1999, by a vote of 96 to 1. This amendment called for the semi-autonomous agency to be organized with clear lines of authority and accountability to replace the previous structure with confused, overlapping reporting channels and diffused responsibility that led to earlier security failures.

(9) The provisions of Amendment 446 were incorporated in the Fiscal Year 2000 Defense Authorization Conference Report, which was approved by the House of Representatives on September 15, 1999, by a vote of 375 to 45, and the Senate 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.

(11) Notwithstanding his signing into law the legislation creating the National Nuclear Security Administration headed by a new Under Secretary, 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. . . .''

(12) 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.

(13) The Secretary of Energy has failed to fully implement the law signed by the President on October 5, 1999. For example, Section 3213 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) states that, with the exception of the Secretary of Energy, NNSA employees, ''shall not be responsible to, or subject to the authority, direction, or control of, any officer, employee, or agent of the Department of Energy.'' Yet page 16 of the Department of Energy's Implementation Plan for the National Nuclear Security Administration released on January 1, 2000, states that in order to manage the performance of non-weapons related to work at NNSA facilities such as the three national labs, ''non-NNSA officers or employees of the Department retain the authority to direct NNSA employees and contractor employees with regard to the accomplishment of such work.''

(14) On May 26, 1999, Secretary of Energy Bill Richardson stated, ''Americans 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 Committees on Energy and Natural Resources, and Governmental Affairs of the Senate on October 19, 1999, that ''So if there's a problem, God forbid, with security at our Nation's labs while we have not fulfilled or appointed somebody as Under Secretary in this new agency within an agency, you would be willing to assume full responsibility. . . .'' Secretary Richardson testified that, ''I would 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 put 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 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 them to the bill (S. 2) to extend programs and activities under the Elementary and Secondary Education Act of 1965; 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 rural community facilitates 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 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)).

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

TORRICELLI (AND EDWARDS) AMENDMENT NO. 3587

(Ordered to lie on the table.)

Mr. TORRICELLI (for himself and Mr. EDWARDS) submitted an amendment intended to be proposed by them 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'', $250,000,000, 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: *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. 900 et seq.): *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)).

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:

SEC. . UNITED STATES-CUBAN MUTUAL ASSISTANCE IN THE INTERDICTION OF ILLICIT 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.

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.

(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. 900 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)).

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 session 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.

COMMITTEE ON ARMED SERVICES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, June 21, 2000 at

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 4:30 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 to conduct a hearing on Wednesday, June 21, 2000, at 10 a.m., in SD226.

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

SELECT 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 Commttee 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 Remediation 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 Lakehaven water reclamation project for the reclamation and reuse of water; S. 2400, a bill to direct the Secretary of the Interior to convey certain 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; 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 nonproject 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 on my staff, 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.

Mr. McCONNELL. Mr. President, I object to further proceedings on these bills at this time.

The PRESIDING OFFICER. Objection is heard.

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 amendments debated 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.

HOUSE OF REPRESENTATIVES—*Wednesday, June 21, 2000*

The House met at 9 a.m.

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 supersedes 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 I, 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 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 great body, the people's House, 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. 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 joint 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 businesspeople 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

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 in a global marketplace 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 for farmers and for business. While 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 this organization needs to be about more than just trade and tariffs.

□ 0915

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, as well to public input into the WTO. We must address 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 these cases 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 to 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 let us defeat H. 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 a global 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 those 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 Naziism 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 as 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 stand here and argue that the World Trade Organization is the panacea to all of the ailments of society. 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 offered 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 that is in large part, not totally, 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. We, time and time again, stand here and point to the fact that 96 percent of the world's consumers are outside of our borders; and as such, we want to do what we can to try and find new opportunities for our workers.

We know that the United States of America being the world's global leader has understood the benefit of imports. We allow the rest of the world to have access to our consumer market, and that benefits us. That is a win-win for us. It allows us to have the highest standard of living on the face of the earth. So what we need to do now is recognize that the WTO is the structure through which we are able to gain access to other countries around the world.

I believe that we have a great opportunity here in a bipartisan way to send a signal that we believe in reducing taxes. We believe in reducing those tariff barriers so that we can allow for that free flow of goods and services, and so I urge support of the rule that would allow us to go ahead and have very vigorous debate. And then as my friend from New York (Mr. REYNOLDS) and my friend from Massachusetts (Mr. MOAKLEY) have said so well, we need to overwhelmingly defeat this resolution.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Speaker, I support the rule. I supported the bill. When the WTO was first proposed, it was deemed unconstitutional. And I believe today if it was put under a microscope, it would be unconstitutional; but Congress made it mainstream. To me that is unbelievable. But my question today is what is happening and, even worse, what has happened to America.

American troops are often under the command of foreign generals. Just think about that. The United Nations now wants to levy a world tax, the same United Nations that uses Uncle Sam like a policeman. And Uncle Sam, as a policeman for the United Nations, saves monarchs and dictators who then screw America by raising oil prices.

Mr. Speaker, then we look at Japan. Think about it. $60 billion a year every year, 20 years in trade deficits, every President from Nixon to Clinton threatened Japan with sanctions if they did not open their markets. Evidently, Japan never opened their markets, and we have done nothing about it. Now, let us look at the big one. China's taking $80 billion a year out of our economy, buying missiles and nuclear submarines with our money, aiming the missiles at our cities and telling America keep your hands off Taiwan and do not question China's military policies.

What has happened to America and what happened to Congress, beam me up, we pledge an oath of allegiance to the Constitution of the United States, not to 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 to me this 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 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 went down. 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 the 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 nonelected officials at the WTO who will fight the battles in an unelected international bureaucracy, the WTO, which acts in secrecy.

□ 0930

There is something wrong with that. We only have a chance every 5 years to debate this issue. 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 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 know 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 may well 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 still have our sovereignty. 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; and the 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 running up a tab with foreign nations, 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, and this follows a pattern. 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 you are for engagement. I am 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 pulling out all stops.

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

contributor who owns control of the company that grows bananas under U.S. corporate ownership won a major decision against the Europeans, which is decimating the small growers in the Caribbean. The U.S. has forced the Europeans or is now penalizing the Europeans or fining the Europeans for not letting in hormone-laced beef. These are the kinds of decisions we are getting out of the WTO.

Now, this process needs to change. Even the President says it needs to change. He wants labor included. He wants environmental things included in the future in the WTO. But, guess what? This organization is not very likely to change. It would require a two-thirds or maybe a three-quarters vote, the rules are not quite clear, to change the charter in those ways, and, as we all noticed, the whole Seattle round fell apart just because the U.S. was asking that we might have a meaningless, nonbinding working group on labor rights or environmental considerations in the future.

This organization needs dramatic change. Unfortunately, the only choice we are going to be given here today is not to vote to begin a process of the U.S. pressuring the WTO for change or amending the WTO agreement itself, but an up or down vote under very constrained debate on whether or not the U.S. will be in the WTO.

I regret those conditions, and will urge Members to vote for the resolution.

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, 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 calls 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 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 fighting disease.

What have we gotten from the majority 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 they are silent when 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 more 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-OSHA 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 just voted, 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's appropriation goes 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, when every significant religious leader, 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.

□ 0945

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.

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 our trade laws. 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; let us leverage some of our aid to the United Nations to get them back to their original mission, but let us not blow up 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 law 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 challenge 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 world, in this type 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 will 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 its current form, the WTO only ensures economic prosperity for the elite multinationals 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. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

The WTO provides a forum for ongoing negotiations to reduce trade barriers and advance global trade. 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, I repeat 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 in a global marketplace 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 United States 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 the American workers.

Mr. Speaker, I urge my colleagues to support the rule and oppose the underlying bill.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DEFAZIO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 343, nays 61, not voting 30, as follows:

[Roll No. 298]

YEAS—343

Ackerman	Cramer	Hall (TX)
Aderholt	Crane	Hansen
Allen	Crowley	Hastings (FL)
Archer	Cummings	Hastings (WA)
Armey	Cunningham	Hayes
Baca	Danner	Hayworth
Bachus	Davis (FL)	Hefley
Baird	Davis (VA)	Herger
Baker	Deal	Hill (IN)
Baldacci	DeGette	Hill (MT)
Baldwin	Delahunt	Hilleary
Ballenger	DeLay	Hinojosa
Barcia	DeMint	Hobson
Barr	Deutsch	Hoeffel
Barrett (NE)	Diaz-Balart	Hoekstra
Barrett (WI)	Dickey	Holden
Bartlett	Dicks	Hooley
Bass	Dixon	Horn
Bateman	Doggett	Hostettler
Becerra	Dooley	Houghton
Bentsen	Doolittle	Hoyer
Bereuter	Doyle	Hulshof
Berry	Dreier	Hunter
Biggert	Duncan	Hutchinson
Bilbray	Dunn	Hyde
Bilirakis	Edwards	Inslee
Bishop	Ehlers	Isakson
Bliley	Ehrlich	Istook
Blumenauer	Emerson	Jenkins
Blunt	English	John
Boehlert	Eshoo	Johnson (CT)
Boehner	Etheridge	Johnson, Sam
Bonilla	Evans	Jones (NC)
Bono	Everett	Jones (OH)
Borski	Ewing	Kanjorski
Boswell	Farr	Kaptur
Boucher	Fattah	Kasich
Boyd	Fletcher	Kelly
Brady (PA)	Foley	Kennedy
Brady (TX)	Forbes	Kildee
Bryant	Fowler	Kilpatrick
Burr	Franks (NJ)	Kind (WI)
Buyer	Frelinghuysen	King (NY)
Callahan	Gallegly	Kingston
Calvert	Ganske	Kleczka
Camp	Gekas	Klink
Canady	Gephardt	Knollenberg
Cannon	Gibbons	Kolbe
Capps	Gilchrest	Kuykendall
Cardin	Gillmor	LaFalce
Castle	Gilman	Lampson
Chabot	Gonzalez	Lantos
Chambliss	Goode	Larson
Chenoweth-Hage	Goodlatte	Latham
Clement	Goodling	LaTourette
Coble	Gordon	Lazio
Coburn	Goss	Levin
Collins	Graham	Lewis (CA)
Combest	Granger	Lewis (KY)
Condit	Green (TX)	Linder
Conyers	Green (WI)	LoBiondo
Cooksey	Greenwood	Lowey
Cox	Gutknecht	Lucas (KY)
Coyne	Hall (OH)	Lucas (OK)

Luther
Maloney (NY)
Manzullo
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Menendez
Metcalf
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Ose
Oxley
Pascrell
Pastor
Paul
Pease
Pelosi
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stump
Stupak
Sununu
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Udall (CO)
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Young (FL)

NAYS—61

Berkley
Bonior
Brown (FL)
Brown (OH)
Capuano
Clay
Clyburn
Costello
Davis (IL)
DeFazio
DeLauro
Dingell
Filner
Frank (MA)
Frost
Gejdenson
Gutierrez
Hilliard
Hinchey
Holt
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Kucinich
LaHood
Leach
Lee
Lewis (GA)
Lipinski
Lofgren
Maloney (CT)
Markey
McGovern
Meek (FL)
Miller, George
Nadler
Napolitano
Obey
Olver
Owens
Pallone
Payne
Peterson (MN)
Rothman
Rush
Sanders
Schakowsky
Sherman
Skelton
Slaughter
Stark
Strickland
Thompson (MS)
Tierney
Towns
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Woolsey

NOT VOTING—30

Abercrombie
Andrews
Barton
Berman
Blagojevich
Burton
Campbell
Carson
Clayton
Cook
Cubin
Engel
Ford
Fossella
Jefferson
Largent
Martinez
McIntosh
Meeks (NY)
Mica
Moran (VA)
Packard
Porter
Roybal-Allard
Smith (NJ)
Sweeney
Vento
Wexler
Wynn
Young (AK)

□ 1015

Ms. JACKSON-LEE of Texas and Messrs. STRICKLAND, LEACH, and PALLONE changed their vote from ''yea'' to ''nay''.

Ms. GRANGER changed her vote from ''nay'' to ''yea''.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FOSSELLA. Mr. Speaker, on rollcall No. 298 I was inadvertently detained. Had I been present, I would have voted "yea."

Mr. BURTON of Indiana. Mr. Speaker, on the vote for H. Res. 528, I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. MICA. Mr. Speaker, on rollcall No. 298, rule for H.J. Res. 90, I was detained due to the malfunctioning of my office electronic voting signal equipment. Had I been present, I would have voted "yes."

Mr. CRANE. Mr. Speaker, pursuant to House Resolution 528, I call up the joint resolution (H.J. Res. 90) withdrawing the approval of the United States from the Agreement establishing the World Trade Organization, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The text of the House Joint Resolution 90 is as follows:

H.J. RES. 90

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress withdraws its approval, provided under section 101(a) of the Uruguay Round Agreements Act, of the WTO Agreement as defined in section 2(9) of that Act.

The SPEAKER pro tempore (Mr. ISAKSON). Pursuant to House Resolution 528, the gentleman from Illinois (Mr. CRANE), the gentleman from Michigan (Mr. LEVIN), the gentleman from Texas (Mr. PAUL), and the gentleman from Oregon (Mr. DEFAZIO) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois (Mr. CRANE).

GENERAL LEAVE

Mr. CRANE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.J. Res. 90.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CRANE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to H.J. Res. 90, a resolution to withdraw congressional approval of the agreement establishing the World Trade Organization. The Committee on Ways and Means reported this resolution with an adverse recommendation by a vote of 35 to nothing.

Put simply, the consensus in the committee was that it would be unthinkable and illogical for the United States to withdraw from the WTO.

The WTO stands apart from many other international institutions in that it functions on a day-to-day basis almost completely in favor of American interests. In setting international rules for trade, the United States has had to make relatively few concessions in exchange for having open access to consumers in 136 other countries.

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 pry 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.

As the world's leading exporter, the United States benefits enormously from the common sense ground rules of the WTO, such as national treatment,

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 was 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 antisurge 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 steel, 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 suggestion 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 decided a case outside 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 way to deal 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 carefully and expect that 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 demands our continued participation in 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 cosponsor 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 WTO decisions that adversely impacted 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 endorse 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. Upon the issuance of any affirmative determination by the Commission, 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.

If there are three affirmative determinations in any five-year period, any Member of each House would be able to introduce a joint resolution to disapprove U.S. participation in the Uruguay Round agreements, again using expedited 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 reflect on WTO decisions and their impact on the United States.

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 capitulate 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, they 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 opposed 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? Where do we get authority to march into Kosovo and Somalia? From the United Nations. The WTO is the same.

□ 1030

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. Augustino, 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 that has 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 law; and if they win, we will have to change our law. The other side of the argument being, We don't have to do it. We don't have to do it if we don't want to. But then we are not a good member as we promised to be. Then 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 gasoline 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 antidumping provisions. The antidumping provisions are on the EEC 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 contradiction with the WTO agreement. They intend to file complaints against that. We have a gentleman saying, and I think with great merit, we need to make it stronger, but it is on the target list. If we lose the decision, we have to pay to keep out dumped foreign steel or other goods. The EU 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 its own national interest in spite 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 that nothing could be further from 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. And it worked. Since 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 deficiencies 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 foreigners are protecting their markets, allowing firms to make huge profits at home and sell at a loss to 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 include 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 competitors, 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 true that the 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 imports surge, 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 special tribunal 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 about 80 percent of steel imports from Japan are subject to anti-dumping tariffs or investigations. As of last December, steel accounted for 103 of 250 punitive orders 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. car makers and other manufacturers that buy the stuff, and these firms employ far more American workers than do U.S. steel makers. But foreign protectionism occurs less often than U.S. industry claims, and these claims get too little scrutiny. Because of pressure from the steel caucus in Congress, the dumping tribunal tends to side with U.S. firms; just last week, a House committee refused to appropriate funds for the tribunal's budget because members disliked one of its recent findings.

In addition to pushing up U.S. prices, anti-dumping actions weaken America's ability to lead the world toward trade liberalization. One reason for the failure of November's Seattle trade summit was that the United States had refused to put its dumping rules on the table. Most countries rightly regard anti-dumping law as a cover for protectionism. In the only test of this suspicion so far, the World Trade Organization's dispute-settlement panel found against a U.S. claim that South Korea's computer-chip ''protectionism'' warranted anti-dumping action.

America's steel industry accounts for a tiny proportion of the national economy. But its lobby fills the campaign coffers of both parties and can distort trade policy. Most American workers, employed in competitive industries that depend on open markets, suffer from this quiet corruption.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

I am opposed to this resolution. In a word, globalization is growing. It is here to stay. The question is whether and how we are going to shape it. If you vote yes, I guess you are saying, Don't try to shape it; throw up your hands, retreat from the process. I think the answer instead is to pursue, to persevere, to roll up our sleeves, to understand the strengths of the WTO; and where there is a need for reform to get in there and work for those reforms.

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 nontariff barriers in addition to the traditional barriers to trade, tariffs, et cetera.

It is far from perfect. We continue to press Japan in terms of their nontariff barriers. We have made some progress through the WTO in certain areas. It also 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 rulings are binding. They were not under GATT. 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.

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 radical proposition.

Let me comment briefly on what the gentleman from Arizona said. The WTO does not endanger American antidumping laws. Period. The way the Uruguay Round was structured, our antidumping 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, and I think we need to do it, says to the world, we are going to be part and parcel of a global organization. Where it has strengths, we will support it vigorously.

□ 1045

Where it has weaknesses we can work actively to change it; that is what we have been doing these last years. That is what we need to do with even greater energy and endeavor. I urge a no vote on this resolution.

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. It is said that we do not have to listen to the WTO, but they threaten us with sanctions. They do not give us incentives. It is a threat, and we capitulate.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Idaho, (Mrs. CHENOWETH-HAGE).

Mrs. CHENOWETH-HAGE. Mr. Speaker, I rise in strong support of

H.J. Res. 90, which would officially withdraw the United States from the World Trade Organization and would fully restore our sovereignty, and I think that is the heart of the problem.

Mr. Speaker, as the recent debacle in Seattle clearly demonstrated, the United States has absolutely no business in a bungling international organization that can unconstitutionally raise our taxes and threaten our sovereignty. The Seattle meeting was touted to be an opportunity for nations to openly and freely discuss multilateral trade agreements.

In truth, this was simply a charade, and most of the meetings were closed door or secret, where certain bureaucrats and countries were allowed to negotiate while others were left at the doorstep. For instance, some of our own Members of Congress, who are constitutionally responsible for the U.S. citizens they represent, were denied access to these meetings. And all of this happening while protesters were being gassed and shot with rubber bullets by law enforcement.

What a circus, Mr. Speaker. This is not the way that we should conduct trade. This is certainly not the way our Founding Fathers envisioned how we should conduct trade. When the Founding Fathers of our country drafted the Constitution, they placed the treaty-making authority with the President and the Senate, but the authority to regulate commerce was placed with the House and the Senate. As governmental units cannot treaty away authorities they do not have, for example, those reserved only to the States, our Constitution left us with a system that made no room for agreements regarding international trade that does not involve treaties or specific actions by Congress.

Moreover, Mr. Speaker, the Constitution certainly does not give the authority to international entities to tax the American people. Yet, this is exactly what the WTO has done. The WTO recently ruled that $2.2 billion of United States tax reductions for American businesses violates WTO rules and must be eliminated by October 1 of this year.

Now, Mr. Speaker, the Constitution requires that all appropriation bills originate in the House and specify that only Congress have the power to lay and collect taxes. Taxation without representation was a predominant reason for America's fight for independence during the American Revolution. Yet, now we face an unconstitutional delegation of taxing authority to an unelected international body of international bureaucrats.

Mr. Speaker, the bottom line is that we do not need the WTO to maintain free and fair trade. Trade negotiations occurred with great success millennia before the existence of the WTO. So let us return to a system of negotiating trade that is constitutionally founded.

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 representative. 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 protect kids from toxic toys, there should be public involvement. The U.S. agency should not just be doing the bidding of industry, they should be representing all Americans.

That is what transparency is all about. I urge my colleagues and the administration to push for greater transparency in the WTO and also in our process here at home that leads up to these trade agreements.

Mr. CRANE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, proponents of the WTO and our colleagues, especially the gentleman from the State of Oregon (Mr. DEFAZIO), have indicated that supporters of the resolution perpetuate the weakening of our clean air rules to implement a WTO-panel decision concerning cleaner burning gasoline. And reality is the issue before the WTO was discrimination against foreign gasoline producers, 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 dispute settlement panel to hear the case on the grounds of this discrimination and what their panel considered and what they concluded was the level of protection was never an issue rather the U.S., 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 keystone of an international trading system that we have belonged to and helped shape since the late 1940s.

This is an essential part of our strategy long term for fair 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 have listened 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 make the case for our involvement, not for our withdrawal, any more than a disagreement with an individual court decision makes the case for our withdrawing from the Constitution. Do any of these individual cases make the case for our withdrawal from the WTO?

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 delight in seeing 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 ourselves in a trading system that 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

the WTO, that there will be a legitimate case for reassessing our involvement, but 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 had do pay them $13 million 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.

□ 1100

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 attacked, 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 2¾ 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 accessible to the poor. 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 USTR 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; and we know who feels 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 on 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 much more than is consumed in 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. If 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 a rules-based approach to 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 gives 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 workers.

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. We must 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 under 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 nonlegitimate 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

the people of the United States. It cannot grant legitimacy to an international body over and above that of our own citizenry.

To suggest by our membership that the WTO is legitimate, we must ignore our people, our citizenry, and our Constitution. However, it seems that sovereignty or legitimacy are no longer issues that many in this Congress want to address. It seems as though the rule of law is no longer an issue that many in this Congress want to address. It seems as though strictly adhering to the provisions of our Constitution is no longer an issue that many in this Congress want to address. Instead, economic power and the accumulation of wealth seem to occupy increasing amounts of attention these days.

America's legitimacy rests solely in its citizens' good offices as the sole sovereigns of this country. If this Congress does not protect American sovereignty, then who will? If this Congress does not reaffirm the rule of law, then who will? It is we in this Congress that must reassert the constitutional directive that Congress must have the sole authority over America's trade with foreign nations.

Vote 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.

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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 bilocal requirements or preferences for State procurement.

Mr. Speaker, 95 laws in California have been identified as WTO-illegal, according to the Georgetown University Law Center. Several States 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 U.S. administration 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 lawmaking. 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. Vote for this resolution.

Mr. CRANE. Mr. Speaker, I yield myself such time as I may consume to remind my colleague from Ohio that we have delegated responsibility on trade issues to our Committee on Ways and Means and, more specifically, the Subcommittee on Trade. That is not an unnatural way to proceed, because we still retain the option to negate anything we might want to do.

The same principle, I might add, applies to WTO rulings. Any WTO ruling could be negated at any time by the United States. If we do not like it, we do not have to observe it. We will pay a price if we do not play the game according to the rules.

Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Speaker, I rise in strong opposition to H.J. Res. 90. Certainly, passage of H.J. Res. 90 would send a completely wrong signal to our trading partners around the world, and it would be very much contrary to both the short-term and long-term interests of the United States.

The United States gains nothing from withdrawal from the WTO. We would, however, be at the mercy of other countries' desires to erect highly discriminatory and prohibitive tariffs and nontariff barriers against U.S. exports. The U.S. would not have access to the WTO dispute settlement mechanism to challenge these new barriers, but instead, we would only have limited and ineffective bilateral defenses. 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 losing sovereignty, this is not unconstitutional; there are no 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

unimaginable. As this Member previously noted, since the creation of the WTO, our exports of goods and services have risen by over $250 billion. The U.S. Department of 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 opportunities through the first enforceable 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 the far-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 settlements in favor of the U.S. was related to 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 was 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 in bringing 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 jobs created since 1993 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 reduced 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. This is only one example of the many American economic sectors which would be badly damaged by a withdrawal of our country from the WTO.

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, disappointing, as well, that WTO opponents always reference the U.S. trade deficit in terms of manufactured products only, ignoring the service sector. Yet, in 1997–98, the U.S. services sector represented three-fourths of the U.S. national economic output and employed 80 percent of the U.S. workforce. In 1998, services exports constituted nearly 30 percent of all U.S. exports totaling over $260 billion and achieving a trade surplus of almost $80 billion. Among the important trade benefits of the WTO system is the Financial Services Agreement which covers nearly $60 trillion in banking, insurance and securities transactions each year and has opened the doors for U.S. ownership and investment in foreign institutions. H.J. Res. 90 would slam that door shut.

Like any new institution, the WTO can and should be improved. There is certainly the need for greater transparency and for undertaking the other institutional reforms raised during the WTO ministerial meeting last December in Seattle, Washington. More expedient, efficient and effective dispute resolution is warranted. A new trade round that would further open foreign markets to American exports would strengthen the WTO system and the American public's understanding of its importance. Yet, all of these objectives can only be pursued if the United States is part of the rules-based system itself, not a lonely outsider.

Mr. DAVIS of Florida. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, withdrawal from the WTO would isolate the United States from the international economy. I oppose the resolution.

In today's Internet-based, lightning-fast economy, it is critical for the U.S. to have the ability to resolve trade crisis through a binding, rules-based international system. While there is room for improvement, the WTO and its dispute resolution mechanism have served the United States workers, farmers, and businesses well. Throughout the existence of the WTO, the U.S. has succeeded in winning 25 out of the 27 cases that we have initiated in the dispute resolution system.

Mr. Speaker, the Clinton-Gore years have been prosperous for our country. One of the best ways to continue this success 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 it 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 we. Corporations, with the help of the WTO, have forced workers throughout the world into a deadly game of chicken. The WTO should protect basic social services and prioritize human

rights and the environment in an environment that is democratic and transparent. Instead, it hurts the poor, benefits the rich at the expense of us all, and it does it in secret and in back rooms.

Mr. Speaker, this is no way to build a new world order. We need to put our money where our professed values are: fair trade, democracy, respect for workers, sensible environmental standards, and allowing poor countries to grow.

Mr. Speaker, I have introduced the Corporate Code of Conduct Act because I do not think that freedom, equality, human dignity and human rights are for sale. Unfortunately, the folks at WTO do not agree. They have unleashed unbridled corporate excess on all of us. The current system is wrong and in need of a serious fix.

Mr. Speaker, I urge my colleagues to support this resolution.

Mr. DEFAZIO. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I really do not want to withdraw from the WTO. We need to be there, but I am voting yes out of frustration.

There are two problems. At home, the issue is simply whether those in this society, the investing class, the managing elite, the venture capitalists, the multinational corporations who have so much to gain by further globalization will be willing to see a tiny fraction of that increased wealth used to help those who would otherwise be caught in the prop wash of their incredible prosperity. So far, I see very little evidence of that.

Internationally, the question is simply, who is going to have a seat at the table? Now, only the voices of the economic elites are heard at WTO. The interests of workers, farmers, and the environment are not adequately taken into account. In fact, the incentives present in the WTO structure on questions of worker rights and environmental protection are in the wrong direction.

An economic system without moral foundation is not an economic system at all, it is a jungle. I cast this vote not because I want to withdraw, I do not. I am a committed internationalist. For 10 years I chaired the Subcommittee on Foreign Operations. But I am casting this vote to send a signal to WTO and our representatives to it that they have to give more than lip service to the needs of workers, farmers, and the environment. When you do, give me a call. I will be happy to change my vote. Until then, sorry, wrong number!

Mr. CRANE. Mr. Speaker, I yield 2 minutes to our distinguished colleague, the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, WTO needs reform, not withdrawal. We do have a stake in ensuring the effectiveness of WTO because it has helped to eliminate trade barriers and improve market access for U.S. goods and services in foreign markets, which translates into jobs. 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.

Secondly, 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 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.

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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, I think we need to 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 stake in ensuring the effectiveness of the WTO because it has helped to eliminate trade barriers and improve market access for U.S. goods and services in foreign markets. But this does not mean that there isn't 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.

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. Only government delegations are allowed to attend oral arguments and there is no requirement that the panels consider written submissions from domestic interested parties. We must open up the closed-door atmosphere that is today present 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 and the American public.

Mr. DAVIS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise to speak against the resolution, which would undermine U.S. markets abroad for billions of dollars of U.S. agricultural products.

Trade is essential to U.S. prosperity, and the WTO makes trade work for America. Is it perfect? No. But all of the criticisms that I have heard this morning by my colleagues who oppose or support this resolution, all of these criticisms can be corrected by the United States maintaining a strong leadership role in making the WTO better.

Academic studies estimate an annual GDP gain for the United States from the Uruguay Round of about $32 billion. These estimates do not even fully take into account gains due to reduction of non-tariff barriers to trade and the growth effects of more open markets.

The WTO provides member states with a set of rules that open markets to U.S. agricultural and industrial products and services. At the heart of the WTO rules-based trading system is

the WTO dispute resolution system, which keeps trade disputes from escalating into trade wars.

From the agricultural point of view, the WTO dispute resolution is working to expand market opportunities around the world:

There was a recently reported victory on Korean beef that adds about $35 million a year in U.S. sales to that country.

The WTO has sanctioned retaliation of over $300 million against the European Union on beef and bananas.

It has expanded varieties of U.S. fruit exports to Japan.

It has increased exports of U.S. pork and beef by pressuring Korea to modernize shelf life restrictions.

Dispute resolution has improved the European Union grain importation regulations that have benefited U.S. rice exports.

It has reduced Hungarian export subsidies.

I can go on and on with significant victories for United States agricultural products.

It ruled, for example, against a Canadian dairy export subsidy scheme before it could be copied in Europe.

In conclusion, Mr. Speaker, we need the WTO dispute resolution system to keep opening markets for U.S. agricultural products, and we need the WTO. A strong vote against Joint Resolution 90 will send an important signal to our trading partners that America is ready to lead a new round of WTO negotiations.

Mr. PAUL. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I would like to say to the gentleman from Texas that the giant meat packers may well be represented at the WTO, but the small rancher and farmer is not. The same people who promote this type of international managed trade where we lose control and it is delivered to an international bureaucracy are the same ones who fight hard to prevent us trading with Cuba 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 subsidies to their corporate allies.

Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. ROHRABACHER).

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 countries is being used as a disguise for an awesome transfer of power and authority that will in the long run ill serve the interests of the American people.

Let us recognize that this is not about whether there should be or should not be trade. That is a nonsensical 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 question is if we, through our democratic processes and bilateral agreements negotiated by elected officials, people elected by the people of the United States, will be setting the ground rules for this trade, or whether it be controlled by international boards, commissions, and committees of the WTO.

Let us admit, yes, Third World countries and developing countries will probably have more open markets to American and multinational corporations if this WTO goes through and keeps going on. That trade potential, 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 countries.

We are going to trade, give up our rights here in this country to determine 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 minimal 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, the boards, commissions, and the rest of the decision-making apparatus of the WTO will within a decade or two be dominated by the same crooks and despots who now control so many of these 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 Communist China bribing WTO commissioners in the future? How about multinational corporations? Will they try to influence decisions that dramatically impact the standard of living of the American people, without any protection 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. Now we are being eased into a 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. Trade will not turn the hearts of these despots, or it will not make honest 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 3¼ 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 environment, endangering the health and safety of the peoples of the world, thumb their noses at human rights, but they say, yes, we know all this, but we do not want to leave. We want to stay.

It does not make good sense. It does not make good sense unless they simply are doing the business of multinational 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 as they have destroyed the ability of small farmers in the eastern Caribbean 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, who gave money on both sides of the aisle, who is well-connected politically, simply teamed up with Mickey Kantor, who is our United States Trade Representative, took the case to the WTO, because he did not like competition.

We do not grow any bananas in the United States, but they took the case on behalf of Carl Linder, who grows bananas down in Central America and who does a terrible job of protecting the rights of the workers, spraying pesticides on them while they till the soil, many of them dying and coming up with terrible diseases.

They took this case on behalf of Carl Linder to the WTO, and guess what, we won, because Carl Linder and Chiquita are very powerful corporate interests.

Do Members know what is happening over in the eastern Caribbean? The farmers no longer will have the banana crop. Do Members know what will replace it? Ganja, marijuana, drugs. It will be a transshipment point for drugs into the United States and into our communities. That is what the WTO did.

In addition to that, he created a trade war that is now hurting our small businesses because of the sanctions that we have imposed on the European Union. It does not make good sense.

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 small 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. I 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 can resolve problems, can 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 explicitly because it would for the first time bring them into an international rules-based law-based system.

They made the point that if China has to abide by international norms in the economic area, 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 afford to withdraw 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.

□ 1145

Mr. DAVIS of Florida. Mr. Speaker, I yield 2¼ 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 we could either force our will unilaterally 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 already, we are in the catbird 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 unequitable against the environment.

In the final analysis, this Congress retains 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 that same mirror to us. We can talk about 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. COMBEST), 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.

We need to work within an organization; I do not disagree with that. We need 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 give foreign Nations 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 Americans were first coming to terms with the question of what it meant to be free, what it meant to be a democracy.

Well, today our Nation is faced with a very different challenge. New technologies, 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 body with extraordinary power, 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. That is what the demonstrations in Seattle last fall were all about, what the demonstrations in Brasilia, 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 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 need to rebuild this idea of an international trade organization. Of course we need to trade. The gentleman from Georgia (Mr. NORWOOD) 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 the WTO rulings could override the decisions of a town council, a county commission to buy only American-made products. Is there anybody here what 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. We have human rights issues debated regularly on this floor.

What we need 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, but 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 inserts 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 Illinois?

There was no objection.

Mr. CRANE. Mr. Speaker, I include the letters I referred to for the RECORD as follows:

EMERGENCY COMMITTEE FOR AMERICAN TRADE,
Washington, DC, June 7, 2000.

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 and Chairman of Cargill, Incorporated, 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—an expansion enabled by the WTO and the multilateral trading system.

With 96 percent of the world's population and four-fifths of the world economy located outside U.S. borders, we cannot sustain economic growth here at home unless we have access to expanding opportunities in world 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 that in many cases are greater 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 grown six-fold, per capita income worldwide has tripled, and hundreds of millions of families around the globe have risen from poverty. The historic liberalization under the Uruguay Round Agreements provided significant new market access through substantial tariff cuts on agricultural and industrial products, reductions in agricultural trade barriers, limits on the use of agricultural export subsidies, and the creation of new disciplines to open up global markets to services providers. This liberalization is expected to produce a $230 billion increase in world GDP and a $745 billion increase in world trade by 2005. This means an additional annual $100 to $200 billion in purchasing power for consumers worldwide.

Since the Uruguay Round, the WTO has helped to pave the way for continued growth in the 21st century by producing an information technology agreement cutting tariffs on $600 billion worth of trade in computers and other high-tech goods, a financial services agreement covering $60 trillion in financial transactions, and a telecommunications agreement opening up 95 percent of the world's telecommunications markets by eliminating monopolies and establishing procompetitive regulatory principles. The 1998 commitment among WTO members to maintain ''duty-free cyberspace'' also has laid the foundation for world economic growth in new areas by ensuring the unhindered development of electronic commerce as a means to promote trade.

For the United States, this global economic growth has helped the U.S. economy grow 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. poverty rates are the lowest 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 1986 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 global system of trade rules 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 help to ensure that China, the largest emerging economy in the world, develops its economy in accordance with WTO rules. China's WTO accession along with the U.S. extension of Permanent Normal Trade Relations (PNTR) to China will help to guarantee that the U.S. farmers, manufacturers, and services 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 under the WTO, as the United States has prevailed in 23 of the 25 U.S. WTO complaints acted on to date. It is important to note that while the 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 does not pose a 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.

Maintaining strong U.S. support and leadership in the WTO is critical to ensuring 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 and services. It is essential that the United States sustain its effort to continue trade liberalization in agriculture and services through the ongoing negotiations and to find ways to build a consensus among WTO members 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 the reasons outlined above, especially the benefits to the United States from the operation of the WTO over the last five years, ECAT member companies urge you to vote against H. Res. 90.

Sincerely,

ERNEST S. MICEK,
Chairman, Cargill, Incorporated and Chairman, Emergency Committee for American Trade.

U.S. TRADE,
Washington, DC, March 31, 2000.

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 1999 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–14–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 reduce or cap tariffs, export subsidies and internal support mechanisms, and established 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.

Intellectual 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 the core copyright industries amounted to an estimated $45.8 billion in 1993. TRIPs implementation has produced the most significant progress to date for protecting pharmaceutical patents in developing countries. We should not make the world safe for pirated American software, pharmaceuticals, and other high value-added products.

Manufacturing: With $527 billion in exports in 1998, the U.S. is by far the largest exporter

of manufactured products in the world—17 percent larger than our 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 representing 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 mushrooming 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 both here and abroad. Concerning the alleviation of poverty, trade is a key element in any economic growth 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.J. 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 Irvin 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 Wire Producers Association
Amway Corporation
Andersen Consulting
APCO Associates Inc.
ARCO
Armstrong World Industries, Inc.
Associated Industries of Massachusetts
Associated Industries of Missouri
Association of Intl 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
Bestfoods
Bethlehem Steel Corporation
Biotechnology Industry Organization
BMW (US) Holding Corporation
Boeing Company
Bretton 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 Corporation
Chemical Manufacturers Association
Chicago Tribune
Chilean-American Chamber of Commerce
Chubb Corporation, The
CIGNA
Citigroup
Citizens Against Government Waste
CNH Global N.V.
Coalition of New England Companies for Trade
Coalition of Service Industries
Competitive Enterprise Institute
Computer & Communications Industry Association
ConAgra, Inc.
CONECT
Connecticut Business & Industry Assn, Inc.
Construction Industry Manufacturers Assoc.
Consumer Industry Trade Action Coalition
Consumers for World Trade
Coors Brewing Company
Copper and Brass Fabricators Council
Corn Refiners Association
Council of Growing Companies
Council of Insurance Agents and Brokers
Creative Pultrusions, Inc.
DaimlerChrysler Corporation
Detroit Free Press
Diamond Machining Technology Inc.
Distilled Spirits Council of the United States
Diversified Trade Company, LLC
Dow Chemical Company, The
Dow Corning Corporation
DuPont
Eastman Chemical Company
Eastman Kodak Company
ECAT
Edison Electric Institute
EDS
Hoffman International, Inc.
Hogan & Hartson
Honeywell International Inc.
Hong Kong Economic & Trade Office
Hormel Foods International Corporation
Huntway Refining Company
Information Technology Assoc. of America
Information Technology Industry Council
Ingersoll-Rand Company
Institute for Int'l Insurance Development
Intellectual Property Committee, The
Interactive Digital Software Association
El Paso Energy Corporation
Elan International LLC
Electronic Data Systems Corporation
Electronic Industries Alliance
Ellicott Machine Corporation International
Emerson Electric Co.
Employers Group
Enron Corp.
ERC Wiping Products Inc.
EREXCORP
Exxon Mobil Corporation
Farm Equipment Manufacturers Association
Fashion Accessories Shippers Association, Inc.
Federation of Israeli Chambers of Commerce
FMC Corporation
Forest City Gear Company
Foster Wheeler Corporation
Franklin International, Inc.
Gateway, Inc.
Gemmex Intertrade America, Inc.
General Electric Company
General Mills, Inc.
General Motors Corporation
German Industry and Trade
Global Customs Advisors
Global USA
Greenberg, Traurig, et al.
Grocery Manufacturers of America, Inc.
Guardian Industries Corporation
Halliburton Company
Hardwood, Plywood and Veneer Association
Hasbro, Inc.
Health Industry Manufacturers Association
Hewlett-Packard Company
High Voltage Engineering Corporation

Hills & Company
International Assoc. of Drilling Contractors
International Business Machines
International Business-Govt. Counsellors
International Dairy Foods Association
International Insurance Council
International Mass Retail Association
International Paper
International Strategic Advisors
Investment Company Institute
IPC, Assoc Connecting Electronics Industries
ITT Industries
Japan Automobile Manufacturers Assn.
JBC International
Jefferson Waterman International
JETRO
John B. Shlaes & Associates
John Hancock Financial Services
Johnson & Johnson
Joint Industry Group
Joseph E. Seagram & Sons, Inc.
Kissinger McLarty Associates
Landegger Industries
Lincoln National Corporation
Liz Claiborne, Inc.
Malichi International, Ltd.
Manatt, Phelps & Phillips
Manchester Associates
Manchester Trade
Manufacturers Assn of NW PA
Marconi Commerce Systems, Inc.
Massachusetts Inst for Social & Econ Rsrch.
Matsushita Electric Corporation of America
Maytag Corporation
MCI WorldCom
McLarty International
MD International
Merck & Company, Inc.
Merrill Lynch & Company Inc.
Merritt Tool Company
Miami Valley Marketing Group, Inc.
Michigan Manufacturers Association
Midmark
Motion Picture Association of America
Motor and Equipment Manufacturers Assoc.
Motorola Inc.
National Association of Manufacturers
National Association of Wheat Growers
National Center for APEC
National Fashion Accessories Association, Inc.
National Food Processors Association, The
National Foreign Trade Council
National Marine Manufacturers Assn.
National Oilseed Processors Association
National Retail Federation
National U.S.-Arab Chamber of Commerce
Nationwide
New York Life Insurance Company
Securities Industry Association
Semiconductor Equip and Materials Int'l.
SFI
New York Life International, Inc.
Nordic Group of Companies, Ltd.
North American Assn of Food Equipment Mfrs.
Northwest Environmental Business Council
Novartis Corporation
NPES The Association for Suppliers of Printing, Publishing and Converting Technologies
O'Melveny & Myers
Optical Industry Association
Oracle Corporation
Organization for International Investment
Owens-Illinois, Inc.
PACCAR Inc
Pacific Basin Economic Council-U.S. Committee
Pacific Coast Council of Customs Brokers & Freight Forwarders Assoc., Inc.
Pacific Northwest International Trade Association
Parker Associates
PepsiCo, Inc.
Pet Food Institute
Pet Friendly, Inc.
Pfizer Inc.
Pharmaceutical Research and Mfrs of America
Philip Morris Companies, Inc.
Pioneer Hi-Bred International Inc.
Polaroid Corporation
PPG Industries, Inc.
Praxair Inc.
Precision Metalforming Association
Princewaterhouse Coopers LLP
Principal Financial Group
Pro Trade Group
Procter & Gamble
Prudential
Purafil, Inc.
Ralston Purina Company
Reebok International, Ltd.
Representative of German Industry and Trade
Ross Manufacturing
Samuels International
Sara Lee Corporation
Sea-Land Service Inc/CSX Corp.
Seba International, Inc.
Secondary Materials and Recycled Textiles
Shelby Industries, Inc.
Siemens Corporation
SISCORP, Inc.
Skyway Luggage Company
Small Business Exporters Association
Smaller Business Assoc. of New England
Society of the Plastics Industry
Sonoco Products Company
Sony Electronics Inc.
St. Maxens & Company—Mattel
Staffing Innovations, Inc.
Stern Group, Inc., The
Synthetic Organic Chemical Manufacturers Association
Systems Integrated
Telecommunications Industry Association
Telect, Inc.
Tenneco
Texas Assn. of Business & Chambers of Commerce
Texas Instruments, Inc.
Textron Inc.
The AIMAC Center for ADR
The American Int'l Automobile Dealers Assoc.
The Clorox Company
The Gallatin Group
The Goodyear Tire & Rubber Company
The Hawthorn Group, L.C.
The McGraw-Hill Companies
The Port Authority of NY & NJ
The Sapphire Group, Inc.
The Stern Group
The Trade Partnership
Timken Company, The
Toy Manufacturers of America
TradeCom International, Inc.
Trans-Americas FSC, Inc.
Tricon Global Restaurants
TRW Inc.
U.S. Chamber of Commerce
U.S. Council for International Business
U.S. Dairy Export Council
U.S. Grains Council
U.S. Wheat Associates
Underwriters Laboratories
Unilever United States, Inc.
United Parcel Service
United Technologies Corporation
Universal Fabricators, Inc.
Unocal Corporation
US ASEAN Business Council
USX Corporation
Valmont Industries
Warnaco Inc.
Warner-Lambert Company
Washington Council on International Trade
Waste Equipment Technology Association
Westex International Inc.
Westinghouse Electric Corporation
Westvaco Corporation
Wheat Export Trade Education Committee
Whirlpool Corporation
White & Case, LLP
Wilhelm Resource Company
William T. Robinson PLLC
Willkie Farr & Gallagher
Wilmer, Cutler & Pickering
Wiring Harness Manufacturers Association
World Perspectives
World Trade Center Institute
Xerox Corporation

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Florida. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, the bill before the House of Representatives today simply says that we should withdraw from the World Trade Organization. If my colleagues have listened to the debate today, the question really is not whether we should withdraw, the question is how should we reform the WTO and what types of reforms we should pursue.

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And the best example that has been cited today widely is the need to have a more open judicial process that more closely mirrors the process that has served us so well in the United States.

So the question before the House today is really what tactic should we take in order to pursue reform. And I would suggest that what we should do is stand up and act like leaders; act like leaders, as expected by other countries and by the citizens we represent here today. What they expect us to do is to take specific action and not just simply support some blanket general withdrawal of the WTO.

So let us begin to debate 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 of the people we represent 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 5 more years.

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 on this bill. 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 that 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 wonder 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-making 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, such as 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 trading partners to be consumed 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. GILLMOR). The gentleman from Michigan (Mr. LEVIN) has 8¼ minutes remaining; the gentleman from Texas (Mr. PAUL) has 5¼ minutes remaining; the gentleman from Oregon (Mr. DEFAZIO) has 9½ minutes remaining; and the gentleman from Illinois (Mr. CRANE) has 7½ 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. It is simply common sense that the nation with the most open trade regime in the world would gain from supporting the international organization whose purpose is to open up the trade regimes of all nations and police those arrangements.

Many Members today have talked about the faults of the WTO, and the gentleman from Michigan (Mr. BONIOR), is in part correct; they are many. But we have to keep in mind that these faults take place against a backdrop of international agreement and cooperation. We are not going to win every case, and sometimes the WTO is simply going to be wrong. But that does not mean that we are better off without having a WTO. It provides a place to resolve trade conflict that historically can easily escalate into more serious matters.

There are a number of improvements to the WTO that we want and have been working to persuade other countries to agree to, and the Committee on Ways and Means speaks to that frequently. They involve opening up the WTO to public view and input, expanding the scope of trade agenda to fit the realities of modern technology and economic integration, consistent enforcement of core labor standards, bringing environmental considerations more forcefully into the discussion, and certainly reaching out to developing countries.

However, there is something we can do here that is equally important, and we need to do it ourselves. In these trade debates, including the debate that we recently had over China, and others as well, they are infused with a certain cultural elitism that needs to be changed. Those who make key decisions in this Nation on trade issues are going to have their jobs, for the most part, after the decision is made. But there are thousands and thousands of people who believe that they will not, and they are scared about it.

A factory that closes in New England and moves to Tennessee, a merger between two companies that leads to downsizing for cost efficiencies, and the start-up of new production lines overseas all look about the same from the factory floor. While we criticize and support the WTO throughout the morning, I would ask Members, Mr. Speaker, to think about the job we need to do to talk about trade in such a way that it is less threatening and more universally accepted.

If we cannot change the tone of the debate, if we cannot sell free trade to those who are nervous about it, then perhaps we have a lot less to say than we thought. And I would predict that if we do not, and we simply vote against this resolution and go on our merry way, then we are going to have a much bigger problem 5 years from now.

Mr. DEFAZIO. Mr. Speaker, I yield myself 3 minutes.

Financial Times, senior WTO staffer: ''The WTO is the place where governments collude in private against their domestic pressure groups.''

I would posit that actually the WTO is working very much the way its principal authors intended, and its principal authors were the 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 then, 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 was 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 and 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 at the WTO against them. Our 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 consumers, 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 amount to ''the largest global tax cut in history.'' By the time the WTO agreements are fully implemented in 2005, the annual effect will be equal to an increase of $1,500 to $3,000 in purchasing power for the average American family of four. By giving American consumers more buying power with every dollar, the WTO helps to raise the living standards for America's families, especially low-income families.

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Moreover, as Americans buy more, the availability of low-cost imports has helped to ward off inflation. Holding down inflation helps to keep mortgages, car loans, credit card interest, and other credit expenses lower.

Mr. Speaker, I think it is vital for our colleagues to pay attention to the discussion that is being held here today, to examine the evidence, and conclude to vote against H.J. Res. 90.

Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I reserve the balance of my time.

Mr. PAUL. Mr. Speaker, I reserve the balance of my time for closing.

Mr. DEFAZIO. Mr. Speaker, may I inquire of the Chair as to who will have the right to close?

The SPEAKER pro tempore (Mr. BARRETT of Nebraska).

The majoirty manager, will be the last speaker.

Mr. LEVIN. Mr. Speaker, so the speakers will be in what order?

The SPEAKER pro tempore. The gentleman from Oregon (Mr. DEFAZIO), the gentleman from Texas (Mr. PAUL), the gentleman from Michigan (Mr. LEVIN), and the gentleman from Illinois (Mr. CRANE).

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. Dooley).

Mr. DOOLEY of California. Mr. Speaker, as our world's economy makes the transition from an industrial-based economy to one that is information based, what we are finding increasingly is 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.

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 with which the United States 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 marketplace 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.

I think the argument follows that, of course, what is good for trading of goods is also relevant to other things we hold important. And certainly, the WTO is far from perfect. We need to make some improvements with regard to transparency and the information that is included in the decision-making and public disclosure, and we need to improve the trade and labor working groups and the way the environment is considered. But without the organization, we have nothing to work with.

It should be clear that a trade free-for-all is not better than a principle-guided trade regime.

Mr. DEFAZIO. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, a recent study by the School of Public Affairs at the University of Maryland found 93 percent of Americans agree with the statement ''Countries that are part of international trade agreements should be required to maintain minimum standards for working conditions.'' Over 80 want to buy products made by children under the age of 15. Seventy-eight percent said labor standards and environmental protections should be part of the agreement. Seventy-four percent said countries should be able to restrict the import of products if they are produced in a way that damages the environment. Seventy-four percent said there should be a moral obligation to ensure foreign workers do not have to work in harsh or unsafe working conditions.

Guess what? None of those things are protected by the WTO. None of them are allowed to be protected by the current rules of the WTO by us, by the United States, enforcing those values in trade.

We cannot restrict the movement of goods produced under any of those problem conditions by child labor, bonded child labor, in an environmentally destructive manner, on and on. The list goes on. Labor rights. Those are not part of this agreement.

The gentleman from Illinois talked about American consumers are benefiting so much. He might have said the newly impoverished American workers that have lost their jobs to unfair foreign trade have more buying power. But, of course, that is absurd. Because, since their wages have dropped dramatically or have been held steady by the fact that we cannot go out and enforce labor rights or higher standards of living through these trade agreements, all we can do is chase the cheapest labor around the world to the bottom, those people, in fact, are not doing so well. We are running huge and growing trade deficits. Under this regime there are so many problems.

This is an indiscriminate tool, and 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, in or out, trade or no.

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 rules that are inclusive of 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 WTO will be a 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 Philips, which is based somewhere in the Netherlands, no one seems to be able to find it, we cannot even get a phone call returned, we get a recording when we call the firm in Ohio, a spokesman for Philips declined to give any specifics on the Mexican facility, even what city 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 Philips' 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 about 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 30 nations, including some economies in transition, seeking to join the WTO, as well as a number of developing countries that are working to meet their WTO obligations. 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. We do 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 from Illinois (Mr. CRANE) 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 trade anarchy at the expense 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 helped the economy grow from $7 trillion in 1992 to $9 trillion in 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. They could, in fact, block 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 as 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 rules or framework is reckless 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]

SHIFT OF PHILIPS JOBS OFFICIALLY SCHEDULED

OTTAWA, OH.—Netherlands-based Philips Components has made it official: It will move 90 per cent of its television-tube production from this northwest Ohio town 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. When the move was disclosed 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 machinery for two 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 spokesman for Philips declined to give 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 workers to make 32-inch tubes.

Yesterday's announcement, although expected, has been dreaded 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 health of the business, so any counterproposal needed to come from Local 1654 of the International Brotherhood of Electric Workers.

"We 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 per cent of its work force, prompting the company to offer an updated bonus plan to raise production levels. The union's Mr. Benjamin said workers with greater seniority will be allowed to bump into jobs that are staying in Ottawa.

Severance packages for the 1,300 hourly workers who will lose their jobs will be negotiated. Severance and benefit packages are being prepared for the 200 salaried workers who will lose their jobs, Mr. Thompson said.

Mr. Williams, Ottawa's municipal director, said village officials contacted legislators and learned that the plant's workers are eligible for displacement benefits under the North American Free Trade Agreement but that will be handled by the federal government.

The SPEAKER pro tempore. The Chair would advise Members that the gentleman from Oregon (Mr. DEFAZIO) has 2 minutes remaining, the gentleman from Texas (Mr. PAUL) has 5¼ minutes remaining, the gentleman from Michigan (Mr. LEVIN) has 1½ minutes remaining, and the gentleman from Illinois (Mr. CRANE) has 3 minutes remaining.

□ 1230

Mr. DEFAZIO. Mr. Speaker, I yield myself the balance of my time.

The gentleman from Illinois just quoted a statement 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 we ran last year a $271 billion trade deficit which by his 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 cannot and should not be competing 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 I urge them at least to 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 a bit upset with what we do with trade today. I am 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 subsidized trade. Huge 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 beat them at it because not everybody 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 Constitution 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 the 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.

Why is it that I have allies on the other side of the aisle where we may well disagree on the specifics of labor law and environmental law. We agree that the American people have elected us, we have taken an oath of office to obey the Constitution, that we have a responsibility to them and we should decide what the labor law ought to be, we should decide what the environmental law should be, we should decide what the tax law should be. That is why we have an alliance.

But let me remind my colleagues, the American people are getting frustrated. They feel this sense of rejection and this loss of control. Why bother coming to us? We do not have control of the WTO and they feel like they are being hurt. This is the reason we are seeing demonstrations. They say if we did not have the WTO we would have anarchy? I predict chaos. I predict eventual chaos from WTO mismanagement. The trade agreement is unmanageable. They would like to do it in secrecy, and they like to wheel and deal; but it is unmanageable.

Let me say there is another reason why we expect chaos in the economy and in trade. It has to do with the trade imbalances. Today we are 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. China will be our trading partner. 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. Our challenge is to try 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 antidumping laws in those 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. 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 economic 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 recognize, too, the studies have already discovered that better than 90 percent of job dislocation here in the United States is totally unrelated to trade. When we then wonder about these increases in U.S. deficits, it is because of the insatiable appetites 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, three, worker 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 some honest disagreements. 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).

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. KNOLLENBERG. 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.

Isolationist policies will only destroy jobs and stifle innovation, while at the same time discourage environmental responsibility. I encourage my colleagues to vote against this resolution and for engagement with the world trade community.

Mr. DINGELL. Mr. Speaker, I rise in opposition to H.J. Res. 90. This legislation withdraws congressional approval for the agreement establishing the World Trade Organization (WTO). Its adoption would mean that for the first time in 50 years, the U.S., the world's largest economy, would not be a member of the world trading system.

I will be the first to admit that the WTO is far from perfect. Despite our efforts, it remains a closed, non-transparent decision-making body in which anti-U.S. biases are strong and due process is weak. Whether it's the dispute with the European Union (EU) over the Foreign Sales Corporation (FSC), market access for bananas and hormone treated beef, Airbus subsidies, or EU restrictions on U.S. biotechnology products, the WTO has either rejected or failed to enforce U.S. rights. Nevertheless, turning our backs on the rest of the world, as H.J. Res. 90 would have us to, is a wholly unacceptable solution to the WTO's problems.

If we want to trade with the world, we must remain a part of the world trading system. And, as a member of the world trading system, we must show the rest of the world that, truly, this system can only serve the interests of all when it transcends the biases and prejudices that now infest it, and it starts rendering honest judgments based solidly on the actual language of agreements reached. Fair, impartial and open decisionmaking must become the WTO's standard, if it is to promote economic efficiency and world prosperity.

The WTO is far from meeting that standard today. Until real progress is made, we should expect that sentiments for the resolution we are considering today will become more, not less, prevalent. Let me describe some of the major problems facing the WTO.

Our major trading partners, including Japan, Korea, and the EU, have turned the WTO dispute settlement process into a de facto appeals court that reviews U.S. trade agency determinations and strikes down our trade laws. Japan and Korea have gone so far as to say they will launch WTO appeals of every U.S.

trade determination that is adverse to their interests. Already, WTO decisions are gutting the effectiveness of U.S. trade remedies in ways that the Administration and Congress expressly rejected during the negotiations on the agreement establishing the WTO.

In the UK Bar case, the WTO tribunal actually usurped the role assigned to the U.S. Commerce Department by refusing to accept the agency's reasonable interpretations of WTO agreements. The WTO Antidumping Agreement contains a special standard of review which recognizes that national authorities (e.g., the U.S. Commerce Department) should have the primary role in interpreting the complicated and technical WTO rules. A 1994 WTO Ministerial Declaration provides that subsidies cases (like UK Bar) should also be subject to this deferential standard of review. Despite this fact, the WTO tribunals disregarded the WTO Members' intent and said the standard of review was "non-binding".

The simple fact is that the WTO dispute settlement process is structurally biased against the U.S. Panels are staffed by the WTO Secretariat that over the years has demonstrated a bias against U.S. fair trade laws. WTO documents, including the WTO Annual Report, reveal a hostility to anti-dumping laws. In addition, the actual members of the panels are selected from a cadre of foreign diplomats, economists, and academics, many of whom have no judicial training and have very negative opinions of U.S. trade laws.

The U.S. must take steps to increase its participation in the WTO dispute settlement process. Without even changing WTO rules, the U.S. could "deputize" counsel for domestic industries so they can hear the presentations to the panelists. We should also increase federal support by assigning Commerce Department personnel to our country's WTO mission in Geneva. The WTO process must also become more transparent by permitting panels to consider written submissions from interested private parties and by giving private counsels, under appropriate protective order, access to all materials in cases considered by panels.

Mr. Speaker, the WTO dispute settlement process needs thorough reform. It is to these reforms that we must now direct our efforts and not to the abandonment of the world trading system. I urge my colleagues to vote "No" on H.J. Res. 90.

Mr. BUYER. Mr. Speaker, I rise today in opposition to this resolution withdrawing approval of the United States in the World Trade Organization. Although I have some concerns, the United States must be actively engaged in global trade and we need to be forceful, perhaps more forceful than we have been, in advocating a rules-based, transparent trading system.

My main concerns stem from the potential for manipulation of the WTO by some of our trading partners to challenge our domestic laws to address unfair trading practices. These are legitimate tools to ensure fairness to American industries and American workers.

We need a viable dispute resolution process that permits a full, open airing of grievances. In a rules-based trading system, the rules need to be transparent—everybody needs to know what the rules are. It also must address any non-tariff barriers that are erected to inhibit free and fair trade.

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 be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. PAUL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1245

GENERAL LEAVE

Mr. WALSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4635, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Is there objection to the request of the gentleman from New York?

There was no objection.

DEPARTMENT OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore. Pursuant to House Resolution 525 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4635.

□ 1245

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4635) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes, with Mr. PEASE in the chair.

The Clerk read the title of the bill.

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. KAPTUR) regarding VA mental illness research;

An amendment by the gentleman from New Jersey (Mr. PASCRELL) regarding the VA Right To Know Act;

An amendment by the gentleman from New Jersey (Mr. SAXTON) 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 43.

The following additional amendments debatable for 20 minutes:

An amendment by the gentleman from Texas (Mr. EDWARDS) regarding VA health and research;

The amendments printed in the CONGRESSIONAL RECORD numbered 23, 34, and 35; and,

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. BOYD) regarding FEMA;

An amendment by the gentleman from Massachusetts (Mr. OLVER) regarding the Kyoto Protocol;

And the amendments printed in the CONGRESSIONAL RECORD numbered 3, 4, 24, 25, and 39.

The Clerk will read.

The Clerk read as follows:

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901–5902; services as authorized

by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project; and not to exceed $6,000 for official reception and representation expenses, $1,900,000,000, which shall remain available until September 30, 2002: *Provided*, That none of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol: *Provided further*, That none of the funds made available in this Act may be used to implement or administer the interim guidance issued on February 5, 1998, by the Environmental Protection Agency relating to title VI of the Civil Rights Act of 1964 and designated as the ''Interim Guidance for Investigating Title VI Administrative Complaints Challenging Permits'' with respect to complaints filed under such title after October 21, 1998, and until guidance is finalized. Nothing in this proviso may be construed to restrict the Environmental Protection Agency from developing or issuing final guidance relating to title VI of the Civil Rights Act of 1964: *Provided further*, That none of the funds made available in this or any prior Act may be used to make a final determination on or implement any new rule relative to the Proposed Revisions to the National Pollutant Discharge Elimination System Program and Federal Antidegradation Policy and the Proposed Revisions to the Water Quality Planning and Management Regulations Concerning Total Maximum Daily Loads, published in the Federal Register on August 23, 1999.

AMENDMENT OFFERED BY MR. SAXTON

Mr. SAXTON. 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. SAXTON:

Page 59, line 6, after the dollar amount insert ''(increased by $33,900,000)''.

Page 74, line 12, after the dollar amount insert ''(reduced by $33,900,000)''.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, January 20, 2000, the gentleman from New Jersey (Mr. SAXTON) and the gentleman from New York (Mr. WALSH) each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SAXTON).

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. WALSH. 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 of 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:

On 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 painstaking negotiations 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 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 even 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. KNOLLENBERG. 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 been looking at 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 any limitation imposed under this act on funds made available by this act for the Environmental Protection Agency shall not apply to activities 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 here from the previous wording?

Mr. OLVER. Mr. Chairman, will the gentleman yield?

Mr. KNOLLENBERG. 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 language as 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 Clerks advised me and others who were interested in this that there would be no ambiguity 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.

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Mr. KNOLLENBERG. 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. KNOLLENBERG. 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, but it 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 law 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 plea for clarification. 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 that it is the very uncertainty about the scope of the language which gives rise to our wanting to not 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 on climate change 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.

Apparently, 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 assure the American 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 1998; and we all know the EPA has been challenged by the courts on their abuse of the Clean Air Act, Safe Drinking Water Law, and an effort to use internal guidance in contravention of legal requirements. Because of the recent activities of the EPA, I just wanted to take this time 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. MOLLOHAN) and the gentleman from Massachusetts (Mr. OLVER), 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 sure the gentleman does as well.

CONGRESS OF THE UNITED STATES,
Washington, DC, June 16, 2000.

Hon. C.W. BILL YOUNG,
Chairman, House Committee on Appropriations.

DEAR MR. CHAIRMAN. We write to express our strong support for the inclusion of the Knollenberg 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 condition that it not adversely impact the economy of the United States.

We believe that the Knollenberg 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 the implementation of this treaty before its submission to Congress as required by the Constitution of the United States. The Knollenberg provision is required to block any further implementation of the proposed treaty by the executive branch until Congress addresses this matter. We wish to be clear that this provision will not in any way inhibit the ability of the Administration to negotiate international treaties or conduct the foreign policy of the United States. Rather, this provision seeks to preserve the proper consultation and review process with regard to international agreements that has been reserved to the Congress by the Constitution of the United States.

Thank you for your kind consideration of our request.

Sincerely,

BENJAMIN A. GILMAN.
F. JAMES SENSENBRENNER, Jr.

COMMITTEE ON COMMERCE,
Washington, DC, October 5, 1999.

Hon. DAVID M. MCINTOSH,
Chairman, Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs, Committee on Government Reform.

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 ''The 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) of the proposed amendments, 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 conferees (see Conf. Rept. 101–952, 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 some provisions, such as sections 813, 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 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. 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 (k). New subsection (g), entitled ''Pollution Prevention and Control,'' calls for ''non-regulatory strategies and technologies for air pollution prevention.'' While it refers, as noted in the EPA memorandum, to carbon dioxide as a ''pollutant,'' House and Senate conferees never agreed to designate carbon dioxide as a pollutant for regulatory or other purposes.

Based on my review of this history and my recollection of the discussions, I would have difficulty concluding that the House-Senate conferees, who rejected the Senate regulatory provisions (with the exception of the above-referenced section 821), contemplated regulating greenhouse gas emissions or addressing global warming under the Clean Air Act. Shortly after enactment of Public Law 101–549, the United Nations General Assembly established in December 1990 the Intergovernmental Negotiating Committee that ultimately led to the Framework Convention on Climate Change, which was ratified by the United States after advice and consent by the Senate. That Convention is, of course, not self-executing, and the Congress has not enacted implementing legislation authorizing EPA or any other agency to regulate greenhouse gases.

I hope that this is responsive.

With best wishes,

Sincerely,

JOHN D. DINGELL.

CONGRESS OF THE UNITED STATES,
Washington, DC, March 10, 2000.

Hon. GARY S. GUZY,
General Counsel, Environmental Protection Agency.

Dear Mr. Guzy: Thank you for your February 16, 2000 letter responding to our December 10, 1999 letter examining the Environmental Protection Agency's (EPA's) legal authority with respect to carbon dioxide (CO_2). After studying your answers to our questions, we are more convinced than ever that the Clean Air Act (CAA) does not authorize EPA to regulate CO_2. Indeed, we find it amazing that EPA claims authority to regulate CO_2 when the legislative history of the CAA—particularly in 1990—does not support such a claim and when Congress, since 1978, has consistently enacted only non-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 CO_2, we review below each of your answers in the order of the questions posed.

Your response to 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, specific mention of a pollutant in a statutory provision is not a necessary prerequisite to regulation under many CAA statutory provisions.'' We agreed with this observation in Q3 of our October 14th 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 CO_2 as a substance to be regulated is ''evidence'' (note: we did not say proof) that Congress chose not to authorize EPA to launch a regulatory global warming mitigation program. EPA's assertion, that the absence of CO2 from all CAA regulatory provisions furnishes no evidence against EPA's claim that it may regulate CO_2, strikes us as unreasonable, especially in light of Congress' practice, in amendment after amendment to the CAA, of specifically designating substances for regulation.

In addition, we are troubled by the apparent implication of your statement, ''Congress did not in 1990 limit the potential applicability of any of the CAA regulatory provisions to CO_2.'' You seem to suggest that, if Congress did not expressly forbid EPA from regulating CO_2, EPA must be presumed to have such power. That implication, we think, contradicts the core premise of administrative law, namely, that agencies have no inherent regulatory power, only that which Congress intentionally and specifically delegates.

We do not find persuasive your response to Q2 of our December 10th letter, We asked, ''if Congress intended to delegate to EPA the authority to regulate greenhouse gases, why did it admonish EPA not to assume such authority in the only CAA provisions [sections 103(g) and 602(e)] dealing with CO_2 and global warming?'' You answer that those sections are nonregulatory, and that Congress ''would not intend the Agency to regulate substances under authorities provided for nonregulatory activities.'' You then conclude that the admonitory language of those provisions ''does not directly or indirectly limit the regulatory authorities provided to the Agency elsewhere in the Act.'' We agree that the admonitory language does not repeal by implication any existing authority provided elsewhere in the CAA. However, we do not agree that, when Congress enacted that language, it was merely affirming a tautology (i.e., nonregulatory authorities cannot authorize regulatory programs). It is far more likely that Congress meant to caution EPA against assuming an authority that does not in fact exist.

Please again recall the legislative history surrounding Title VI. When Congress enacted Title VI, it also rejected a Senate version known as Title VII, the ''Stratospheric Ozone and Climate Protection Act,'' which would have required EPA to regulate greenhouse gases. The admonitory language of section 602(e) states that EPA's study of the global warming potential of ozone-depleting substances ''shall not be construed to be the basis of any additional regulation under this chapter [i.e., the CAA].'' This is very significant because it means Congress was not content just to reject Title VII. Congress also thought it necessary to state in Title VI that it was in no way authorizing a greenhouse gas regulatory scheme.

The admonitory language of section 103(g) is also worth quoting. EPA's whole case boils down to the argument that section 103(g) refers to CO_2 as an ''air pollutant,'' and the CAA authorizes EPA to regulate air pollutants. This argument is incredibly weak. To begin with, under section 302(g) of the CAA, the term ''air pollutant'' does not automatically apply to any substance emitted into the ambient air. Such a substance must also be an ''air pollution agent or combination of such agents.'' EPA has never determined that CO_2 is an air pollution ''agent.'' More importantly, the admonitory language of section 103(g) is unequivocal: ''Nothing in this subsection shall be construed to authorize the imposition on any person of air pollution control requirements'' (emphasis added). If nothing in section 103(g) shall be construed to authorize the imposition of air pollution control requirements, then the reference therein to CO_2 as a ''pollutant'' should not be construed to be a basis for regulatory action. EPA's case is further undermined by Congressman John Dingell's commentary on the legislative history connected with section 103(g). In his October 5, 1999 letter to Chairman McIntosh, Rep. Dingell wrote: ''While it [section 103(g)] refers, as noted in the EPA memorandum, to carbon dioxide as a 'pollutant,' House and Senate conferees never agreed to designate carbon dioxide as a pollutant for regulatory purposes.''

We find disturbing your response to Q3 of our December 10th letter. Citing the very passage of Chevron v. NRDC quoted by EPA in its December 1st letter, we asked whether there was not a vital, practical distinction between EPA's filling a ''gap left, implicitly or explicitly, by Congress'' in a ''congressionally created . . . program'' and EPA's creating new programs without express Congressional authorization. Your answers to Q3(a) and N do not acknowledge that EPA is in any meaningful way constrained by the distinction between filling gaps and creating programs.

In addition, we believe your answer to Q3(c) lacks credibility. We asked whether EPA's authority to control substances based upon their global warming potential ''is as clear and certain and unambiguous as EPA's authority to control substances based upon their impact on ambient air quality, their toxicity, or their potential to damage the ozone layer.'' Rather than acknowledge the obvious (i.e., EPA's regulatory authority with respect to CO_2 rests on a tortuous interpretation at best), you reply that ''EPA has not evaluated the strength of the technical and legal basis for such findings under any particular provision of the Act,'' because it has ''no current plans'' to regulate CO_2. While that statement is welcome assurance in light of the Knollenberg limitation, it leaves a void as to the legal basis for EPA's view of its authority.

Your answer to Q4 of our December 10th letter is similarly nonresponsive. We noted that, under CAA section 112(b)(2), EPA may not classify an ambient air pollutant like sulfur dioxide (SO_2) as a hazardous air pollutant (HAP) unless it ''independently meets the listing criteria'' of section 112. In Q4(a), we asked: ''What are the criteria for listing under section 112 that SO_2 and the other ambient air pollutants do not independently meet?'' Your reply corrects our formulation by pointing out that an ambient air pollutant may be listed as a HAP only if it is an ambient air pollutant ''precursor'' *and* ''meets the criteria for listing under section 112(b)(2).'' However, you did not state what those criteria are; you did not explain the specific difference between an ambient air pollutant and a HAP. In short, you did not answer our question. The reason, we suspect, is that a clear statement of the criteria that a substance must meet in order to be classified as a HAP would also make clear that CO_2 is unlike any of the substances currently listed as HAPs. That, in turn, would cast grave doubt on EPA's claim that section 112 is ''potentially applicable'' to CO_2.

Your response to Q4(b) implies that EPA may actually have greater flexibility to list CO_2 as a HAP than any section 108 (''ambient'') air pollutant, because CO_2 is not listed under section 108 and, thus, is not subject to the qualification that it be a ''precursor.'' We disagree. The ambient air pollution program is the foundation of the CAA. The fact that Congress and EPA did not list CO_2 under section 108 is evidence that CO_2 is not a ''pollutant'' in any substantive meaning of the word. The HAPs program deals with substances that typically are deadlier or more injurious than ambient air pollutants. However, even at many times current atmospheric levels, CO_2 is a benign substance compared to ambient air pollutants like lead, ozone, or SO_2. Tberefore, the fact that Congress and EPA never listed CO_2 as an ambient air pollutant is an argument against CO_2s ever being listed as a HAP.

Your responses to Q4(c) and (d) employ the same flawed reasoning. Section 112(b) provides that no ozone-depleting substance may be classified as a HAP ''solely due to its adverse effects on the environment.'' Noting this restriction, we asked: ''[D]oes it not stand to reason that no greenhouse gas may be listed solely due to its adverse environmental effect? Indeed, is not the exemption of greenhouse gases from listing under section 112 even stronger than that for ozone-depleting substances, inasmuch as the CAA nowhere expressly authorized EPA to regulate greenhouse gases?'' You replied: ''Since section 112 says nothing precluding the listing of greenhouse gases (or, for that matter, any other pollutants not regulated under Title VI) on environmental grounds alone, EPA does not agree with the conclusion in the last sentence of your question.'' Here again you come close to saying that EPA may lawfully do anything Congress has not expressly forbidden it to do. We would suggest that Congress did not need to exempt greenhouse gases from EPA's section 112 authority, because Congress never gave EPA authority to regulate greenhouse gases in the first place.

We regard your brief response to Q5 to be a tacit admission that the HAPs framework is unsuited to control substances that deplete the ozone layer. You comment that ''Congress included on the section 112(b)(2) list of HAPs several substances that deplete the ozone layer (e.g., methyl bromide, carbon-tetrachloride [CCL_4].'' However, this merely shows that some ozone-depleting substances (i.e., those that are carcinogenic, mutagenic, neurotoxic, etc.) independently meet the criteria for listing under section 112. It does not prove that EPA could act effectively to protect stratospheric ozone without new and separate authority (e.g., Title VI). We also note that, in Title VI, Congress did not declare any of the ozone-depleting substances to be an ''air pollutant.'' This suggests that EPA's authority with respect to ozone-depleting chemicals comes from a specific grant by Congress, not from a generalized authority to control substances emitted into the air.

We regard your answer to Q6 as nonresponsive. We pointed out that stratospheric ozone depletion is, by definition, a phenomenon of the stratosphere, not of the ambient air, and that it differs fundamentally from ambient air pollution in both its causes and remedies. We therefore asked: ''In light of the foregoing considerations, do you believe the NAAQS [National Ambient Air Quality Standards] program has any rational application to the issue of stratospheric ozone depletion?'' You responded: ''Since Title VI adequately addresses stratospheric ozone depletion, EPA has not had any occasion or need to undertake an evaluation of the use of the NAAQS program to address this problem.'' We believe that Congress' enactment of Title VI is further evidence that the CAA is a carefully structured statute with specific grants of authority to accomplish specific (hence limited) objectives, not an undifferentiated, unlimited authority to regulate any source of any substance that happens to be emitted into the air.

In Q7, we asked whether the NAAQS program, because it targets local conditions of the ambient air, is unsuited to address a global phenomenon of the troposphere, such as the supposed enhancement of the greenhouse effect by industrial emissions of CO_2.''

You replied: ''EPA has not reached any conclusion on this question because, as already noted, the Agency has no current plans to propose regulations for CO_4.'' We do not think it necessary for EPA to start a rulemaking in order to evaluate whether a particular portion of the CAA is suited to control CO_2 in the context of a global warming mitigation program. We regard your answer as a tacit admission that EPA is unable to rebut our argument.

In your answer to Q8, you state: ''There is nothing in the text of section 302(h) and we have found nothing in its history to support Mr. Glaser's speculation that the scope of that provision was limited to local or regional air pollution problems'' such as those arising from particulate pollution. We disagree. The text in question refers to the effects of pollution on ''weather, visibility and climate.'' As you note in your answer to Q12, CO_2 has never been ''associated with visibility concerns.'' Particulate pollution, on the other hand, can impair visibility as well as affect local or regional weather and climate. As to the legislative history, the source of the phrase ''weather, visibility and climate'' in the 1970 CAA Amendments would seem to be the National Air Pollution Control Administration's 1969 air quality criteria for particulates, which discussed the interrelated impact of fine particles on weather, visibility and ''climate near the ground'' (Air Quality Criteria for Particulate Matter, Jan. 1969). The climate effects referred to were not global but local and regional in nature. In any event, we find nothing in the text and legislative history of section 302(h) to suggest that Congress intended that provision to address CO_2 in the context of the issue of global warming.

In Q9, we asked whether the NAAQS program is fundamentally unsuited to address the issue of global warming, since there seems to be no sensible way to set a NAAQS for CO_2. For example, a NAAQS for CO_2 set below current atmospheric levels would put the entire country out of attainment, even if every power plant and factory were to shut down. Conversely, a NAAQS for CO_2 set above current atmospheric levels would put the entire country in attainment, even if U.S. coal consumption suddenly doubled. You replied: ''Since EPA has no current plans to propose regulations for CO_2, the Agency has not fully evaluated the possible applicability of various CAA provisions for this purpose. At this point in time, your question is entirely hypothetical.'' Whether ''hypothetical'' or not, our question points out that CO_2 does not seem to fit into the NAAQS framework. We regard your answer as a tacit admission that EPA has no idea how to set a NAAQS for CO_2 in the context of a global warming mitigation program.

In Q10, we noted that the attainment of a NAAQS for CO_2 would be impossible without extensive international cooperation, and that EPA had not yet determined whether CAA section 108 authorizes the designation of nonattainment areas where attainment cannot be achieved without international action. From these facts, we drew the reasonable conclusion that, until EPA determines that the CAA does grant such authority, it is ''premature'' for EPA to claim that section 108 is ''potentially applicable'' to CO_2. You replied: ''Section 108 of the CAA authorizes regulation of air pollutants if the criteria for regulation under that provision are met. EPA has not yet evaluated whether such criteria have been met for CO_2. Thus, at this time, we believe it is accurate to state that section 108 (and other CAA provisions authorizing regulation of air pollutants) are 'potentially applicable' to CO_2''. We disagree. The mere fact that EPA has not evaluated whether CO_2 meets section 108 criteria furnishes no evidence that section 108 is potentially applicable to CO_2.

Before examining whether CO_2 meets the criteria for regulation under section 108, EPA would first have to determine whether the CAA authorizes EPA to designate nonattainment areas where attainment cannot be achieved without international action. Also, as noted above, before examining whether CO_2 meets section 108 criteria, EPA would have to resolve the basic conceptual issue of whether setting a NAAQS for CO_2 is possible without putting the entire country either in attainment or out of attainment. Since EPA has not resolved these threshold questions, it is disingenuous to claim that section 108 is ''potentially applicable'' to CO_2. The most EPA can honestly say at this point is that it does not know whether section 108 could be found to be applicable to CO_2.

In Q11, noting that unilateral CO_2 emissions reductions by the United States would have no measurable effect on global climate change, we asked whether the NAAQS program can have any application to CO_2 outside the context of an international regulatory regime, such as the Kyoto Protocol, since CAA section 109(b) requires the Administrator to adopt NAAQS that are ''requisite to protect'' public health and welfare. You replied; ''The Clean Air Act does not dictate that EPA must be able to address all sources of a particular air pollution problem before it may address any of those sources. Rather, EPA may address some sources that 'contribute' to a problem even if it cannot address all of the contributors. For example, EPA was not precluded from addressing airborne lead emissions because there are other sources of lead contamination, some of which may be beyond EPA's jurisdiction. See Lead Industries Ass'n v. EPA, 647 F.2d 1130, 1136 (DC Cir. 1980).'' We agree that EPA may address some sources that contribute to a problem even if it cannot address all of the contributors. However, there is a fundamental difference between lead pollution and CO_2 ''pollution.''

As the D.C. Circuit Court of Appeals observed in the Lead Industries case, airborne lead is one of three major routes of exposure, the others being diet and accidental ingestion of lead objects by small children. Accordingly, setting a NAAQS for lead cannot provide comprehensive protection against lead pollution. However, setting a NAAQS for lead can significantly reduce exposure to airborne lead. Moreover, reducing airborne lead would also reduce the amount of lead in the nation's food supply—another major route of exposure. Therefore, it is possible to set a NAAQS for lead that is ''requisite'' to protect public health. In contrast, setting a NAAQS for CO_2 outside the context of a global treaty cannot significantly reduce (or even measurably slow the growth of) atmospheric concentrations of CO_2, particularly since China alone will soon overtake the U.S. as a source of greenhouse gas emissions. Thus, it is hard to imagine that a NAAQS for only one gas—CO_2—that applies only to the U.S. could satisfy the section 109(b) requirement that it be ''requisite'' to protect public health and welfare.

In Q12, we asked which provisions of the CAA apply to ''major stationary sources'' and ''major emitting facilities,'' and whether such provisions are among those EPA considers ''potentially applicable'' to CO_2. You explained that the regulatory requirements of Parts C and D of Title I and Title V of the CAA apply to major stationary sources and major emitting facilities. You also noted that, to be a major stationary source or major emitting facility, an entity must emit an air pollutant that EPA regulates ''pursuant to other provisions of the CAA (e.g., if it were a criteria pollutant under section 108).'' As you know, section 302(j) defines ''major stationary source'' and ''major emitting facility'' as any stationary facility or source that emits, or has the potential to emit, ''one hundred tons per year or more of any air pollutant.'' it is our understanding that several hundred thousand small and midsized businesses and farms individually emit 100 tons or more of CO_2 per year. Regulating CO_2, therefore, would dramatically expand EPA's control over the U.S. economy generally and the small business sector in particular. We are concerned that EPA has an enormous organizational interest in laying the legal predicate for future regulation of CO_2.

In Q13, we challenged EPA's reading of the Knollenberg funding limitation. We noted that there is no clear practical difference between issuing regulations for the purpose of reducing 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 sidestep that concern. We believe that EPA has 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 Q13, 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, in ratifying the Rio Treaty, that the Administration not commit the U.S. to binding emission reductions without the further advice and consent of the Senate, if it were already in EPA's power to impose such reductions under existing authority?'' You replied: ''[T]he Senate insisted that the Executive Branch not commit the U.S. to a binding international legal obligation (i.e., a treaty obligation) without further advice and consent. The Senate's statement on this point has no bearing on the scope of existing domestic legal authority to address pollution problems as a matter of domestic policy, independent of any international legal obligations.'' We agree in part, and disagree in part. We agree that the Senate's statement referred to international obligations. Nonetheless, that statement does have a bearing on the. scope of EPA's authority.

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 stated, among other things, that the U.S. should not be a signatory to any climate change agreement or protocol that would exempt developing nations from binding emissions limits.

Now, if the Senate is overwhelmingly opposed to a climate change treaty that would

exempt three-quarters of the globe from binding obligations (even though they emit significant greenhouse gases), it is unthinkable that Congress would support a unilateral emissions reduction regime binding upon the U.S. alone. Simply put, when the Senate ratified the Rio Treaty, it did so with the understanding that the Executive Branch would not attempt via administrative action, executive agreement, or rulemaking to go beyond the Treaty's voluntary goals.

In Q14, we asked you to account for the fact that, although the Administration claims to regard the science supporting the Kyoto Protocol as ''clear and compelling,'' EPA apparently does not believe the science is strong enough to commence a ''formal scientific review process'' to determine the appropriateness of domestic regulatory action. Rather than explain how such seemingly inconsistent positions cohere, EPA simply asserts without explanation that there is no incongruity or contradiction.

In summary, with EPA's answers in hand, we are more convinced than ever that the CAA does not authorize EPA to regulate CO_2. As we have stated in previous letters, it is inconceivable that Congress would delegate to EPA the power to launch a CO_2 emissions control program—arguably the most expansive and expensive regulatory program in history—without ever once saying so in the text of the statute. We also think it is obvious that the basic structure of the NAAQS program, with its designation of local attainment and nonattainment areas and its call for State implementation plans, has no application to a global phenomenon like the greenhouse effect. Furthermore, in view of the well-known fact that CO_2 is a benign substance and the foundation of the planetary food chain, we are appalled by the Administration's insistence that EPA might be able to regulate CO_2 as a ''toxic'' or ''hazardous'' air pollutant.

The CAA is not a regulatory blank check. The Administration's claim that the CAA authorizes regulation of greenhouse gas emissions can only serve to undermine Congressional and public support for legitimate EPA endeavors.

Sincerely,

DAVID M. MCINTOSH.
KEN CALVERT.

CO_2: A POLLUTANT?

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.

(Fredrick D. Palmer, Chairman, Legal Affairs Committee)

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PREFACE

Fear of apocalyptic global warming centers on an increasing atmospheric concentration of carbon dioxide (CO_2) due to human activity. The United Nations' voluntary 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 gas emissions. What is really at issue in this debate is human reliance on carbon fuels as our primary source of energy.

Of course, the economic consequences are enormous for those countries who truly pursue the commitments established in Kyoto. The reduction of greenhouse gases means substantial constraints on economic prosperity—including, perhaps, reducing income, employment and output. These dire economic realities no doubt explain the administration's reluctance to inform the American people of the sacrifices they would be called upon to make in order to fulfill the commitments made by U.S. negotiators in Kyoto. No less daunting is the task of explaining to Americans why they must accept such wrenching changes to their well-being when the evidence does not show that the increase in CO_2 levels attributed to human activity is responsible for a measured rise in global temperature, or, for that matter, that a warmer climate, if it did occur, poses the threat of an environmental catastrophe.

These realities pose substantial obstacles to both public and political acceptance of the Kyoto commitments. Notably, the administration has not submitted the Protocol to the Senate for ratification and, apparently, it has no plans to do so any time soon. Yet, the absence of this constitutional prerequisite to implementation has not deterred others in the administration from suggesting the (ab)use of administrative powers in order to secure the greenhouse gas emission cuts they agreed to in Kyoto.

Perhaps the most stunning suggestion in this regard is the Environmental Protection Agency's (EPA) claim that it currently possesses authority to sregulate CO_2 as a pollutant under the Clean Air Act. The characterization of CO_2 as a pollutant is, in a word, remarkable. After all, this benign gas is a limiting nutrient required for life on earth. To be sure, EPA's characterization of CO_2 as a pollutant and claim of regulatory powers over it are not the mere musings of a few wishful bureaucrats at the agency. The Administrator of EPA herself endorsed this view in congressional testimony on March 11, 1998. When pressed by members of Congress on the legal basis for this claim, the Administrator agreed to provide a legal opinion. A month later, EPA's general counsel supplied one that attempts to support the Administrator's claim.

The sweeping claim of regulatory powers over such a pervasive, yet benign, substance as CO_2 presents the prospect of unparalleled bureaucratic, legal and economic burdens imposed on the entire heart of the American economy—more than one million businesses of all sizes in most sectors. In view of the grave consequences posed by EPA's expansive claim of administrative powers, the National Mining Association's Board of Directors requested its Legal Affairs Committee to evaluate EPA's authority to regulate in this area. What follows is the Committee's report and analysis which concludes that, contrary to EPA's claim, the agency lacks authority under the Clean Air Act to regulate carbon dioxide emissions.

One need not be an expert on the Clean Air Act or, for that matter, a lawyer to comprehend the reasoning for this conclusion. Simply recall the bedrock principle upon which our system of government rests: the legislative branch makes the laws and the executive branch executes them. The corollary principle is, of course, that an agency's administrative powers are limited to the authority delegated by Congress. The analysis that follows probes this fundamental question.

The natural tendency of administrative agencies to swell their mission beyond the will of Congress as expressed in the law is, unfortunately, a product of our modern regulatory state. On occasion, this tendency is also accompanied by a callous disregard for the most basic of principles that undergird our system of government, as was the case not long ago when the White House challenged ''Congress [to] amend the Clean Water Act to make it consistent with the agencies' rulemaking.'' *See National Mining Association v. U.S. Army Corps of Engineers*, 145 F. 3d 1399 (D.C. Cir. 1998). If nothing else, this viewpoint should inform us that if we are to assure fidelity to the basic principles of our system of government, we must embrace the wisdom offered in Thomas Jefferson's suggestion that the price of liberty is eternal vigilance, and always follow Abraham Lincoln's recognition that the U.S. Executive Branch, under the Constitution, lacks the authority to ''make permanent rules of property by proclamation.''

EXECUTIVE SUMMARY

Soon after the negotiators returned from Kyoto last December with a protocol that mandates sharp reductions in greenhouse gas emissions by the United States and other developed nations, the Administrator of the Environmental Protection Agency (EPA) informed Congress that the agency already possessed authority to begin meeting the targets for emission cuts. Specifically, the Administrator claimed that carbon dioxide (CO_2) could be characterized as a pollutant and regulated by EPA pursuant to the Clean Air Act (CAA). At the request of the National Mining Association's Board of Directors, its Legal Affairs Committee evaluated this claim. After a comprehensive review of the language and structure of the CAA, its legislative history and other related laws, the analysis concludes that, contrary to EPA's claim, Congress did not provide EPA with such authority. Instead, Congress deliberately limited EPA's endeavors in this area to non-regulatory activities.

NMA's legal analysis probes the fundamental question of whether Congress intended to delegate to EPA the power to regulate CO_2 emissions. The analysis first demonstrates that the plain text of the statute fails to delegate such authority to EPA. Second, it examines each of the sections of the CAA cited by EPA in its legal opinion, and shows that EPA's attempt to regulate CO_2 is inconsistent with those very sections of the CAA. Third, the legislative history of the CAA is examined and shown to contradict EPA's position. Fourth, the analysis explains that other statutes and treaties support the inevitable conclusion that Congress did not want EPA to regulate CO_2 without additional legislation. Finally, the analysis cautions that even if Congress decided to authorize EPA to regulate CO_2 under the CAA, the agency would have great difficulty sustaining its burden of showing that CO_2 emissions endanger the public health and welfare.

There is no disputing the fact that the CAA does not explicitly state that EPA may regulate CO_2. Despite the longstanding debate about global warming, not one of the sections cited by EPA (or any other section) provides that the agency may regulate CO_2. In fact, the only sections of the CAA that even mention global warming or CO_2 emphasize that such emissions should be the subject of study, but not regulation.

The agency's legal opinion cites several provisions of the CAA (§§108–112, 115, 202(a) and 211(c)) that it contends are ''potentially applicable'' to confer EPA jurisdiction over CO_2. Even though the most direct evidence shows that Congress did not intend that EPA

regulate CO_2, the agency hangs its tenuous claim on general language contained in the CAA. Such language, of course, cannot defeat the specific intent of Congress on the question of whether Congress intended for EPA to regulate CO_2 emissions. But, even if the statute were not clear that EPA cannot regulate CO_2, the regulatory structure of the sections cited by EPA are completely inconsistent with the regulation of a substance like CO_2 and therefore also compel a conclusion that EPA may not regulate CO_2.

One example of the general language in the CAA cited by EPA are the sections on criteria pollutants (§§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 CO_2 concentrations that purportedly implicate an atmospheric phenomena of climate change on a global scale. Since Congress does not delegate regulatory authority to an agency to impose restrictions that are somehow calculated to serve an unattainable goal, Congress did not intend for EPA to regulate CO_2 using these sections of the law. Other examples abound, and the analysis discusses why the regulation of CO_2 does not fit within the regulatory scheme established by Congress. The extreme difficulty that EPA has in trying to force CO_2 into a regulatory scheme that does not fit provides further evidence that Congress never intended CO_2 to be regulated under what EPA says are ''potentially applicable'' sections of the CAA.

The legislative history of the CAA confirms NMA's conclusions. The CAA did not refer to CO_2 until the 1990 amendments were passed. in those amendments, Congress specifically debated and ultimately rejected proposals to allow EPA to regulate CO_2 emissions. Instead, Congress authorized EPA only to study certain greenhouse gases, not regulate them. By specifically considering this issue and resolving it against regulation, Congress clearly withheld from EPA any powers to regulate CO_2.

In determining the meaning of a statute, one may also consider related statutes on the same subject. Such related legislation can provide corroborating evidence of congressional intent. Such is the case here, since several laws and treaties support the conclusion that Congress did not delegate authority to regulate CO_2 to EPA. These include the Energy Policy Act of 1992, the Rio Treaty, the National Climate Program Act, the Global Change Research Act, and the Food and Agriculture Act of 1990. These laws have consistently rejected proposed measures to mandate restrictions on greenhouse gas emissions, and instead directed the executive branch agencies to study the matter and report back to Congress. Likewise, treaties have been consistently negotiated with the understanding that any binding emissions reduction targets would require Congressional approval.

EPA's claim has one further flaw. Even if Congress left to EPA's discretion the decision of whether to regulate CO_2 under the CAA, EPA would still be required to prove that CO_2 emissions cause harmful effects to the public health, welfare or the environment. Given the complexities and uncertainties over global warming, and the serious flaws in some of the fundamental evidence relied upon by global warming advocates, it is doubtful that EPA could support such a finding. A separate technical report that was prepared in conjunction with this legal analysis demonstrates that the available evidence does not support EPA's implicit assumption that increased levels of CO_2 would be detrimental to the public health and welfare.

In sum, the language of the CAA, its structure, its legislative history, and other related statutes all lead to the same conclusion: Congress has not delegated authority under the Clean Air Act for EPA to regulate carbon dioxide emissions.

INTRODUCTION

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 prevented from re-radiating 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's climate would be far too cold to sustain life as we know it.

It is known that since the industrial revolution, carbon dioxide levels in the atmosphere have been increasing 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 in preindustrial times.

Some scientists believe that the increased levels of carbon dioxide in the atmosphere are enhancing the natural greenhouse effect to the extent that the world is facing a climatological Armageddon. These scientists believe that increasing atmospheric carbon dioxide will cause unprecedented warming of 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 Climate Change Action Plan has not succeeded in reducing United States carbon dioxide emissions. There is now virtually no possibility that the Rio target will be met. Other countries similarly will fail to meet that target.

The Clinton Administration, nevertheless, wants to commit the United States and other developed countries to even more stringent emissions reductions than 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 next 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 Prior to Kyoto, the Senate, by a 95–0 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 achieve the first condition (and by any reasonable analysis fails to achieve the second condition as well). The Administration has not yet submitted the treaty to the Senate for its consent and states that it will not do so until there are meaningful commitments by Third World countries to reduce their carbon dioxide emissions.

The Administration has pledged that it will not implement the Kyoto Protocol unless it is ratified by the Senate. Nevertheless, in testimony before Congress, the Administrator of the U.S. Environmental Protection Agency (EPA) took the position that, even if the Kyoto Protocol is not ratified, the agency currently possesses authority under the Clean Air Act to regulate carbon dioxide emissions. Several weeks later, EPA produced a legal opinion by its then General Counsel, Jonathan Z. Cannon, to support EPA's claim of expansive authority in this regard.

The National Mining Association (NMA) Board of Directors asked its Legal Affairs Committee to evaluate whether EPA has the authority it now asserts. This legal analysis presents our report. We conclude that EPA does not have authority under the CAA to regulate the emission of carbon dioxide.

Our analysis begins with the fundamental inquiry of whether Congress intended to delegate to EPA the power to regulate carbon dioxide emissions. It is, of course, axiomatic that an agency's administrative powers are limited to the authority delegated by Congress. In order to ascertain congressional intent we employ the traditional tools of statutory construction including the language and structure of the statute as a whole, its legislative history, the history associated with congressional activities in this area, and, to some extent, other relevant statutes. This approach to discerning congressional intent is not only well-accepted, it is particularly appropriate where, as here, an agency takes an expansive view of the scope of its delegated authority.

The EPA general counsel claims that the scope of the agency's CAA regulatory powers extends to any substance that is an ''air pollutant'' which the Administrator determines endangers public health, welfare or the environment. According to the general counsel, carbon dioxide emissions fall within the general statutory definition of ''air pollutant.'' We need not debate this conclusion now since, as even the general counsel acknowledges, the inquiry does not end with the definition of ''air pollutant.'' A substance that may literally fall within the definition of ''air pollutant'' may not be regulated unless it also meets the standards for regulation under specific statutory criteria. Satisfaction of this threshold requirement includes not only a determination that a substance, here carbon dioxide, may cause adverse public health, welfare or environmental effects, but also that the statutory provision, or scheme, provides an appropriate and effective means for its regulation. The general counsel merely assumes that the former determination can be made, and wholly avoids

evaluation of the latter consideration. Moreover, the general counsel's analysis is devoid of any consideration of congressional activity on this subject in the context of both the CAA and other relevant statutes that evince Congress' intent to withhold authority from EPA to regulate carbon dioxide emissions. In short, the general counsel's analysis is less than complete and, as a consequence, his conclusion that carbon dioxide emissions are within the scope of EPA's authority to regulate lacks substantive foundation.

It is our conclusion, grounded on what we believe is a more comprehensive approach to statutory construction, that the CAA does not provide EPA with authority to regulate carbon dioxide emissions. As discussed in more detail below:

1. The language of the CAA demonstrates the absence of agency authority to regulate carbon dioxide;

2. The regulation of carbon dioxide as a pollutant does not fit within the regulatory scheme created by Congress;

3. The legislative history of the CAA Amendments of 1990 confirms that EPA does not have authority to mandate restrictions on carbon dioxide emissions; and

4. Other Congressional enactments regarding potential global climate change demonstrate Congress' intent not to regulate carbon dioxide emissions.

In addition, we do not believe that the available evidence would support a finding that carbon dioxide emissions endanger the public health or welfare or the environment. The Greening Earth Society has released an October 12, 1998 report entitled ''In Defense of Carbon Dioxide: A Comprehensive Review of Carbon Dioxide's Effects on Human Health, Welfare and the Environment,'' prepared by the firm of New Hope Environmental Services, to accompany this legal analysis. The Greening Earth Society report rebuts the claim that increased levels of carbon dioxide are leading to a climatological disaster. Our legal analysis herein does not depend on the results of this technical report. Whether or not carbon dioxide emissions present a danger to the public health, welfare or the environment, EPA does not have authority to regulate that substance. Nevertheless, as shown in the Greening Earth Society report, there is no basis to conclude that carbon dioxide emissions are damaging the environment and every basis to conclude that such emissions are benefiting the environment.

ANALYSIS

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, a review of the detailed regulatory provisions of the CAA reveals that none of them mention carbon dioxide emissions or global warming. When Congress did speak directly to the issue, it did so solely in the context of non-regulatory activities such as research and technology programs. Accordingly, the text and structure of the CAA reveals Congress' deliberate choice to confine EPA's CAA endeavors on carbon dioxide to non-regulatory activities.

As part of our examination of the language and structure of the CAA, 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 emissions of 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 greenhouse gas regulation have informed Congress on numerous occasions of the environmental catastrophe which, in their view, could result if no 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 issue facing the world today.

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 severe reductions in the use of fossil fuels and far-reaching changes in the way society uses energy.

In view of this longstanding debate on the potential for global warming from greenhouse gas emissions, one would expect that any congressional authorization to address this concern through the CAA regulatory scheme would be plainly expressed in the language of the statute. Congress is not in the habit of granting far-reaching authority to administrative agencies sub silentio. Yet nowhere in the CAA is there an explicit authorization for EPA to regulate carbon dioxide. Congressional silence on a matter of such significance is not unlike the ''watchdog [that] did not bark in the night.''

Our conclusion that the language of the CAA does not support EPA's claim of authority to regulate carbon dioxide need not rest upon congressional silence alone. The text of the statute demonstrates Congress' deliberate choice to limit EPA's endeavors on carbon dioxide to non-regulatory activities.

The CAA expressly provides authority to regulate numerous substances specifically referenced in the statute. For example, Sections 108 and 109 authorize EPA to regulate so-called ''criteria pollutants,'' which are explicitly listed and placed in the context of a specific scheme for their regulation. Section 112 directs EPA to designate and regulate hazardous air pollutants (''HAPs''), and lists no less than 190 specific such pollutants Congress determined are the most important to regulate. Similarly, Title VI of the CAA authorizes EPA to list and regulate substances which deplete the stratospheric ozone layer, and designates 53 substances to be so regulated. But neither global warming generally, nor carbon dioxide specifically, are mentioned anywhere in this prolific regulatory scheme developed by Congress.

To be sure, the CAA does contain references to carbon dioxide and global warming. However, the context in which these terms appear within the statutory scheme provides powerful guidance on congressional intent. The statute mentions carbon dioxide and global warming solely in the context of provisions that authorize their study, monitoring and evaluation of non-regulatory strategies. For example, CAA Section 103(g) lists carbon dioxide as one of several items to be considered in EPA's conduct of a ''basic engineering research and technology program to develop, evaluate and demonstrate nonregulatory strategies and technologies.'' Global warming is mentioned in CAA Section 602(e) which directs EPA to examine the global warming potential of certain listed substances that contribute to stratospheric ozone depletion. However, this provision—the only one in the statute that mentions global warming—is accompanied by an express admonishment that it ''shall not be construed to be the basis of any additional regulation under [the CAA].''

This examination of the statutory language in its context within the overall scheme of the CAA provides a more complete analysis than the EPA's general counsel's mechanistic approach whereby the agency simply bootstraps itself into carbon dioxide regulation through a broadly worded definition of ''air pollutant.'' To accept the analysis, proffered by EPA's general counsel is to presume a delegation of power merely by the absence of an express withholding of such power—a view plainly out of step with the principles of administrative law. The fundamental principles of statutory construction do not permit one to read into the CAA's detailed regulatory provisions greenhouse gases such as carbon dioxide that Congress deliberately left out. Congressional silence on carbon dioxide in this part of the CAA is audible. The intentions of Congress by such silence in the CAA's regulatory scheme become unmistakable with its deliberate choice to address global warming and carbon dioxide solely in the non-regulatory provisions of the statute.

This approach to evaluating the language within the overall statutory scheme leads us to conclude that, with respect to carbon dioxide, Congress has indicated that EPA's authority stops at the point of non-regulatory activities. Any claim that EPA currently possesses authority to regulate carbon dioxide emissions would extend the CAA beyond the scope intended by Congress.

II. THE REGULATION OF CARBON DIOXIDE AS A POLLUTANT DOES NOT FIT WITHIN THE REGULATORY SCHEME CREATED BY CONGRESS.

A. Introduction

The EPA general counsel identifies several CAA regulatory provisions that are, in his words, ''potentially applicable'' to carbon dioxide emissions. Without any meaningful analysis, the opinion simply concludes that the specific criteria for regulation under these provisions could be met if the Administrator determines that carbon dioxide can be reasonably anticipated to cause or contribute to adverse effects on public health, welfare or the environment.

For the moment, we leave aside the question of whether the Administrator would be able to make the health, welfare or environmental effects determination the general counsel poses as singularly important, because his analysis is incomplete. For the purposes of this step of our analysis, our examination of those ''potentially applicable'' provisions discloses that they do not provide appropriate tools for the regulation of carbon dioxide emissions' purported effects on global warming. The fact that the regulation of carbon dioxide as a pollutant does not fit into the regulatory scheme established in the statute confirms the conclusion that its regulation by EPA under the CAA is not intended by Congress.

B. There is No Authority in the CAA to Regulate Carbon Dioxide as a Criteria Pollutant.

1. EPA's Authority to Designate Substances as Criteria Pollutants.—The EPA general counsel states that one potential source of EPA authority to regulate carbon

dioxide emissions is CAA Sections 108, 109 and 110. These sections provide authority to EPA 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.''

Once a substance is identified 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 requisite to protect the public health.'' Secondary NAAQS are standards ''requisite to protect the public welfare.''

Once NAAQS are established, a complex regulatory structure is triggered that mandates reductions of criteria pollutants in the ambient air to levels which protect the public health and welfare as set forth in the applicable NAAQS. Under CAA Section 107(d)(1)(B), within a defined period EPA is required to designate nonattainment, attainment and unclassifiable areas. 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 long list of SIP requirements designed to ensure that states will achieve the air quality required by the NAAQS. Similarly, CAA Section 172 provides 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 Carbon Dioxide and Other Greenhouse Gases as Criteria Pollutants Because the Statutory Regime for Regulating Criteria Pollutants is Wholly Unsuited to Preventing or Mitigating Potential Global Climate Change.—The criteria pollutant regulatory structure described in the foregoing section is designed to apply to local air pollution in the sense that ambient concentrations of the pollution will differ from locality to locality, causing some localities to be designated as attainment areas and others as nonattainment areas. All of the substances which EPA has designated as criteria pollutants meet this framework. Lead, sulfur oxides, nitrogen dioxide, carbon monoxide, particulate matter and ozone concentrations in the air all present local air pollution problems that have resulted in discrete portions of the country being designated as nonattainment for each. Some of the pollutants (principally ozone) are blown downwind, causing EPA to seek to exercise authority in the CAA to require modifications in SIPs to prevent ozone formation in downwind states. But even ozone presents a local air pollution problem in that ambient ozone concentrations differ from locality to locality, resulting in the designation of discrete ozone nonattainment areas.

Emission controls implemented under the CAA criteria pollutant regulatory structure described above are designed to cure the specific cause of the local nonattainment problem. States in their SIPs select those types of controls ''as may be necessary'' to achieve attainment in designated nonattainment areas, and these types of controls may differ from state to state and from nonattainment area to nonattainment area depending on the particular problem being addressed.

As a result of the criteria pollutant statutory structure, ambient concentrations of each of the criteria pollutants have been steadily reduced through the application primarily of local controls but with upwind controls as well. Although not all localities designated as nonattainment have been brought into attainment, the criteria pollutant regulatory structure has achieved significant progress in reducing atmospheric concentrations of criteria pollutants and nonattainment. More importantly, while industry and environmental groups frequently have their disputes as to the exact requirements of the criteria pollutant regulatory structure, and the speed with which nonattainment can be cured, the fact remains 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 EPA regulates as a criteria pollutant. Although groundlevel and lower atmospheric ambient concentrations of carbon dioxide may differ slightly from locality to locality owing to differing sources and sinks, the greenhouse effect results from overall greenhouse gas concentrations in the troposphere rather than at groundlevel. Tropospheric levels of carbon dioxide over any particular locality are not influenced by emissions of carbon dioxide locally or upwind. Carbon dioxide mixes in the troposphere globally through the natural processes of atmospheric circulation and air movement. 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 over Washington as a ton of carbon dioxide emitted in Bangladesh.

Moreover, carbon dioxide with anthropogenic (human) origins compromise only a small part of the greenhouse gases appearing in the atmosphere. In the first place, as stated, 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 number is projected to decline dramatically as the Third World industrializes. U.S. anthropogenic emissions of carbon dioxide thus are, and will continue to be, only a tiny fraction of the total sources—both anthropogenic and natural—of greenhouse gases in the atmosphere.

For these reasons, it is not even theoretically possible to affect ambient concentrations of carbon dioxide in the troposphere through a program of designating nonattainment areas and requiring the submission of state-by-state SIPs. It is not known what level of ambient concentration of carbon dioxide that EPA might deem necessary to protect the public health and welfare. If EPA were to set the level below current concentrations (for instance, at preindustrial levels), every square inch of the United States would immediately become a non-attainment area, a result that would be unprecedented in nearly three decades of CAA administration. Every state would become responsible to submit SIPs within three years containing emissions restrictions ''as necessary to assure that'' the NAAQS for carbon dioxide is Met. Yet there would be nothing a state could do, individually or in concert with every other state, that would be effective in reducing tropospheric carbon dioxide concentrations.

In sum, it is obvious that the statutory scheme established by Congress for the regulation of criteria pollutants was never intended, and cannot rationally be applied, to regulate carbon dioxide emissions. Under elementary principles of statutory construction, therefore, that statutory structure cannot be interpreted as providing the regulatory authority EPA claims. It is axiomatic, for instance, that Congress should not be presumed to provide regulatory authority to an agency ''to impose restrictions that [are] should one make a ''fortress of the dictionary'' by accepting the literal meaning of statutory language where such meaning is contradicted by a statute's purposes and structure. Statutory construction is a ''holistic endeavor'' that ''must include, at a minimum, an examination of the statute's full text, its structure, and the subject matter.''

Based on these principles, it has been held that Congress cannot have intended to create regulatory jurisdiction where ''the operative provisions of the Act simply cannot accommodate'' the object of the asserted regulatory authority. And this principle applies even where an agency is given a broad mandate to protect the public health and welfare. As stated by the Supreme Court, ''[i]n our anxiety to effectuate the congressional purpose of protecting the public, we must take care not to extend the scope of the statute beyond the point where Congress indicated it would stop.''

In the present case, the phrase ''endanger the public health or welfare'' in CAA Section 108 must be read in context of a criteria pollutant regulatory structure which, as described, is intended to eliminate such endangerment through a system of individual state implementation plans aimed at eliminating local pockets of pollution. That structure is wholly unsuited to the global warming issue and cannot possibly eliminate the asserted danger of carbon dioxide emissions. No conclusion is possible other than that Congress does not intend to regulate carbon dioxide as a criteria pollutant.

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. CAA Section 111 provides 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 direct emissions limitations that any plant to which such controls apply must meet as a condition of operation. NSPS are sometimes referred to as technology-based standards because they require installation of equipment 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: ''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 impact and energy requirements) the Administrator determines has been adequately demonstrated.''

2. EPA Is Without Authority to Regulate Carbon Dioxide Emissions under CM Section 111 Because There Are No Adequately Demonstrated Systems of Emissions Reduction that Would Limit Such Emissions from Stationary Sources.—Unlike the NAAQS, NSPS standards cannot be set at whatever level the Administrator determines is reasonably necessary to protect human health and welfare. The NSPS limitation must be set at a level that is ''achievable'' through ''the best system of emission reduction which . . . has been adequately demonstrated.''

The case law related to EPA determinations under CAA Section 111 has ''established a rigorous standard of review. . . .'' While an achievable standard need not be one already routinely achieved in the industry, any such standard ''must be capable of being met under most adverse conditions which can reasonably be expected to recur. . . .'' There must be ''some assurance of the achievability of the standard for the industry as a whole.'' ''An adequately demonstrated system is one which has been shown to be reasonably reliable, reasonably efficient, and which can reasonably be expected to serve the interests of pollution control without being exorbitantly costly in an economic or environmental way.''

As explained by the courts, the degree to which an adequately demonstrated system must be based on commercially available technology depends on how soon the standards will become effective. Because NSPS standards are generally applied to new, as yet unconstructed sources, the NSPS provision ''looks towards what may fairly be projected for the regulated future, rather than the state of the art at present, since it is addressed to standards for new plants—old stationary source pollution being controlled through other regulatory authority'' (i.e., CAA Sections 108 and 109). Where standards are put into effect to ''control new plants immediately, as opposed to one or two years in the future, the latitude of projection is correspondingly narrowed.'' Under this rationale, ''the latitude of projection'' would be narrowed even more were EPA to attempt to apply standards of performance to carbon dioxide emissions from existing stationary sources under CAA Section 111(d).

There are, however, no cost-effective systems of emissions control, either commercially available at the present time or even projected to be commercially available in the foreseeable future, for controlling carbon dioxide emissions from stationary sources that could conceivably meet the standards of CAA Section 111. As a result, CAA Section 111 cannot be applied to control stationary sources of carbon dioxide.

D. EPA Does Not Have Authority to Regulate Carbon Dioxide Emissions as Hazardous Air Pollutant.

1. EPA Authority under CAA Section 112.—The EPA General Counsel's opinion claims that EPA may have authority to regulate carbon dioxide as a hazardous air pollutant, or ''HAP,'' pursuant to CAA Section 112.[72] Under CAA Section 112(b), the Administrator is required to compile a list of HAPs, defined to include the 190 substances specifically listed in such subsection as well as:

''. . . pollutants which present, or may present, through inhalation or other routes of exposure, a threat of adverse human health effects (including but not limited to, substances which are known to be, or may reasonably be anticipated to be, carcinogenic, mutagenic, teratogenic, neurotoxic, which cause reproductive dysfunction, or which are acutely or chronically toxic) or adverse environmental effects, whether through ambient concentrations, bioaccumulation, deposition, or otherwise . . .''

Under CAA Section 112(c), the Administrator is further required to compile a list of categories of major sources and area sources of HAPs. Under CAA Section 112(d), the Administrator is required to promulgate regulations establishing national emissions standards for HAPs (NESHAPs) applicable to both new and existing sources. Such NESHAPs must require the use of maximum available control technology (MACT) in controlling sources of HAPs.

2. Carbon Dioxide is not a HAP Subject to EPA Authority under CAA Section 112.—The argument that carbon dioxide may be regulated as a HAP borders on the frivolous. Each of the 190 substances listed as HAPs under CAA Section 112 is a poison, producing toxic effects in small dosages. Carbon dioxide, by any stretch of the imagination, is not a poison. Moreover, if Congress had really intended that carbon dioxide be regulated as a HAP, it would have been exceedingly strange for it to have specifically named 190 of the presumably most obvious and important HAPs in CAA Section 112 while omitting carbon dioxide, which is by many orders of magnitude more ubiquitous in the environment than any of the substances expressly listed.

In addition, the language of CAA Section 112 excludes regulation of carbon dioxide because that substance does not present either ''a threat of adverse human health effects'' or adverse environmental effects'' within the meaning of the section. With respect to health effects, the use of the phrase ''through inhalation or other routes of exposure'' in CAA Section 112(b) demonstrates that a substance may be a HAP only if it causes health impacts through direct exposure. It is the direct inhalation of the substance or other direct exposure to it that must cause the health effect.

The fact that health effects must be experienced from direct exposure is shown by the examples of such effects given in CAA Section 112(b): ''carcinogenic, mutagenic, teratogenic, neurotoxic, which cause reproductive dysfunction, or which are acutely or chronically toxic.'' Each of these is a health effect caused by direct exposure to a hazardous substance, whether that exposure is inhalation, ingestion or contact with the skin or sensory organs. It is also borne out by the list of substances which Congress predesignated as HAPs in CAA Section 112(b) each of which causes a health effect through a direct exposure.

Carbon dioxide in the amounts present and likely to be present in the atmosphere in the future do not cause health effects through inhalation or other direct exposure. The health effect typically postulated to occur as a result of global warming is the potential for an increase in tropical diseases. Such effect (even if true) would be, at best, highly indirect, caused by the reaction carbon dioxide and other greenhouse gases have 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 or plant life but the indirect effect of carbon dioxide on the climate. The use of the terms ''bioaccumulation'' and ''deposition'' to describe the causes of environmental effects contemplated by CAA Section 112(b) demonstrates that Congress did not intend to regulate through CAA Section 112 effects not directly caused by the HAP itself. And, again, the effect greenhouse gases are asserted to have on the environment is nothing like the effect of the various chemicals included on Congress' pre-designated list of HAPs in Section 112(b), each of which causes a harm through direct exposure.

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, but less potent, than hazardous air pollutants.'' ''Hazardous air pollutants are pollutants that pose serious health risks. . . . They may reasonably be anticipated to cause cancer, neurological disorders, reproductive dysfunctions, other chronic health effects, or adverse acute human health effects.

Similarly, ''adverse environmental effect'' is defined in the legislative history as follows:

''Adverse environmental effects—The chemical is known to cause or can 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 EPA may regulate carbon dioxide under CAA Section 115 regarding control of international air pollution. CAA Section 115(a) provides:

''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 pollutants emitted in the United States cause or contribute to air pollution which may reasonably be anticipated to endanger

public health or welfare in a foreign country or whenever the Secretary of 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 eliminate the endangerment referred to in subsection (a) of this section.''

CAA Section 115 does not apply to carbon dioxide emissions because the provision is self-evidently designed to apply only to situations where wind bome 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 that are roughly the same anywhere else on the globe.

The limited intent of CAA Section 115 is demonstrated by its use of the ''SIP call'' mechanism as the means of enforcing emissions reductions. As discussed above, it would be entirely unprecedented to use the SIP process 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 CAA 115 is also demonstrated in subsection (c), entitled ''reciprocity,'' which states that ''[t]his section shall apply only to a foreign country which the Administrator determines has given the U.S. essentially the same rights 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 reciprocates. Such section has no logical application to the global warming phenomenon, where U.S. emissions are presumably harming every other country in the world. Such section could presumably 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 that CAA Section 115 would be applied to a phenomenon such as global warming.

In any event, unless and until the Senate ratifies the Kyoto Protocol (and unless and until the Protocol is adopted by enough countries to enter into force), no country has given the U.S. any ''rights'' with respect to the control of carbon dioxide emissions within their borders. Even if the Kyoto Protocol enters into effect, if the U.S. does not become a party to it then the U.S. is not entitled to any ''rights'' thereunder respecting foreign countries that have.

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 DOES NOT HAVE AUTHORITY TO MANDATE RESTRICTIONS 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 between those who believed that the time had come for the United States to impose mandatory reductions 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 non-regulatory.

As the Supreme Court has emphasized, ''[f]ew principles of statutory construction are more compelling than the proposition that Congress does not intend sub silentio to-

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with what were argued to be the related issues of stratospheric ozone depletion and global climate change.'' Title VII found that ''stratospheric ozone depletion and global climate change from continued emissions of chluroflurocarbons and other halogenated chlorine containing halocarbons with ozone depleting potential, and emissions of other gases, such as methane and carbon dioxide, imperil human health and the environment worldwide;'' and that ''emissions of other gases, such as methane and carbon dioxide, should be controlled.'' The legislation included as goals not just protection of the ozone layer but prevention of possible global warming as well:

''The objectives of this title are to restore and maintain the chemical and physical integrity of the Earth's atmosphere, to protect human health and the global environment from all known and potential dangers due to atmospheric or climatic modification, inciuding stratospheric ozone depletion, to provide for a smooth transition from the use of ozone depleting chemicals to the use of safe chemicals, products, and technologies that do not threaten the ozone layer, and to reduce the generation of greenhouse gases in order to protect the Earth's ozone layer and to limit anthropogenically induced global climate change . . .

''In order to achieve the objectives of this title, it is the national goal to eliminate atmospheric emissions of manufactured substances with ozone depleting potential as well as direct and indirect global warming potential, including chluroflurocarbons and other halogenated chlorine or bromine containing halocarbons with ozone depleting and global warming potential, to reduce to the maximum extent possible emissions of other gases caused by human activities that are likely to affect adversely the global climate and to provide for an orderly shift to alternative, safe chemicals, products, and technologies. (Emphasis supplied.)''

In order to accomplish these goals, the Administrator would be required to publish priority and secondary lists of all manufactured substances ''which are known or may reasonably be anticipated to cause or contribute significantly to atmospheric or climatic modification, including stratospheric ozone depletion.'' The Administrator would also be required to promulgate regulations providing for the phase-out of substances on the lists. The legislation as reported also contained a modified version of the carbon dioxide tailpipe standards originally contained in S. 1630 as introduced. Consistent with these legislative requirements, the Senate Committee Report on S. 1630 contains a great deal of discussion on the need for the country to deal with the ''[t]wo distinct but closely related global environmental crises,'' that is, destruction of the ozone layer and potential global warming.''

The Senate adopted Title VII of S. 1630 as reported from committee almost without change.

C. House of Representatives Consideration.

The House CAA Amendment bill was H.R. 3030, introduced by Representative Dingell, Chairman of the House Energy and Commerce Committee to which the bill was referred. As introduced and as reported from Committee, the bill contained no terms 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 amendment was closer to 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 deal with global warming or referring to carbon dioxide 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 which affect global climate. Instead, CAA Section 602(a) as enacted requires the Administrator to list ''Class I'' and ''Class II'' substances that would be phased out pursuant to CAA Sections 605 and 606 These 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 substances'' language which were in 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 ''[iln 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 the 1990 CAA Amendments has a detailed context stretching back to the late 1970s when the issue first arose. In the two decades since that time, Congressional committees have held dozens of hearings on the subject, and Congress has enacted a number of major items of legislation dealing with potential global climate change both before and after the 1990 CAA Amendments.

In all of this time, and with all of this intensive consideration, Congress has consistently rejected measures to restrict greenhouse gas emissions. As seen, Congress rejected efforts to amend the CAA to adopt such measures. It also rejected efforts to adopt such measures in the omnibus Energy Policy Act of 1992 (EPAct), and it rejected such efforts in other legislative vehicles as well. Instead, Congress has adopted legislation for various Executive Branch agencies to study the matter and report back to Congress. It has also declared it to be U.S. policy to participate in international negotiations regarding climate change that may eventually lead, if Congress so determines in the future, 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 restrictions with EPA's claim today of discretion to issue far-reaching regulations.

B. The Energy Policy Act of 1992.

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 100th and 101st Congresses, introduced 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 C02 from the United States of America shall be reduced from 1988 levels by at least 20 per centurn by the year 2000 through a mix of Federal and State energy policies that are designed to mitigate the costs and risks, both economic and environmental, associated with meeting national energy needs while reducing the generation of carbon dioxide and trace gases and sustaining economic growth and development. Both bills would have required DOE to adopt a national energy plan designed to meet such goal.''' The plan would be required to include an action plan which DOE ''shall implement . . . to the maximum extent possible.'' None of these provisions, however, were included in EPAct.

Another proposal to regulate greenhouse gas emissions rejected by Congress in the debate over EPAct was the so-called Cooper-Synar bill. Cooper-Synar was originally 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 that emit 100,000 tons or more per year of carbon dioxide without obtaining offsets under a permit program to be established by EPA. It was opposed by the Bush Administration, which took the position during the debate on EPAct that the United States should undertake no actions regarding 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, but only after its sponsors had assured Congress that any provisions of a binding or regulatory nature had been removed. As enacted, Section 1605 provides for *voluntary* reporting of greenhouse gas emission 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. Cooper'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 by the Administration 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, virtually identical to one offered by Representative Jim Cooper to H.R. 776, the House energy bill, which [H.R. 776 without the Cooper amendment] was adopted unanimously on a bipartisan basis by the House Subcommittee on Energy and Power.

''That amendment would have provided the Administrator of EPA with the power to establish a system for rewarding the good work of industries that voluntarily—and I stress voluntarily—either reduced their own greenhouse gas emissions or undertake programs to reduce emissions from other sources.

''This was a simple amendment. It did not set goals or mandates. It did not establish timetables. It did not require reductions. It did not impose a requirement on firms to obtain credits or reduce emissions. But it did provide that good corporate citizens who voluntarily contribute to greenhouse gas emissions will have an opportunity to let the Government record their efforts at reducing those emissions in a data bank.''

As can be seen, Congress chose to reject the original Cooper-Synar proposal which had included all the requirements that Senator Lieberman informed Congress were not included in the voluntary reporting proposal that was enacted, that is, goals and mandates, timetables, required emissions reductions and required offsets. Instead, Congress adopted non-binding provisions as to greenhouse gases, consistent with the description of U.S. policy towards potential global warming enunciated in the House Report on H.R. 776, the bill that became law:

''The greenhouse warming title, together with the numerous provisions in the rest of the comprehensive energy bill, embodies the following basic approach: We should take cost-effective actions that will reduce greenhouse gas emissions (such as improving energy efficiency, facilitating coalbed methane recovery, and promoting renewable energy resources); we should analyze the important technical and policy issues that will enable us to make wiser decisions on more dramatic and possibly higher cost actions which should be taken only in the context of concerted international action.''

As with the 1990 CAA Amendments, the view of the global climate change issue that prevailed in the debate over EPAct did not include, and specifically rejected, 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 of greenhouse gas emissions in part because Congress wished to address what was essentially an international issue in an international forum. Indeed, for all of the period during which such restrictions were being proposed in Congress, and particularly during debate of the CAA Amendments 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. After a number of additional 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 October 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 to 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. As a part of 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. These 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 its responses could be considered to be ''authoritative statements for the Executive Branch.'' With respect to subparagraphs 2(a) and (b) of Article 4, which are 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, including 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 these measures on net emissions up 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 protocols 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 for reducing emissions of greenhouse gases to the United States would alter the 'shared understanding' of the Convention between the Senate and the executive branch and would therefore require the Senate's advice and consent.

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 is a plain statement directly antithetical to EPA's claim that it has discretionary authority to impose mandatory restrictions on greenhouse gas emissions. To the contrary, Congress clearly has refused to delegate such authority to the agency.

D. Other Congressional Action. on Global Warming.

Three other Congressional enactments regarding global warming bear mentioning because they each demonstrate Congress' intent to reserve for itself the decision on whether regulation of carbon dioxide emissions should be undertaken.

First, on December 22, 1987, Congress enacted its first legislation specifically targeting the global warming question, the National Climate Program Act. Congress chose not to enact restrictions on the emission of greenhouse gases. Instead, it explicitly recognized the need for an international approach to the global warming issue, and it recognized the need for further study of the issue. Towards this end, the Act provides for the Secretary of State to coordinate U.S. participation in international negotiations regarding global climate change. And it provides that the President, through EPA, shall be responsible for developing and proposing to Congress a coordinated national policy on global climate change.

Second, on November 16, 1990, Congress adopted the Global Change Research Act, providing for the President to establish a Committee on Earth and Environmental Sciences to coordinate a ten year research effort.

Finally, on November 28, 1990, as Title XXIV of the Food and Agriculture Act of 1990, Congress directed the Secretary of Agriculture to establish a Global Climate Change Program to research global climate agricultural issues and to provide liaison with foreign countries on such issues.

These enactments are consistent with the approach taken by Congress in the 1990 CAA Amendments, in EPAct and at Rio: study the issue and participate in international negotiations. However, no agency of the executive branch possesses authority to regulate on such matter.

E. The Kyoto Protocol.

The international community has continued negotiations on the global warming issue 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 dates. As stated, prior to the negotiation 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 from Third World countries and if the treaty would damage the U.S. economy. The Administration has not yet submitted the proposed protocol to the Senate for ratification pending further international negotiations. The Kyoto Protocol has no legal standing unless ratified by the Senate.

F. Sum as to Congressional Climate Change Legislation.

Through nearly two decades of debate on what may be the most important environmental issue of our time, Congress has consistently rejected efforts to regulate carbon dioxide emissions. Its intent could not be more plain: unless Congress acts, neither EPA nor any other agency has authority to restrict such emissions.

V. CARBON DIOXIDE EMISSIONS DO NOT ENDANGER THE PUBLIC HEALTH OR WELFARE.

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, in fact, leading to dangerous climate change. We have shown that, even if, arguendo it could be demonstrated reliably that carbon dioxide emissions are leading to dangerous climate change, EPA nevertheless may not regulate such emissions under the CAA.

The available evidence, however, would not support a finding that carbon dioxide emissions are endangering the public health, welfare or environment. The Greening Earth Society report that accompanies this legal analysis demonstrates that, objectively viewed, the scientific evidence of potential global climate change supports a conclusion 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 are also aware that EPA, given the precautionary nature of the CAA, may regulate urder the ''endanger'' standard without definitive proof of actual harm.

On the other hand, deference to technical agency decisionmaking, does not trump the substantial evidence test as to agency factual determinations or the arbitrary and capricious standard as to policy decisions. EPA may regulate under the ''endangerment'' standard only where there is a finding of ''significant risk of harm.'' EPA must take a ''hard look'' at the evidence and engage in ''reasoned decision making.'' Moreover, EPA has a burden to demonstrate that its methodology is reliable, and such burden ''requires more than reliance on the unknown, either by speculation, or mere shifting of the burden of proof.'' The Greening Earth Society report shows that the evidence on which EPA would rely to show dangerous climate change as a result of carbon dioxide emissions cannot meet these standards.

Application of the arbitrary and capricious test is particularly important in judging the use by EPA of computer simulation models as the basis for a conclusion that carbon dioxide emissions are harming the public health, welfare or environment. Again, courts will defer to agency expertise in their reliance on computer models. But Courts will overturn agency decisionmaking where reliance on a computer model was arbitrary and capricious. In particular, oversimplifications in models can render an agency decision arbitrary. Similarly, agency decisionmaking will be deemed arbitrary where a model incorporates assumptions which are known to be wrong and which bear no rational relationship to known information concerning the data being inputted or the phenomenon being measured. Each step of an agency's analysis using a model will be examined to ensure that ''the agency has not departed from a rational course.'' Again, the Greening Earth Society report shows the many technical flaws in the computer 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 to regulate carbon dioxide, followed 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 with carbon dioxide regulation. 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 demonstrate Congress' express decision, based on years of explicit and detailed consideration of the matter, not to regulate

in the area of carbon dioxide and potential climate change.

Proponents of greenhouse gas regulation have tried diligently through the years to obtain a different result. They have not been successful. Unless Congress provides the authority EPA plainly desires, the agency cannot regulate carbon dioxide emissions.

Dated: October 12, 1998. Prepared by: National Mining Association Legal Affairs Committee.

U.S. ENVIRONMENTAL PROTECTION AGENCY,
Washington, DC, April 10, 1998.

MEMORANDUM

Subject: EPA's Authority to Regulate Pollutants Emitted by Electric Power Generation Sources.

From: Jonathan Z. Cannon, General Counsel.

To: Carol M. Browner, Administrator.

I. Introduction and Background

This opinion was prepared in response to a request from Congressman DeLay to you on March 11, 1998, made in the course of a Fiscal Year 1999 House Appropriations Committee Hearing. In the Hearing, Congressman DeLay referred to an EPA document entitled ''Electricity Restructuring and the Environment: What Authority Does EPA Have and What Does It Need.'' Congressman DeLay read several sentences from the document stating that EPA currently has authority under the Clean Air Act (Act) to establish pollution control requirements for four pollutants of concern from electric power generation: nitrogen oxides (NO_X), sulfur dioxide (SO_2), carbon dioxide (CO_2), and mercury. He also asked whether you agreed with the statement, and in particular, whether you thought that the Clean Air Act allows EPA to regulate emissions of carbon dioxide. You agreed with the statement that the Clean Air Act grants EPA broad authority to address certain pollutants, including those listed, and agreed to Congressman DeLay's request for a legal opinion on this point. This opinion discusses EPA's authority to address all four of the pollutants at issue in the colloquy, and in particular, CO_2, which was the subject of Congressman DeLay's specific question.

The question of EPA's legal authority arose initially in the context of potential legislation addressing the restructuring of the utility industry. Electric power generation is a significant source of air pollution, including the four pollutants addressed here. On March 25, 1998, the Administration announced a Comprehensive Electricity Competition Plan (Plan) to produce lower prices, a cleaner environment, increased innovation and government savings. This Plan includes a proposal to clarify EPA's authority regarding the establishment of a cost-effective interstate cap and trading system for NO_X reductions addressing the regional transport contributions needed to attain and maintain the primary National Ambient Air Quality Standards (NAAQS) for ozone. The Plan does not ask Congress for authority to establish a cap and trading system for emissions of carbon dioxide from utilities as part of the Administration's electricity restructuring proposal. The President has called for cap-and-trade authority for greenhouse gases to be in place by 2008, and the Plan states that the Administration will consider in consultation with Congress the legislative vehicle most appropriate for that purpose.

As this opinion discusses, 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 these pollutants from electric power generation. However, as was made clear in the document from which Congressman DeLay quoted, these potentially applicable provisions 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.

II. Clean Air Act Authority

The Clean Air Act provides that EPA may regulate a substance if it is (a) an ''air pollutant,'' and (b) the Administrator makes certain findings regarding such pollutant (usually related to danger to public health, welfare, or the environment) under one or more of the Act's regulatory provisions.

A. Definition of Air Pollutant

Each of the four substances of concern as emitted from electric power generating units falls within the definition of ''air pollutant'' under section 302(g). Section 302(g) defines ''air pollutant'' as ''any air pollution agent or combination of such agents, including any physical, chemical, biological, [or] radioactive . . . substance or matter which is emitted into or otherwise enters the ambient air. Such term includes any precursors to the formation of any air pollutant, to the extent that the Administrator has identified such precursor or precursors for the particular purpose for which the term 'air pollutant' is used.''

This broad definition states that ''air pollutant'' includes any physical, chemical, biological, or radioactive substance or matter that is emitted into or otherwise enters the ambient air. SO_2, NO_X, CO_2 and mercury from electric power generation are each a ''physical [and] chemical . . . substance which is emitted into . . . the ambient air,'' and hence, each is an air pollutant within the meaning of the Clean Air Act.

A substance can be an air pollutant even though it is naturally present in air in some quantities. Indeed, many of the pollutants that EPA currently regulates are naturally present in the air in some quantity and are emitted from natural as well as anthropogenic sources. For example, SO_2 is emitted from geothermal sources; volatile organic compounds (precursors to ozone) are emitted by vegetation; and particulate matter and NO_X are formed from natural sources through natural processes, such as naturally occurring forest fires. Some substances regulated under the Act as hazardous air pollutants are actually necessary in trace quantities for human life, but are toxic at higher levels or through other routes of exposure. Manganese and selenium are two examples of such pollutants. EPA regulates a number of naturally occurring substances as air pollutants, however, because human activities have increased the quantities present in the air to levels that are harmful to public health, welfare, or the environment.

B. EPA Authori!y to Regulate Air Pollutants

EPA's regulatory authority extends to air pollutants, which, as discussed above, are defined broadly under the Act and include SO_2, NO_X, CO_2, and mercury emitted into the ambient air. Such a general statement of authority is distinct from an EPA determination that a particular air pollutant meets the specific criteria for EPA action under a particular provision of the Act. A number of specific provisions of the Act are potentially applicable to these pollutants emitted from electric power generation. Many of these specific provisions for EPA action share a common feature in that the exercise of EPA's authority to regulate air pollutants is linked to 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 108, 109, 111(b), 112, and 115. *See also* sections 202(a), 211(c), 231, 612, and 615. The legislative history of the 1977 Clean Air Act Amendments provides extensive discussion of Congress' purposes in adopting the language used throughout the Act referencing a reasonable anticipation that a substance endangers public health or welfare. One of these purposes was ''[t]o emphasize the preventative or precautionary nature of the act, i.e., to assure that regulatory action can effectively prevent harm before it occurs; to emphasize the predominant value of protection of public health.'' H.R. Rep. No. 95–294, 95th Cong., 1st Sess., at 49 (Report of the Committee on Interstate and Foreign Commerce). Another purpose 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. ''Welfare'' is defined in section 302(h) of the Act, which states:

''[a]ll language referring to effects on welfare includes, but is not limited to, effects on soils, water, crops, vegetation, man-made materials, animals, wildlife, weather, visibility, and climate, damage to and deterioration of property, and hazards to transportation, as well as effects on economic values and on personal comfort and well-being, whether caused by transformation, conversion, or combination with other air pollutants.''

EPA has already regulated SO_2, NO_X and mercury based on determinations by EPA or Congress that these substances have negative effects on public health, welfare, or the environment. While CO_2, as an air pollutant, is within EPA's scope of authority to regulate, the Administrator has not yet determined that CO_2, meets the criteria for regulation under one or more provisions of the Act. Specific regulatory criteria under various provisions of the Act could be met if the Administrator determined under one or more of those provisions that CO_2 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 either 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.

The Clean Air Act provisions relating to state programs do not authorize EPA to require states to control air pollution through economically efficient cap-and-trade programs and do not provide full authority for EPA itself to impose such programs. Under certain provisions in Title I, such as section 110, EPA may facilitate regional approaches to pollution control and encourage states to cooperate in a regional, cost-effective emissions cap-and-trade approach (*see* Notice of Proposed Rulemaking: Finding of Significant Contribution and Rulemaking for Certain States in the Ozone Transport Assessment Group Region for Purposes of Reducing

Regional Transport of Ozone, 62 F.R. 60318 (Nov. 7, 1997)). EPA does not have 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 ability 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 to control emissions of air pollutants from stationary sources. To maximize the opportunity for trading of emissions within a source, EPA has defined the term ''stationary source'' expansively, such 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 19425–26 (April 22, 1994).

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 SO_2, NO_X, CO_2, and mercury emitted into the ambient air. EPA has in fact already regulated each of these substances under the Act, with the exception of CO_2. While CO_2 emissions are within 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 SO_2 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 conference report on 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 turns, 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 was nothing 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 activity under Kyoto, and 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. KNOLLENBERG. Mr. Chairman, I yield 3 minutes to the gentlewoman from Missouri (Mrs. EMERSON), who has been a strong supporter and leader in this effort to bring about some sanity.

Mrs. EMERSON. Mr. Chairman, first I really want to commend the gentleman from Michigan (Mr. KNOLLENBERG) 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.

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 Americans out of work. In my rural district, this is a huge problem, because we, unlike the cities, are not experiencing the economic prosperity that others are seeing today.

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. KNOLLENBERG), 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 through the back door the very dangerous Kyoto Protocol before the constitutionally required advise and consent of the United States Senate.

I thank the gentleman from Michigan very much for all his work.

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.

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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, but that is the important thing. We need to discuss that issue.

So I support the gentleman's amendment.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2½ minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Chairman, I thank the gentleman for yielding me this time.

As usual, I find this a very interesting and stimulating discussion. We never really have the time to get into the details, because it is very complicated.

But why should we be suspicious of language changes, as we were here, when we received the recent language change? The Clinton-Gore administration year after year in their budget process have tried to fund implementation of the Kyoto Treaty. It was obvious that there were billions of dollars tucked into our budget originally, a treaty that he did not present to the Senate, a treaty that was not debated and properly approved.

I guess the question I would ask is why would any bright representative of our government agree to such a horribly flawed concept as the Kyoto Treaty? This is an agreement negotiated by our Vice President who would force American businesses to purchase credits from Third World developing countries who are not a part of the agreement. Now, think about that. We debate foreign aid here a lot. We are going to be requiring American businesses under this agreement to be giving dollars to foreign-country developing businesses to compete with us. Horribly flawed concept.

Now, I do not have time to get into detail, but we just heard from the last speaker about such agreement. More than half of the scientists in this country do not agree to the global warming concept. It is a debate that should continue. But there is not agreement out there. In fact, the evidence shows that most of the warming was preindustrial age, not since we have been into fossil fuels in the last few decades. This CO_2, this evil force that we are proclaiming, it is what is needed for plant life in this country. It is what makes vegetation grow. Vegetation makes the exchange from CO_2 to oxygen. It is part of the life chain.

Many of those who are crying scare tactics on this are also against cutting forests, but young growing forests are the best exchanger and absorb more CO_2 and give us more oxygen back. This is a debate that unfortunately has not happened in this Congress. But we continually hear the scare tactics that the seas are rising, the shorelines are going to disappear, and that this country is going to be in a disaster state.

Mr. Chairman, I say to my colleagues, that is far from a fact, and we should not be scaring people into this. This is a legitimate discussion we should have, and no administration should be allowed to use funds to sell their theory. They can exchange ideas with other countries, there is no prohibition of that. But they should not be using resources to sell their global warming scare concepts.

Mr. OLVER. Mr. Chairman, I yield 1½ minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in strong support of the Olver amendment which will restore the 1998 agreement that allows the EPA to pursue common sense policies on greenhouse gas emissions.

In 1992, President George Bush signed an international agreement that required the U.S. to reduce our carbon dioxide emissions. Eight years later, the U.S. has failed even to make those moderate reductions. Instead, our greenhouse gas emissions have increased by more than 10 percent, and there is no end in sight.

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. 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.

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. I believe this amendment is a step in the right direction, and I urge my colleagues to support it.

Mr. Chairman, I rise in support of the Olver amendment, which will restore the 1998 agreement that allows the EPA to pursue common sense policies on greenhouse gas emissions.

Once again, the Republican leadership wants to handcuff the EPA from addressing the threat of global climate change.

Unfortunately, this rider is just one more sign that many in this House are in a state of denial when it comes to climate issues.

It wasn't always this way.

In 1992, President George Bush signed an international agreement that required the U.S. to reduce our carbon dioxide emissions.

Eight years later, the U.S. has failed to make even those moderate reductions.

Instead our greenhouse gas emissions have increased by more than 10 percent, and there is no end in sight.

Despite increasing emissions, it seems that the Republican policy on greenhouse gases has regressed since 1992.

Language in this year's VA–HUD appropriations report would prevent EPA from taking any action to stem the threat of climate change.

It's questionable if EPA would even be allowed to discuss climate policy with other nations.

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 temperature.

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.

Mrs. EMERSON. 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 gentleman 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. OLVER) has 5½ minutes remaining.

Mr. OLVER. 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. OLVER) 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. The fact is, 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 instrument of ratification 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. OLVER) for offering his 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 unimpeded while we continue to negotiate enhancement of the Kyoto protocol.

Mr. Chairman, I support the Olver amendment.

Mr. OLVER. 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 parked 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, have concluded 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 deaf and dumb to this issue.

Vote for the Olver amendment.

Mr. OLVER. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise 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 we are going to implement the Kyoto Treaty, but 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.

As I read the proposed amendment, it strengthens the committee position that ensures the administration will not implement the Kyoto protocol without prior congressional consent.

This was a key element in the Byrd-Hagel resolution passed by the Senate in July of 1997. This congressional consent involves the Senate in its constitutional role regarding treaties and involves both Houses in approving and implementing legislation, regulation, programs and initiatives. The amendment clarifies that activities authorized under current law and funded by Congress will proceed.

Mr. OLVER. Mr. Chairman, I yield the remaining time on this side to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, I rise in support of this amendment, because fundamentally, when it comes to climate change, the House should not adopt the posture of the ostrich. We are not compelled to act by the Kyoto Treaty. We are compelled to act by common sense, common sense to make sure by this amendment that we can move forward and do what the law already authorizes people to do, which is to continue to talk across the waters.

The Earth is heating up, and we are a cause. The northern hemisphere is the hottest it has been in 1,000 years. The 1990s were the hottest decade. The 3 hottest years in human history were 1995, 1997 and 1998. Glaciers are rapidly receding. Bird populations are disappearing. Why? Why? The answer is clear. Carbon dioxide levels in the atmosphere have gone up 30 percent since the preindustrial age. They will go up, and there should be no doubt about this. They will double, in fact, in the next 100 years unless this House pulls its head out of the sand and deals with climate change issues. That is a simple fact, and there is nothing to debate about that subject.

Every 6th grader in this country understands that if we double CO_2 layers in the atmosphere, we will substantially increase the temperatures in Chicago and heat deaths will increase in Chicago. That is not alarmist. Human life will continue to persist, but Maple trees may not in New England.

This House has got to act; the country understands that. Ford is moving, Chrysler is moving, British Petroleum is moving. We need to keep this country moving by a simple amendment that will continue to allow us to do what we need to do.

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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. KNOLLENBERG. 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 unanimous 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. OBEY, 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 statutory 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 ''The 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) of the proposed amendments, 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 conferees (see Conf. Rept. 101–952, 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 some provisions, such as sections 813, 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 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. 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 (k). New subsection (g), entitled ''Pollution Prevention and Control,'' calls for ''non-regulatory strategies and technologies for air pollution prevention.'' While it refers, as noted in the EPA memorandum, to carbon dioxide as a ''pollutant,'' House and Senate conferees never agreed to designate carbon dioxide as a pollutant for regulatory or other purposes.

Based on my review of this history and my recollection of the discussions, I would have difficulty concluding that the House-Senate conferees, who rejected the Senate regulatory provisions (with the exception of the above-referenced section 821), contemplated regulating greenhouse gas emissions or addressing global warming under the Clean Air Act. Shortly after enactment of Public Law 101–549, the United Nations General Assembly established in December 1990 the Intergovernmental Negotiating Committee that ultimately led to the Framework Convention on Climate Change, which was ratified by the United States after advice and consent by the Senate. That Convention is, of course, not self-executing, and the Congress has not enacted implementing legislation authorizing EPA or any other agency to regulate greenhouse gases.

I hope that this is responsive.

With best wishes,

Sincerely,

JOHN D. DINGELL,
Ranking Member.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. OLVER).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. OLVER. 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. OLVER) 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, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $23,931,000, to remain available until expended.

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; $1,270,000,000 (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 $640,000,000 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 may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That of the funds appropriated under this heading, $11,500,000 shall be transferred to the ''Office of Inspector General'' appropriation to remain available until September 30, 2002, and $35,000,000 shall be transferred to the ''Science and technology'' 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 asking for unanimous 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 review of 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. TAUZIN), 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 then they would leave, denying my constituents and the Ombudsman a chance to ask some very important questions about the revised consent decree.

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 Ombudsman has the adequate funding to continue his independent investigations. The amendment creates a specific line item of funding for the Office of the National Hazardous Waste and Superfund Ombudsman. Currently, funding for that office is not specifically designated within the VA–HUD appropriations act.

That line item will ensure sufficient resources are made available within the EPA's budget to allow the Ombudsman to 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 while also expanding the statutory authorities of the Ombudsman to make them consistent with model standards for ombudsmen promulgated by the American Bar Association and other national organizations. These provisions are necessary to preserve the integrity and independence of their investigations and prevent interference by EPA officials for political purposes.

Because this amendment would be subject to a point of order as legislating on an appropriations bill, and because I do not want to waste the time of the assembly, I have decided not to offer it today. However, I want to reiterate how important it is that Superfund ombudsmen be allowed to continue to operate independently, underlined independently, of the very agency they often investigate.

Mr. Chairman, our constituents benefit enormously from these advocacy efforts. As we have learned in Tarpon

Springs, Florida, it can be very difficult to overcome EPA intransigence. The ombudsmen are critical to give local communities a voice in the clean-up process. I urge all of my colleagues to protect the interests of their constituents in the Superfund clean-up process by supporting necessary funding for that office.

The CHAIRMAN. The gentleman from Georgia (Mr. NORWOOD) had been previously recognized to claim the time in opposition.

Does the gentleman from New York (Mr. WALSH), the chairman of the committee, wish to claim the time in opposition?

Mr. WALSH. No, I do not, Mr. Chairman.

The CHAIRMAN. The gentleman from Georgia (Mr. NORWOOD) is recognized for 5 minutes.

Mr. NORWOOD. Mr. Chairman, I yield myself such time as I may consume.

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 that agency. We all want to hold lawsuits to a minimum, particularly when taxpayer dollars are involved.

In numerous other fields, this body has encouraged arbitration in lieu of litigation as a tried and true method of holding down court costs while still protecting the consumers. It also opens up the crowded court dockets, frankly, for cases that truly need to be in court.

This is the purpose of the EPA Ombudsman's office. There is, however, a very large problem with how the program is currently being operated. Current funding has allowed only two arbitrators for the entire country, two for the entire country. Those two officials have no binding legal authority to conduct any real investigation into a complaint. They cannot force truthful testimony, the release of necessary documents, or other evidence. They do not even have the legal power to enforce the EPA to participate in a hearing.

This lack of funding, lack of staff, lack of legal authority has given the EPA the ability to run roughshod over local and State government and private citizens without any accountability outside of Federal court action, which is often a practical impossibility for those who have been injured.

My constituents unfortunately have firsthand experience in what this shortcoming really means in real life. In Augusta, Georgia, my farmers used sludge from a waste treatment plant as fertilizer on their fields after EPA recommended the procedure as a safe and practical means of eliminating sludge.

The farmers explicitly followed the EPA guidelines. It now appears this recommended procedure is being seriously questioned, and it may have been under question as the farmers were being advised to do so.

Upon this discovery, did the EPA do anything to look into this matter? No. They closed ranks and did everything possible to deflect responsibility for the matter. That is not accountability. We do not know who is right or wrong in this fiasco at home, but we do believe that the EPA Ombudsman should be allowed to find the truth.

Currently, the Ombudsman has limited authority to examine questionable EPA dealings. We need to give this office adequate oversight power to watch what the EPA is doing. They are accountable to taxpayers, and we need to make sure that they uphold that mission.

The Bilirakis amendment would give the Ombudsman the legal power to force EPA to participate in a grievance hearing. My word, the Chairman has a hearing in his hometown and the EPA will not even participate. It gives the Ombudsman the ability to compel the agency to testify truthfully. For any citizen, business, or agency in this country to be held accountable for their actions, it is crucial that they be required by law to cooperate with the process of an independent investigation of a complaint.

This measure provides this critical oversight for EPA. It is long overdue. I thank the gentleman from Florida (Mr. BILIRAKIS) for bringing this to our attention. Support this amendment. Support the Ombudsman for the EPA.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. NORWOOD. I yield to the gentleman from New York.

Mr. WALSH. 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 Carole Browner, gave Ombudsman Robert Martin clearance to conduct a preliminary review of the Industrial Excess Landfill (IEL) superfund site in my district.

I know that, in addition to be going asked to look at the IEl site, Mr. Martin has experienced any upswing in calls for his attention to similar sites across the country—in fact, he advised me in May that he is actively working on at least 25 sites.

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 1998—exacerbates any threat to public safety. I hope that the Ombudsman will be effective in helping Township officials and the nearby residents identify testing protocols that will help them find peace of mind and the best solutions for this troubled site. Again, I will say, if this amendment will speed the process at the IEL site, I am certainly for it.

Mr. TRAFICANT. Mr. Chairman, I rise in strong support of the Bilirakis Amendment, which earmarks $2 million for the activities of the EPA's Ombudsman.

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.

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.

$2 million will not bust that bank.

For a very, very modest investment, the taxpayers are getting a huge return.

I think the country is lucky to have the services of Bob Martin, the EPA Ombudsman.

He is highly competent, he is honest and he is effective.

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 beaucratic inertia. The Office of the Ombudsman has been an ally of citizens to further insured that public health and the environment reman at the forefront in clean up decisions at Superfund sites. The Ombudsman also plays

an important role regarding oversight of the EPA, ensuring that harmful decisions are corrected and that information surrounding 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 PROGRAM

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 expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $15,000,000, to be derived from the Oil Spill Liability trust fund, and to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,176,957,000, to remain available until expended, of which $1,200,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended; $825,000,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended, except that, notwithstanding section 1452(n) of the Safe Drinking Water Act, as amended, none of the funds made available under this heading in this Act, or in previous appropriations Acts, shall be reserved by the Administrator for health effects studies on drinking water contaminants; $75,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; $8,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages; $1,068,957,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities: *Provided*, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, as amended, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2001 and prior years where such amounts represent costs of administering the fund, to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration of the fund: *Provided further*, That notwithstanding section 518(f) of the Federal Water Pollution Control Act, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to Indian tribes pursuant to section 319(h) and 518(e) of that Act: *Provided further*, That notwithstanding any other provision of law, all claims for principal and interest registered through any current grant dispute or any other such dispute hereafter filed by the Environmental Protection Agency relative to construction grants numbers C–180840–01, C–180840–04, C–470319–03, and C–470319–04, are hereby resolved in favor of the grantee.

POINT OF ORDER

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.

The language in question countermands the directive given to the Administrator of the Environmental Protection Agency in section 1452(n) of the Safe Drinking Water Act that she reserve $10 million of funds appropriated to the drinking water State revolving funds for health effects studies on drinking water contaminants.

As such, Mr. Chairman, it changes current law and constitutes a violation, as I have said earlier, of clause 2 of rule XXI. I must regrettably insist on my point of order.

The CHAIRMAN. Does any other Member desire to be heard on this point of order?

The Chair is prepared to rule. The Chair finds that this provision explicitly supersedes existing law, in violation of clause 2 of rule XXI.

The point of order is sustained and the provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE PROVISION

For fiscal year 2001 and thereafter, the obligated balances of sums available in multiple-year appropriations accounts shall remain available through the seventh fiscal year after their period of availability has expired for liquidating obligations made during the period of availability.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, not to exceed $2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,150,000.

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, $2,900,000: *Provided*, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $33,661,000, to be derived from the Bank Insurance Fund, the Savings Association Insurance Fund, and the FSLIC Resolution Fund.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $300,000,000, and, notwithstanding 42 U.S.C. 5203, to remain available until expended, of which $5,500,000 shall be transferred to ''Emergency management planning and assistance'' for the consolidated emergency management performance grant program; of which $30,000,000 shall be transferred to the ''Flood map modernization fund'' account; and up to $50,000,000 may be obligated for pre-disaster mitigation projects and repetitive loss buyouts (in addition to funding provided by 42 U.S.C. 5170c) following disaster declarations.

□ 1345

AMENDMENT OFFERED BY MR. BOYD

Mr. BOYD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOYD:

Page 66, line 18, after the dollar amount, insert the following: ''(increased by $2,609,220,000)''.

Mr. WALSH. 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 each 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) to not 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. 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. COBURN. 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 operating.

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 302(b)s and within the budget of this Congress.

Now, let us talk about why it is not. The reason it is not in there 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.

What 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.

Mr. Chairman, I do not have any additional speakers at this point in time, so by way of closing, I would just like to thank the gentleman from Oklahoma (Mr. COBURN) for his statement. He is right. He and I have worked together on budgetary honesty, fiscal responsibility, and I think that most of the people of this Nation want their government to perform certain functions. But they also want their government to be honest and make sure that we understand that those functions are going to be paid for so that we do not have to come back later with smoke and mirrors or we do not have to borrow money to fund those particular functions.

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 gentleman are right. We should appropriate these funds through the proper, through the normal appropriations process, and we do need to 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 reserve 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 $900 million 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 proposes to cut funding for 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.

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 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 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 Florida (Mr. BOYD) would increase the level of new discretionary budget authority in the bill. Because of the attending emergency designation, the amendment automatically occasions an increase in the section 302(a) allocation to the Committee on Appropriations, but it does not occasion an automatic increase in the section 302(b) suballocation for the pending 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 read as follows:

Notwithstanding any other provision of law, the foregoing amounts are 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*, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, 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.

POINT OF ORDER

Mr. COBURN. Mr. Chairman, I make a point of order that on page 67, lines 4 through 14 constitute legislating on an appropriation bill in violation of clause 2 of rule XXI.

I ask for a ruling from the Chair in that regard.

The CHAIRMAN. If no other Member wishes to be heard, the Chair finds that this provision explicitly supersedes existing law in violation of clause 2 of rule XXI.

The point of order is sustained and the provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For the cost of direct loans, $1,295,000, as authorized by section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $19,000,000.

In addition, for administrative expenses to carry out the direct loan program, $420,000.

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, including hire and purchase of motor vehicles as authorized by 31 U.S.C. 1343; uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; expenses of attendance of cooperating officials and individuals at meetings concerned with the work of emergency preparedness; transportation in connection with the continuity of Government programs to the same extent and in the same manner as permitted the Secretary of a Military Department under 10 U.S.C. 2632; and not to exceed $2,500 for official reception and representation expenses, $190,000,000.

Mr. WALSH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from Illinois (Mr. BLAGOJEVICH).

Mr. BLAGOJEVICH. Mr. Chairman, on May 12, 1998, 17-month-old Daniel Keysar of Chicago, Illinois was strangled to death when a portable crib at a day care center collapsed on his throat. Just 3 months after that, 10-month-old William Curan of Fair Haven, New Jersey suffered the same fate. At least 13 children have died in these types of portable cribs.

These are tragic deaths, Mr. Chairman, causing inexpressible sorrow to the parents. They did not have to happen. The portable cribs in which these

infants died had been recalled 5 years earlier, but nobody knew. Despite efforts 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 information about these recalls more accessible to the public. Specifically, we are seeking to establish a comprehensive Consumer Product Safety Commission 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 consumers of truly dangerous products and would enable the CPSC to monitor the effectiveness of product recalls.

□ 1400

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 possible to find a solution in the conference, and I will certainly bring the gentleman's concern to the attention of the conferees.

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 conference with the other body, and I appreciate the gentleman raising the issue. It is particularly poignant, and it certainly does need to be addressed; and I hope we can address it in conference. I appreciate 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 congratulations to the distinguished chairman of the subcommittee, and the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN), for their fine work under challenging circumstances. I would also like to extend congratulations 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 Pasadena, California, to bring to the attention 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 Propulsion Laboratory some of its important functions. I believe these efforts are unjustified and that they would hinder the ability of NASA to carry out its very important scientific mission.

As the gentleman knows, the Jet Propulsion Laboratory is the lead U.S. center for unmanned exploration of the solar system. JPL has led the world in exploring the solar system with robotics 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 vendors for routine services. So they have demonstrated a very clear and strong commitment at JPL to contract out whenever possible.

While JPL contracts out routine services where appropriate, many functions are not routine and cannot be properly performed by outside vendors. Space communications, for example, Mr. Chairman, requires highly specialized capabilities. To accomplish this mission, JPL developed the Deep Space Network, a highly advanced system of powerful antennae designed to communicate with our planetary missions. The DSN is more than just a communications device, however. It is an incredibly powerful scientific instrument used in many radio-astronomy experiments.

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 as CSOC. This would include the operations of the entire deep space network as well as the flight operations of current 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 erroneous 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 Subcommittee on Defense of the Committee on Appropriations, the gentleman 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 gentleman from California (Mr. ROGAN), does, 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 functions to the CSOC contract despite the findings that came out in NASA's report. This action would be devastating to NASA's space exploration program as well as to the 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 gentleman 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 bringing this to our attention, as well as the other gentleman from California (Mr. ROGAN), who is a fighter and an advocate for JPL.

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-foolish. There is no other organization in the world that possesses the knowledge and the capabilities of JPL for deep space exploration. We must fully utilize 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 between 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 appreciate his commitment to this extremely important program and also his kind words not only about the Jet Propulsion Laboratory but about my friend, the gentleman from Pasadena, California (Mr. ROGAN).

Mr. ROGAN. Mr. Chairman, will the gentleman yield?

Mr. DREIER. I yield to the gentleman 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 incredible 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 gentleman from New York, our distinguished 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. ROGAN).

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 contract 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. Let us keep this where the knowledge is founded, and in doing so we 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 part of the Nation is being affected as well, and it is certainly the greatest environmental challenge for the Adirondack Mountains of New York, and that 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. MCHUGH), 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 at the EPA that I fear are currently in danger of being dismantled.

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 1994, 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, under pressure from 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.

Secondly, I want to express continued 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.

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 TIME/LTM and EPA's attempts earlier this year to cut funding 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 forests and rendering 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 deposits 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)

For necessary expenses, not otherwise provided for, to carry out activities under the National Flood Insurance Act of 1968, as amended, and the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977, as amended (42 U.S.C. 7701 et seq.), the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2201 et seq.), the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947, as amended (50 U.S.C. 404–405), and Reorganization Plan No. 3 of 1978, $267,000,000. And in addition, $5,500,000 to be derived by transfer from the ''Disaster relief'' account.

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 by the agency 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 will 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 3½ 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 by transfer from the ''Disaster relief'' account, and such additional sums as may be received under 1360(g) or provided by State or local governments or other political subdivisions for cost-shared 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, the Flood Disaster Protection Act of 1973, as amended, not 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) $455,627,000 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 1309(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 1376(c) of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4127(c)), is 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 into the Federal Consumer Information Center Fund: *Provided*, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Federal Consumer Information Center activities in the aggregate amount of $12,000,000. Appropriations, revenues, and collections accruing to this Fund during fiscal year 2001 in excess of $12,000,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

HUMAN SPACE FLIGHT

For necessary expenses, not otherwise provided for, in the conduct and support of human space flight research and development activities, including research, development, operations, and services; maintenance; construction of facilities including revitalization and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $5,499,900,000, to remain available until September 30, 2002.

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 3, after the dollar amount insert the following: ''(reduced 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 each will control 5 minutes.

The Chair recognizes the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I first want to thank the chairman and the ranking member for their support. I have offered this amendment to increase funding for the NASA University Research Centers, better known as URCs, at 14 minority institutions by $2.8 million.

URCs are funded through NASA's Science Aeronautics and Technology Division. The amendment is offset by deducting the same amount from the Human Space Flight account.

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The URC program has expanded the Nation's base for aerospace research, increased participation by faculty and students at historically black colleges and universities and other minority universities in mainstream research, and increased the production of disadvantaged students with advanced degrees in NASA-related fields.

Furthermore, each research unit has developed a broad-based competitive research capability in areas related to NASA's strategic enterprises while contributing to support the Agency's scientific and technical human resource requirements.

Under this amendment, each URC would be eligible to receive up to $1.2 million per year, an increase of $200,000, to support activities and operations in the subaccounts from which they are funded. I hope the chair and the ranking member will work with me to ensure that this is stated in any report language.

This is a great investment in our students, and I urge support of this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. WALSH. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Maryland (Mr. CUMMINGS), and I yield myself such time as I may consume. However, I am not in opposition.

We have considered this and we have discussed this with the gentleman from West Virginia (Mr. MOLLOHAN) the ranking member. We believe this is a friendly amendment, it is a proper use of funds, and we think it is a good allocation of funds. For that reason, I have no objection to the amendment offered by the gentleman from Maryland.

Mr. Chairman, I yield to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Chairman, I agree with the chairman and have no objection. I compliment the gentleman from Maryland (Mr. CUMMINGS) for bringing it up.

Mr. WALSH. Mr. Chairman, I yield back the balance of my time.

Mr. CUMMINGS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland (Mr. CUMMINGS).

The amendment was agreed to.

AMENDMENT NO. 48 OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 48 offered by Mr. ROEMER:

Page 73, line 3, after the dollar amount insert the following: ''(reduced by $2,100,000,000) (increased by $300,000,000)''.

Page 73, line 18, after the dollar amount insert the following: ''(increased by $290,000,000) (increased by $20,000,000) (increased by $6,000,000) (increased by $49,000,000)''.

Page 77, line 1, after the dollar amount insert the following: ''(increased by $405,000,000)''.

Page 77, line 22, after the dollar amount insert the following: ''(increased by $62,000,000)''.

Page 78, 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,

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 this agreement 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 understood 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; on the other two amendments the gentleman 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 chairman 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 $365 million back into NASA, thereby leaving over $1 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 best of times and the worst of times. 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 we are 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 $20 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.

Terminating 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 90 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 cosponsor 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 decommissioning 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 this was a good idea?

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.

□ 1430

Where is the international commitment? Vote for this amendment. It restores necessary funding to the National Science Foundation; it boosts successful NASA programs; and it reduces the national debt.

Mr. WALSH. Mr. Chairman, I yield 3 minutes to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Chairman, once again we are faced with an amendment to kill the International Space Station and once again I rise in the strongest possible opposition to that amendment.

Last year, I said that the time for debate on this issue had passed. It was true then, and it is certainly true today. It is even more true today. All of these arguments that are being advanced against the International Space Station were applicable a long time ago. We have now a functional Space Station in Earth's orbit. We have a team of astronauts who have just returned from a resupply, repair, and reboost mission to that station and by the end of this summer, the launch of the long-awaited Russian service module will allow the station to be inhabited by humans.

Mr. Chairman, the gentleman from Indiana would throw all of that away, flushing literally tens of billions of dollars down the drain, money invested by the United States and also money invested by our international partners, yes, by Russia, Canada, Japan, Italy, and France to name just a few. Pulling out of the joint effort at this stage is, in my judgment, irresponsible.

Mr. Chairman, we have had a number of recent votes on this issue. I think from 1992 to date, a series of maybe eight or nine votes on this issue. In each instance, the body has expressed its solid support and increasing support for the International Space Station. There is simply not much else to say in this debate. It has all been said so many times before during those years.

But let us be honest. This amendment is not really about anything else other than killing the Space Station, however attractive some of the accounts are to where the money is spent. This debate has been decided in the past. I urge defeat of the gentleman's amendment.

Mr. ROEMER. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I suggest we can do better by our budget and by our children by investing the Space Station money in more worthy, reliable programs, both at NASA and in other areas of the science budget as well as reducing our national debt.

Mr. Chairman, what could we do with $2.1 billion? We could fund the National Institutes of Health for 16 years. We could provide low-income heating assistance for thousands of families; or fund child immunization programs nationwide. We could also clean up our Superfund sites, fund drug prevention programs, provide Head Start to our children in need, pay our debt to the United Nations, and provide a tax cut for working families. These are investments we should be making for our children and for their future. I strongly believe that the Space Station is a case of misplaced priorities. With the many needs here on Earth, the Space Station is just too expensive. We need to shore up our Social Security system and protect Medicare and Medicaid. This amendment must be passed.

Mr. WALSH. Mr. Chairman, I yield 1½ minutes to the gentleman from Alabama (Mr. CRAMER), a member of the subcommittee.

Mr. CRAMER. I thank the chairman of the subcommittee for yielding me this time.

Mr. Chairman, 9 years we have been at this. The gentleman from West Virginia, the ranking member, referred to the number of votes that we have had before. When we add in the authorizing committee battles that we have had over the Space Station issue and now this battle as well, it seems like we have voted hundreds of times on this amendment. We need to give our support to the good NASA employees that have given their careers to building the Space Station program. This is not the time to pull the rug out from under this program. As we speak, the prime contractor is 90 percent through developing the hardware. As we speak, there are 12 International Space Station payloads already at the Kennedy launch site. Just last month, the shuttle dropped off 2,000 pounds of supplies for the first crew.

We have got numerous experiments and other scientific projects that will be carried aboard the Space Station project as well. It is up there. We need to give our support to this program.

If there ever was a time to discuss this issue, it was years and years ago. The gentleman from Indiana is wrong now. He was wrong then. We have been at this for 9 years. Give it a rest.

Mr. ROEMER. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. DUNCAN) in support of my bipartisan amendment.

Mr. DUNCAN. Mr. Chairman, I rise in strong support of this amendment. As both the gentleman from Indiana (Mr. ROEMER) and the gentleman from Iowa (Mr. GANSKE) mentioned, the original estimate on the cost for this Space Station was $8 billion in 1984. The old Washington con game or shell game is at work here again, drastically lowballing the original estimate of cost and then spreading the funding around to as many congressional districts as possible to try to get political support.

Seven years after the start of this in 1991, an extraordinary coalition of 14 leading scientific groups came out strongly against the Space Station because of the tremendous drain on funding from other worthwhile scientific

projects. Robert L. Park, executive director of the American Physical Society, has estimated the full cost to build and equip the station to be $118 billion and said, ''If you include operating costs over what NASA claims will be a 30-year life, it comes to an S&L-bail-out-sized $180 billion.''

This, Mr. Chairman, is going to go down as probably the biggest boondoggle 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. HALL), the distinguished ranking member of the full Committee on Science and a strong advocate of the Space Station program.

Mr. HALL of Texas. 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 he is a wonderful 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 from Cape Kennedy. 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 to 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 the 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 in this Congress than myself who has the privilege of representing the hometown area of Deke Slaton, one of the original Mercury astronauts, and one of the current Shuttle astronauts, Mark Lee. But what started out as an $8 billion commitment from the American taxpayer to the international space station has now ballooned to over $100 billion and the cost is increasing. It is time for this Congress to at least take action to save the American taxpayer additional billions of dollars.

I like what the Roemer amendment does by dedicating a large portion of the savings to national debt reduction which we know is going to pay back economic dividends to the American people as well as makes a healthy investment in the National Science Foundation. I do not think it is too bold to predict that over the next couple of decades, we are probably going to see more scientific discoveries than we have seen in the last 300 years.

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 questioned is the tremendous 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 those in Huntsville, Alabama, where two parts of the space station, valued at $750,000 were mistakenly discarded in a land fill. 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 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 reversal in the commitment made 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 true. 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 in a surprised tone 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 continuous 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 vote 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, effectively 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 outpost 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 preeminent 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 requested by 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 and its creative programs. NASA 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 which will lead to 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 has been research aboard the Shuttle 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 needed a new way to waste taxpayer dollars. So in 1993 this new program was called the International Space Station.

NASA recently estimated the cost of building this station through completion, whenever that will be, at well over $26 billion. This estimate does not even include the billions of 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, yet NASA said this risk was ''acceptable.'' 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 $2.115 billion appropriated to the International Space Station and places it in the National Science Foundation and in other valuable NASA programs. Additional money will go towards paying down the national debt.

Mr. Chairman, enough is enough. Congress has already dumped too much into this space station, to no benefit. I believe we should give America's taxpayers a break by canceling the International Space Station.

Mr. KUCINICH. Mr. Chairman, I rise in opposition to the Roemer amendment to H.R. 4635, VA–HUD-Independent Agencies Appropriations for FY 2001 to terminate the International Space Station. As Co-Chair of the Congressional Aerospace Caucus, I strongly support continued funding for the International

Space Station (ISS). The Space Station is critical for NASA to maintain America's leadership in space exploration, research and technology. In addition, this international endeavor 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 a $9 return 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 frees 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 for students 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 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.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. ROEMER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. ROEMER. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. 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.

□ 1545

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 VA, HUD and Independent Agencies knows, in a 6-hour time frame between May the 6 of this year and Sunday morning, 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 have 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 appropriations bill and would have been ruled 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 for him to look for that 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 his constituents who have been so severely impacted by these flash floods. The gentleman has been absolutely diligent about bringing this to the attention of the subcommittee, to protect his constituents and rightly so. Congress is working within an extremely tight budget again this year, and the subcommittee thanks the gentleman for his cooperation working within these restrictions.

Accordingly, I intend to work in conference to find a reasonable solution to this problem.

Mr. BOEHLERT. Mr. Chairman, will the gentleman from New York (Mr. WALSH) yield to me for the purpose of engaging in a colloquy on another subject?

Mr. WALSH. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, H.R. 4635 includes bill language that would prevent EPA from finalizing or implementing changes to the Agency's TMDL program 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 Foreign Bureau Federation and the American Forest and 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 reinstate 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 with 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 read as follows:

SCIENCE, AERONAUTICS AND TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics and technology research and development activities, including research, development, operations, and services; maintenance; construction of facilities including revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $5,606,700,000, to remain available until September 30, 2002.

AMENDMENT NO. 39 OFFERED BY MR. MOLLOHAN

Mr. MOLLOHAN. 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. MOLLOHAN:

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. MOLLOHAN) 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. MOLLOHAN).

The CHAIRMAN. The gentleman from New York reserves a point of order.

The Chair recognizes the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. 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 a Star 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 $260 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 the goal of improving air traffic control and reducing airport and aerospace congestion.

Finally, my amendment provides $7 million for the small aircraft transportation system, to develop technology for use 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 we will 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. MOLLOHAN). 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. MOLLOHAN. 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 struggled 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 transportation. The Space Launch Initiative envisions NASA eventually purchasing launches from commercial launch vendors 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 discussing over this particular amendment the initiatives that the Committee on Science has undertaken here.

We have given a mandate to NASA to come up with alternative means of transportation, working with the aerospace industry to make sure that they come up with these alternate means of transportation. Unless 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 important funding to NASA to make sure that the Space Launch Initiative is indeed a reality.

Mr. CHAIRMAN. Does the gentleman from New York (Mr. WALSH) reserve his point of order?

Mr. WALSH. I do, Mr. Chairman.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 3 minutes to the distinguished gentleman from Maryland, (Mr. HOYER).

Mr. HOYER. Mr. Chairman, I thank my distinguished friend from West Virginia (Mr. MOLLOHAN), the ranking member of the subcommittee for yielding me the time, and I rise in strong support of his amendment.

I want to say at the outset that I believe that the chairman of this subcommittee is not necessarily in theory opposed to the dollars being added back and, therefore, I think in terms of substance, we can all support this amendment.

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 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 conducted by NASA for our space program has led to widespread social benefits, everything from improvements in commercial airline safety to understanding global climate change.

□ 1500

NASA's research also has benefited medical science. For example, its research 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 restore $322.7 million in funding for NASA's space and aeronautical programs, 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 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.

Mr. Speaker, 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. Today, let us reaffirm our national commitment to the latest frontier, science and technology.

I urge my colleagues to support this amendment.

Mr. Chairman, let me state my strong support 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 PhDs can understand, think again.

Research and development conducted by NASA for our space program has led to widespread social benefits—everything from improvements in commercial airline safety to understanding global climate change.

NASA's research also has benefitted medical science. For example, its research on the cardiovascular system 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.

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 programs that would be forced into a stare 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 commitment 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 scheme 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 numbers add up somehow.

Today, NASA's neck is stretched out on the chopping block. Yesterday, it was our school modernization and class-size reduction efforts. And tomorrow, it will be our initiative to 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 national priorities back into focus. It would restore $260 million to NASA's space launch initiative, which is critical for our future in space. Safe, 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 exploration and enhance international competitiveness of the U.S. commercial launch industry. 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 accurately, and understand how solar variations affect civilian and military space systems, human space flight, electric power grids, high-frequency radio communications, and long-range radar.

In addition, this amendment would restore $46.1 million in funding for two programs that are developing solutions to expensive delays in commercial airline traffic. NASA uses its

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 challenge. We have never been content with the status quo. We have always dared to peer over the next horizon.

Today' let's reaffirm our national commitment to the latest frontier, science and technology. I urge my colleagues to support this amendment.

The CHAIRMAN. Does the gentleman from New York reserve his point of order?

Mr. WALSH. I continue to reserve, Mr. Chairman.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. HALL), the distinguished ranking member of the Committee on Science.

Mr. HALL of Texas. Mr. Chairman, I am honored to support this amendment. It is a good amendment. I thank the gentleman from West Virginia (Mr. MOLLOHAN) for bringing it forth. I also want to suggest that the subcommittee chairman, the gentleman from New York (Mr. WALSH), in his very level and fair-handed handling of this, has agreed to look at this with the gentleman and see if something cannot be worked out. That allows me to give back maybe some of the 3 minutes the gentleman has given me. The gentleman has covered almost everything. The figures have been covered.

Members know I am a strong supporter of the national space program. I will not spend time today recounting all the benefits that have come out of the program over the years. I think everybody is aware of them.

But I am disappointed in the way this appropriations bill treats NASA. NASA is not a Republican thrust nor a Democratic thrust. It is really an American thrust, and it has always been handled that way.

When it came time, when the information came from the executive to cut back on programs, NASA was cut back more than any. NASA complied. Administrator Goldin agreed and cut it back because he knew he could cut it decisively with an intelligent knife; and if we cut it, sometimes we cut it with a baseball bat, not knowing really what we are doing. He cut it back about 35 percent over a period of 2½ years. I think we have kept the faith and we ought not to be cutting back on this NASA program again.

I urge that the Mollohan amendment be supported. The gentleman touched on Living With the Star, and that has already been addressed, the space launch initiative and our skills in that field, and the space launch initiative, which transforms telecommunications, weather prediction, defense intelligence work, just to list some of the areas. It would be a mistake I think to lose our leadership in space 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 the gentleman 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.

Our 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 seen 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.

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 concerns about the 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 point 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. 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 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 district are NASA's 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.

The clerk read as follows:

MISSION SUPPORT

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 additions to existing facilities, facility planning and design, environmental compliance and restoration, and acquisition or condemnation of real property, as authorized by law; program management; personnel and related 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 reception and representation expenses; and purchase (not to exceed 33 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'' by this appropriations Act, when any activity has been initiated by the incurrence of obligations for construction of facilities as authorized by law, such amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated in ''Mission support'' pursuant to the authorization for minor revitalization and construction of facilities, and facility planning and design.

Notwithstanding the limitation on the availability of funds appropriated for ''Human space flight'', ''Science, aeronautics and technology'', or ''Mission support'' by this appropriations Act, the amounts appropriated for construction of facilities 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, 2001 and may be used to enter into contracts for training, investigations, costs associated with personnel relocation, and for other services, to be provided during the next fiscal year. Funds for announced prizes 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 interes 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 Medal of Science (42 U.S.C. 1880–1881); 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; $3,135,690,000, of which not to exceed $264,500,000 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; the balance to remain available until September 30, 2002: *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 proportionally.

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 $404,990,000)''.

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 78, 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 $5,890,000)''.

Page 79, line 4, after the dollar amount, insert the following: ''(increased by $580,000)''.

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 time in opposition.

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 are not at fault here. But because of inadequate appropriations allocation, 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 the Budget, I worked to increase 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 appropriation. 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.

□ 1515

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, and we 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 $4 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.

I 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 $500 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 microprocessor, 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 the work of this committee 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 1993, 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 our economic 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. Chairman, I would like to point out that in January of 1992, the Wilshire 500 index, which measures the value of all of the publicly owned companies in this country, stood at 4,337, which means that all of the stocks in those companies was worth about $4.3 trillion. Today, it is over $13 trillion. Just one company, Oracle, the growth in that company alone in the last 12 months has been larger than the total valuation of the Big 3 automakers, Ford, General Motors and DaimlerChrysler. That has been due in significant part to what we have learned through the research funded by NSF.

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 who 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.

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 beings struggle with illnesses 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 $90 billion in tax cuts to people who make over $300,000 a year. That is a wrong priority; this is the right one. I congratulate the gentleman for offering the amendment.

Mr. WALSH. 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 marks its 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 $4 billion level. With only a small portion 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), the 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 enjoying the very greatest prosperity and the finest 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, when are we going to do it? 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 will keep 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. WALSH. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM), a member of the Committee on Appropriations.

Mr. CUNNINGHAM. 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 effort, 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 the area that provides for that research 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 faking 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 supports basic 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.

Past examples of NSF research amply demonstrate the payoffs possible:

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 chlorofluorocarbons as the 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 help 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. WALSH. 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 the 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 bill will jeopardize the Nation's investment in the future by cutting off NSF funding for science and engineering research and education by over $500 million.

This is about 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.

At a time when we are trying to improve the quality and quantity of science and mathematics in the United States, the bill is calling for an education cut that includes a reduction of 21%, or over 30 million, below the request for undergraduate education—including the nearly 50% cut in requested funding for the National Science, Math, Engineering and Technology Digital Library. These investments are key components of the Administration's 21st Century Workforce Initiative and critical to enable students to compete in the today'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.

□ 1530

This is about 11 percent below the requested level, and this reduction will seriously undermine previous investments in cutting edge technology 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. HOLT). 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 also 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. OLVER), who knows of

what he speaks. He in fact has done NSF-funded research.

Mr. OLVER. 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 not 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. MOLLOHAN). I think they hit it on the head.

What we are confronted with here, 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 pennywise and pound foolish. Our investments in research have paid off.

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 budget. 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 and development. 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 pertinent knowledge in these important fields. Mr. HOLT's amendment will allow tomorrow's scientists 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 undercut funding 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 positive 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 stimulate the economy 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. WALSH. Mr. Chairman, I yield back the balance of my time.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from New York (Mr. WALSH) insist on his point of order?

Mr. WALSH. 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.

I ask for a ruling from the Chair.

The CHAIRMAN. Does any Member wish to be heard?

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 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 read as follows:

MAJOR RESEARCH EQUIPMENT

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 (42 U.S.C. 1861–1875), 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. 3109; hire of passenger motor vehicles; not to exceed $9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; reimbursement of the General Services Administration for security guard services; $152,000,000: *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

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, as amended, $5,700,000, to remain available until September 30, 2002.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment 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 program that is used in conjunction with section 8 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 uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; and not to exceed $1,000 for official reception and representation expenses; $23,000,000: *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 uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries 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 Clerk will suspend the reading.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 525, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: the amendment offered by the gentlewoman from New York (Mrs. KELLY); amendment No. 22 offered by the gentleman from New York (Mr. HINCHEY); the amendment offered by the gentleman from Massachusetts (Mr. OLVER); amendment No. 48 offered by the gentleman from Indiana (Mr. ROEMER).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MRS. KELLY

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Mrs. KELLY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk 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: ''(reduced by $1,000,000)''.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 250, noes 170, not voting 14, as follows:

[Roll No. 299]

AYES—250

Aderholt
Archer
Armey
Bachus
Baker
Baldacci
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Coble
Coburn
Collins
Combest
Cooksey
Cox
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeMint
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoeffel
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kelly
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Manzullo
Martinez
Mascara
McCarthy (MO)
McCollum
McCrery
McHugh
McInnis
McKeon
Meehan
Metcalf
Mica
Miller (FL)
Miller, Gary
Moakley
Moore
Moran (KS)
Myrick
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Pascrell
Pastor
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stabenow
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)

NOES—170

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Edwards
Engel
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Holden
Holt
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Markey
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Rahall

Reyes
Rivers
Rodriguez
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Sherman
Sisisky
Skelton
Snyder
Spratt
Stark
Strickland
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu

NOT VOTING—14

Campbell
Cook
DeLay
Ewing
Greenwood
Matsui
McIntosh
Rangel
Reynolds
Roybal-Allard
Serrano
Slaughter
Vento
Wynn

□ 1558

Ms. KILPATRICK and Messrs. FATTAH, SAWYER, TIERNEY and BARCIA changed their vote from ''aye'' to ''no.''

Ms. ESHOO, Mr. LATHAM and Mr. WISE changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1600

ANNOUNCEMENT BY THE CHAIRMAN

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. HINCHEY

The CHAIRMAN. The unfinished business is the demand for a recorded vote on amendment No. 22 offered by the gentleman from New York (Mr. HINCHEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 22 offered by Mr. HINCHEY:

Page 46, line 21, after the dollar amount, insert the following: ''(increased by $4,770,000)''.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 207, noes 211, not voting 16, as follows:

[Roll No. 300]

AYES—207

Ackerman
Allen
Andrews
Baca
Baird
Baker
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Dixon
Doggett
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frost
Ganske
Gejdenson
Gephardt
Gonzalez
Green (TX)
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hefley
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Reyes
Riley
Rivers
Rodriguez
Rothman
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Stupak
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Vitter
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu

NOES—211

Aderholt
Archer
Armey
Bachus
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cooksey
Cramer
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeMint
Diaz-Balart
Dickey
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Martinez
McCollum
McCrery
McHugh
McInnis
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—16

Abercrombie
Campbell
Cook
Cox
DeLay
Deutsch
Hutchinson
Kennedy
McIntosh
Moran (VA)
Rangel
Reynolds
Roybal-Allard
Serrano
Vento
Wynn

□ 1606

Mr. DAVIS of Florida and Mr. SNYDER changed their vote from ''no'' to ''aye.''

Mr. CRAMER changed his vote from ''aye'' to ''no.''

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."

AMENDMENT OFFERED BY MR. OLVER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. OLVER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 314, noes 108, not voting 12, as follows:

[Roll No. 301]

AYES—314

Ackerman
Allen
Andrews
Baca
Baird
Baker
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Calvert
Camp
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Collins
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hansen
Hastings (FL)
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickett
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Regula
Reyes
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roukema
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Sisisky
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Strickland
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Wilson
Wise
Wolf
Woolsey
Wu
Young (FL)

NOES—108

Aderholt
Archer
Armey
Bachus
Ballenger
Barr
Barton
Bateman
Berry
Biggert
Bilirakis
Bliley
Blunt
Bonilla
Bono
Boucher
Brady (TX)
Burr
Burton
Buyer
Callahan
Canady
Chabot
Chambliss
Coble
Coburn
Combest
Cramer
Crane
Cubin
Deal
DeMint
Diaz-Balart
Dingell
Duncan
Everett
Goode
Goodlatte
Goodling
Graham
Granger
Hall (TX)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hostettler
Hulshof
Hutchinson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kingston
Lewis (KY)
Linder
Lucas (OK)
Manzullo
Martinez
McCrery
McInnis
McIntyre
McKeon
Mica
Miller, Gary
Moran (KS)
Myrick
Ney
Norwood
Paul
Peterson (PA)
Pickering
Pitts
Pombo
Radanovich
Riley
Rogan
Rohrabacher
Ryun (KS)
Salmon
Sandlin
Scarborough
Sensenbrenner
Sessions
Shadegg
Shuster
Simpson
Skeen
Smith (TX)
Souder
Stearns
Stenholm
Stump
Tauzin
Taylor (NC)
Thornberry
Tiahrt
Traficant
Vitter
Walden
Wamp
Watkins
Watts (OK)
Whitfield
Wicker
Young (AK)

NOT VOTING—12

Abercrombie
Campbell
Cook
DeLay
Gekas
McIntosh
Rangel
Reynolds
Roybal-Allard
Serrano
Vento
Wynn

□ 1616

Mr. WAMP and Mr. BURTON of Indiana changed their vote from ''aye'' to ''no.''

Messrs. CANNON, DICKEY, and MCNULTY changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 48 OFFERED BY MR. ROEMER

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 48 offered by the gentleman from Indiana (Mr. ROEMER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 98, noes 325, not voting 11, as follows:

[Roll No. 302]

AYES—98

Barrett (WI)
Bass
Bereuter
Bilbray
Blagojevich
Blumenauer
Bonilla
Brown (OH)
Bryant
Camp
Carson
Chabot
Coble
Conyers
Coyne
Danner
DeFazio
Delahunt
Dingell
Duncan
Evans
Ford
Frank (MA)
Franks (NJ)
Ganske
Goode
Goodlatte
Goodling
Green (WI)
Gutierrez
Hefley
Herger
Hilleary
Hoekstra
Holden
Holt
Kanjorski
Kaptur
Kelly
Kildee
Kind (WI)
Kingston
Kolbe
Largent
Latham
Lazio
Leach
Lee
Levin
LoBiondo
Lowey
Luther
Maloney (NY)
Manzullo
McInnis
Meehan
Miller, George
Minge
Mink
Myrick
Nadler
Nussle
Oberstar
Obey
Olver
Pallone
Pascrell
Paul
Pease
Pelosi
Petri
Phelps
Pomeroy
Porter
Portman
Ramstad
Rivers
Roemer
Roukema
Ryan (WI)
Sanders
Sanford
Schaffer
Shays
Shuster
Smith (MI)
Spratt
Stark
Strickland
Tancredo
Tierney
Udall (NM)
Upton
Velazquez
Visclosky
Waxman
Woolsey
Young (AK)

NOES—325

Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coburn
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
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Cubin
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Cunningham
Davis (FL)
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Davis (VA)
Deal
DeGette
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Deutsch
Diaz-Balart
Dickey
Dicks
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Doggett
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Doolittle
Doyle
Dreier
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Edwards
Ehlers
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Emerson
Engel
English
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Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
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Fowler
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Gibbons
Gilchrest
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Gonzalez
Gordon
Goss
Graham
Granger
Green (TX)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
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Hayes
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Hostettler
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Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam

Jones (NC)
Jones (OH)
Kasich
Kennedy
Kilpatrick
King (NY)
Kleczka
Klink
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lucas (KY)
Lucas (OK)
Maloney (CT)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Ortiz
Ose
Owens
Oxley
Packard
Pastor
Payne
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Reyes
Riley
Rodriguez
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Rush
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Towns
Traficant
Turner
Udall (CO)
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Young (FL)

NOT VOTING—11

Abercrombie
Campbell
Cook
DeLay
McIntosh
Rangel
Reynolds
Roybal-Allard
Serrano
Vento
Wynn

□ 1625

Messrs. KENNEDY of Rhode Island, MARKEY, and FOSSELLA changed their vote from ''aye'' to ''no.''

Messrs. NADLER, OLVER, and PEASE changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

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. 4635, Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001: on rollcall number 300, yes; rollcall number 301, yes; and rollcall number 302, yes.

Mr. WALSH. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 90, line 16, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from 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. 403. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 404. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 405. No funds appropriated by this Act may be expended—

(1) pursuant to a certification of an officer or employee of the United States unless—

(A) such certification is accompanied by, or is part of, a voucher or abstract which describes the payee or payees and the items or services for which such expenditure is being made; or

(B) the expenditure of funds pursuant to such certification, and without such a voucher or abstract, is specifically authorized by law; and

(2) unless such expenditure is subject to audit by the General Accounting Office or is specifically exempt by law from such audit.

SEC. 406. None of the funds provided in this Act to any department or agency may be expended for the transportation of any officer or employee of such department or agency between their domicile and their place of employment, with the exception of any officer or employee authorized such transportation under 31 U.S.C. 1344 or 5 U.S.C. 7905.

SEC. 407. None of the funds provided in this Act may be used for payment, through grants or contracts, to recipients that do not share in the cost of conducting research resulting from proposals not specifically solicited by the Government: *Provided*, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research.

SEC. 408. None of the funds in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the rate paid for level IV of the Executive Schedule, unless specifically authorized by law.

SEC. 409. None of the funds provided in this Act shall be used to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings. Nothing herein affects the authority of the Consumer Product Safety Commission pursuant to section 7 of the Consumer Product Safety Act (15 U.S.C. 2056 et seq.).

SEC. 410. Except as otherwise provided under existing law, or under an existing Executive Order issued pursuant to an existing law, the obligation or expenditure of any appropriation under this Act for contracts for any consulting service shall be limited to contracts which are: (1) a matter of public record and available for public inspection; and (2) thereafter included in a publicly available list of all contracts entered into within 24 months prior to the date on which the list is made available to the public and of all contracts on which performance has not been completed by such date. The list required by the preceding sentence shall be updated quarterly and shall include a narrative description of the work to be performed under each such contract.

SEC. 411. Except as otherwise provided by law, no part of any appropriation contained in this Act shall be obligated or expended by any executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), for a contract for services unless such executive agency: (1) has awarded and entered into such contract in full compliance with such Act and the regulations promulgated thereunder; and (2) requires any report prepared pursuant to such contract, including plans, evaluations, studies, analyses and manuals, and any report prepared by the agency which is substantially derived from or substantially includes any report prepared pursuant to such contract, to contain information concerning: (A) the contract pursuant to which the report was prepared; and (B) the contractor who prepared the report pursuant to such contract.

SEC. 412. Except as otherwise provided in section 406, none of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency.

SEC. 413. None of the funds provided in this Act to any department or agency shall be obligated or expended to procure passenger automobiles as defined in 15 U.S.C. 2001 with an EPA estimated miles per gallon average of less than 22 miles per gallon.

SEC. 414. None of the funds appropriated in title I of this Act shall be used to enter into any new lease of real property if the estimated annual rental is more than $300,000 unless the Secretary submits, in writing, a report to the Committees on Appropriations of the Congress and a period of 30 days has expired following the date on which the report is received by the Committees on Appropriations.

SEC. 415. (a) It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 416. None of the funds appropriated in this Act may be used to implement any cap on reimbursements to grantees for indirect costs, except as published in Office of Management and Budget Circular A–21.

SEC. 417. Such sums as may be necessary for fiscal year 2001 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 418. None of the funds made available in this Act may be used for any program,

project, or activity, when it is made known to the Federal entity or official to which 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 these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 420. NASA FULL COST ACCOUNTING.—Title III of the National Aeronautics and Space Act of 1958, P.L. 85–568, is amended by adding the following new section at the end:

''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, travel and awards; facility 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 which originally appropriated.''

SEC. 421. None of the funds provided in title II for technical assistance, training, or management improvements may be obligated or expended unless HUD provides to the Committees on Appropriations a description of each proposed activity and a detailed budget estimate of the costs associated with each activity as part of the Budget Justifications. For fiscal year 2001, HUD shall transmit this information to the Committees by November 1, 2000, for 30 days of review.

SEC. 422. Unless otherwise provided for in this Act, no part of any appropriation for the Department of Housing and Urban Development shall be available for any activity in excess of amounts set forth in the budget estimates submitted to the Congress.

SEC. 423. PESTICIDE TOLERANCE FEES.—None of the funds appropriated or otherwise made available by this Act shall be used to promulgate a final regulation to implement changes in the payment of pesticide tolerance processing fees as proposed at 64 Fed. Reg. 31040, or any similar proposals. The Environmental Protection Agency may proceed with the development of such a rule.

SEC. 424. Notwithstanding any other provision of law, and effective with enactment of this Act, the General Services Administration shall allocate one Senior Executive Service slot for the position of Director, 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 be a permanent career reserved position and filled with all due speed: *Provided further*, That this Senior Executive Service slot shall remain hereafter in the Federal Consumer Information Center. Such funds as may be necessary to carry out this provision shall be made available from funds appropriated to the Federal Consumer Information Center Fund.

SEC. 425. None of the funds provided in title III of this Act shall be obligated or expended to support joint research programs between the United States Air Force and the National Aeronautics and Space Administration. Specifically, none of the funds in this Act shall be used to support the activities of the AF–NASA Council on Aeronautics and the AFSPC–NRO–NASA Partnership Council.

Mr. WALSH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, at this time I rise to enter into a colloquy with the gentleman from Wisconsin (Mr. GREEN).

Mr. Chairman, I yield to the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I say to the gentleman from New York (Chairman WALSH), as he knows, there is report language attached to this bill that tells the EPA not to undertake dredging of contaminated sediments until the completion of a study by the National Academy of Sciences.

I understand that similar language has been included in the VA–HUD report in each of the past 2 years.

Mr. WALSH. Mr. Chairman, reclaiming my time, yes, that is correct.

Mr. GREEN of Wisconsin. Mr. Chairman, as the gentleman may know, sediments in the Fox River in Northeast Wisconsin have been determined to be contaminated with PCBs.

Last year a number of the paper companies along this river did a dredging demonstration project, commonly referred to as 5657. Unfortunately, the demonstration project did not remove enough of the contaminated sediments to adequately clean up the site.

□ 1630

I along with most of the citizens of Northeastern Wisconsin have been pushing both the paper companies and the EPA to complete the cleanup of this site. Fortunately, one of the companies involved recently reached an agreement with EPA and the Wisconsin Department of Natural Resources to go back into 56/57 and complete the dredging to its original specifications. Some people have expressed concern that this report language might have an effect on this agreement and on the overall push for a settlement and cleaning up of the Fox River. I want to ask for a clarification on this matter. Specifically, can the gentleman from New York tell me whether this report language will have any impact on the work scheduled for the Fox River?

Mr. WALSH. I thank the gentleman for his inquiry. Specifically, this language says that, and I quote, ''exceptions are provided for voluntary agreements,'' and therefore I can assure him that this language will not affect the specific project he is concerned with, the site he called 56/57. Furthermore, nothing in this report language should be construed as preventing or discouraging a prompt settlement between the EPA and the paper companies along the Fox River for cleanup of the PCBs.

Mr. GREEN of Wisconsin. I thank the gentleman for this clarification and for his attention to this matter.

Mr. WALSH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise for the purpose of entering into a colloquy with the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Chairman, will the gentleman yield?

Mr. WALSH. I yield to the gentleman from California.

Mr. BILBRAY. Mr. Chairman, I thank the gentleman for yielding. My friend from New York knows that I have been greatly concerned about the chronic problem of transborder sewage pollution coming from Mexico which continues to contaminate the oceans and close the beaches of the communities of South San Diego County, including my hometown of Imperial Beach. I have been working closely with the gentleman to address this problem of protecting the public health in my community.

Specifically, I want to thank the gentleman for his careful consideration of my request to take action on the issue of the arbitrary cap on the spending limit on the U.S. international wastewater treatment plant across from Tijuana, Mexico, that treats their sewage and discharges it onto the beaches of my hometown of Imperial Beach. This cap was put in place in this VA–HUD bill by the 102nd Congress in 1992–1993. The sad result of this cap is that the international treatment plant, which is operated by the Federal Government, is now operating in violation of the Clean Water Act. This arbitrary cap must be lifted in order to provide for

construction of secondary treatment on our side of the border that will adequately address both current and future flows of Mexican sewage.

The Federal Government requires upgrades for environmental reasons at similar private sector and local facilities 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 Government 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 secondary 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 throughout this House for his clear thinking. The gentleman is also 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 violation 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 procedural situation, I will not be offering 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. Chairman, it is essential that the Federal Government be required to achieve the same environmental standards that they and we require on everyone else.

Mr. WALSH. I appreciate the gentleman's remarks and will certainly continue 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 result 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 resolving this issue, we remain concerned with the preferred proposal which EPA has chosen by which to provide secondary 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, however, the committee will be continuing to examine progress on this issue, including the potential for secondary facilities to be sited in Mexico. We anticipate revisiting this important issue of secondary treatment at a later time.

Mr. BILBRAY. I want to thank the gentleman for his consideration and commitment. Mr. Chairman, my community is just asking how many more decades have to pass before the citizens of Imperial Beach and South San Diego are protected by their Federal Government from pollution from a foreign country.

HOUSE OF REPRESENTATIVES,
CONGRESS OF THE UNITED STATES,
Washington, DC, May 22, 2000.

Hon. JAMES WALSH, Chairman, Subcommittee on Veterans Affairs, HUD, and Independent Agencies, House Appropriations Committee, the Capitol, Washington, DC.

DEAR CHAIRMAN WALSH: I am writing to follow up on our continuing conversations regarding the public health and environmental threats posed by untreated Mexican sewage flowing into the U.S. and on to beaches in my district, and the need for secondary sewage treatment along our border with Mexico. I greatly appreciate the level of attention you and your staff have shown to me on this critical issue to date.

As you well know, the Environmental Protection Agency has selected a ponding alternative for 25 mgd of secondary treatment at the International Wastewater Treatment Plant (IWTP). While EPA has indicated that its chosen alternative would not require the appropriation of new monies, it nonetheless remains extremely controversial in South Bay communities. There is widespread concern that constructing ponds at this site would be shortsighted for two significant engineering reasons—(1) current levels of sewage have already reached to 50 mgd and higher, which would overcapacitate the 25 mgd ponds from day one, and (2) potential future expansion of the IWTP's capacity would be precluded by the location of secondary ponds on this site.

It was for these reasons that I prevailed on the EPA throughout much of last year to give every possible consideration to the construction (by a public-private partnership) of a secondary treatment facility in Mexico, which would utilize the same kind of technology preferred by the EPA, but would have the ability to build out to treatment levels of 50, 75 or even 100 mdg, and in the process reclaim the wastewater for reuse in Mexico. It is clear that capacity levels of this magnitude are going to be needed in order to meet the needs of this rapidly growing region. However, the EPA has made clear its intention to proceed with its preferred alternative on the U.S. side, and has asked for your support in raising the cap on spending at the IWTP, in order to construct the ponds with funds already appropriated to it within the Border Environmental Infrastructure Fund (BEIF).

I have reservations about the practicality of the EPA's preferred alternative, and believe that the immediate threat to our ocean and beaches in the U.S. stems from untreated Mexican sewage flows which are not being captured and treated at the IWTP. However, it is nonetheless critical to communities in the region, such as my hometown of Imperial Beach, that this effluent is treated to secondary levels, and that the capacity for doing so is able to be expanded in a timely manner in order to address the increasing levels of flow from Mexico. In order to achieve this target of secondary treatment, regardless of the alternative or technology chosen, the existing cap on spending will need to be raised. In a letter dated April 12, the EPA specifically asked for your assistance in this regard.

You will recall that I supported a similar request from the EPA to raise the spending cap in the waning hours of the 105th Congress; however, it was submitted by the Administration too late to merit serious consideration at that ''eleventh hour.'' I recognize and appreciate the Subcommittee's fiscal and policy concerns about EPA's preferred alternative which you have outlined to me previously, including the subsequent likely need in the very near future to construct yet another costly facility in the US. to treat sewage flows which will exceed 25 mdg capacity of secondary ponds. I know that is a challenging issue your Subcommittee; however, the need for secondary treatment is clear. Therefore, I would respectfully urge you to pursue language in your FY 2001 bill which would facilitate raising the cap and embarking on a means to achieve secondary treatment which will comprehensively address this problem.

I greatly appreciate your continued concern for and interest in this important issue, and thank you again for your consideration. Please don't hesitate to contact me directly, or Dave Schroeder of my staff, should your have question or require any additional information.

Sincerely,

BRIAN BILBRAY,
Member of Congress.

AMENDMENT TO H.R. 4635, AS REPORTED, VA HUD APPROPRIATIONS ACT, 2001, OFFERED BY MR. BILBRAY OF CALIFORNIA

Page 90, after line 16, insert the following:

SEC. 426. The limitation on the amounts of funds appropriated to the Environmental Protection Agency that may be used for making grants under section 510 of the Water Quality Act of 1987 under the heading STATE REVOLVING FUNDS/CONSTRUCTION GRANTS in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1993 (106 Stat. 1599) shall not apply to funds appropriated in this Act or any other Act approved after the date of enactment of this Act.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from California (Mr. WAXMAN) for a colloquy between himself and the gentleman from California (Mr. LEWIS).

Mr. WAXMAN. I thank the gentleman for yielding to me.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. MOLLOHAN. I yield to the gentleman from California.

Mr. LEWIS of California. I appreciate very much the gentleman from West Virginia (Mr. MOLLOHAN) yielding to me. In turn I want to express my appreciation to the chairman and the ranking member for their longstanding interest in the subject we are about to discuss.

Mr. Chairman, I would like to ask 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 together 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 costs of treating water 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

Ms. 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 friends 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 man who suffered from serious mental illness. I asked myself then when would we as a Nation look 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.

□ 1645

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 me 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 that as we 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. ____. (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 Service 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-ten thousandth 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 ten-thousandth 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, how we vote on budget priorities says a lot more about our values than all of our speeches combined.

To keep our Nation's commitment to veterans, we do not have to undo the entire estate tax reform 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 taking care of millions of veterans and their health care is more important than giving another tax break.

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 on October 20 of 1998 on this floor. I would hope the Republican leadership would give America's veterans the same procedural respect today that hundreds of other less deserving groups were given in October of 1998 on the appropriations bill in this House.

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-ten thousandth 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 our values. 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 $35 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 an appointment with 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 $65 million. Under the current level of funding for VA medical research, only a small portion of worthwhile projects are provided 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 and one that will keep up 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, one 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 vascular 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.

What are we doing to the people who have provided us with this great economy that we have today? We are eliminating the services that can save their life or prolong the quality of their life. Not only is elimination of routine oral exams inconsistent with VA's goal of increasing access to primary and preventive care, but it increases expenses over the long run.

We have concluded that we have crossed the boundaries. We are not providing our veterans with sufficient care.

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 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-ten 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.

□ 1700

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. EDWARDS) 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, FEHBP, we are all working on those in a bipartisan way. But that promise was made by all Americans, not just a few families.

Mr. WALSH. Mr. Chairman, I yield back the balance of my time.

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. 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 that this amendment indirectly amends existing law. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

AMENDMENT NO. 23 OFFERED BY MR. HINCHEY

Mr. HINCHEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 23 offered by Mr. HINCHEY:

At the end of the bill, after the last section (before the short title) insert the following new section:

SEC. . None of the funds made available in this Act may be used by the Department of Veterans Affairs to implement or administer the Veterans Equitable Resource Allocation system.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 20, 2000, the gentleman from New York (Mr. HINCHEY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I ask unanimous consent that the gentleman from New Jersey (Mr. FRELINGHUYSEN) be allowed to control 5 of the 10 minutes I have been allotted.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HINCHEY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, over the last couple of years particularly, the chairman of the subcommittee on VA–HUD has done an admirable job in ensuring that additional funds were allocated for the Veterans Administration, especially and particularly for veterans health care. In spite of his best efforts, however, many veterans in certain parts of the country are getting inadequate health care nevertheless. That is as the result solely and completely of a program administered within the Department of Veterans Affairs known as the Veterans Equitable Resource Allocation program, otherwise known as VERA.

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. FRELINGHUYSEN. Mr. Chairman, I yield myself such time as I may consume.

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. Quite simply, Mr. Chairman, this amendment would prevent the VA from using the Veterans Equitable Resource Allocation formula, 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 Viet Nam-era veterans. It is approaching 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 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. Chairman, with all respect and deference to my colleague, I rise in opposition to this amendment. I rushed to get here, and I have been on the floor all day waiting for this amendment.

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 veteran facilities are finally beginning to get the resources we need after so many years of neglect to care for our ever-growing 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 in this fiscal year. Florida, the State I represent, the State the gentlewoman from Florida (Ms. ROS-LEHTINEN) 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 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 short-circuit VERA in our VA-HUD bill, and each time I have gone to the floor to really defend our system of VERA.

As one who has lived through base closures and realignment, I know how painful it is to close these underutilized facilities. There have been claims that the veterans left behind in States that have been losing veterans are older and sicker. That is what the other States are saying, they are older and sicker. But, by my demonstration here 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 view of 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 matter 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 have a basic threshold level of quality health care for veterans, no matter where they live. They have to have adequate facilities, they have to have adequate services, and when you have a formula, like VERA strictly distributing funds on a population basis, with major outmigration from some areas, with sparsely settled populations of veterans in others like Nebraska, our veterans are not being treated fairly on VA health care.

I can tell you what is happening in Iowa and Nebraska, in our area. We are being cut dramatically in funds, to the point that veterans are not being served in our part of this country.

This formula has been unfair since it started. They simply will not listen to us down there in the Veterans Affairs Department. They simply go on and treat us unfairly. It is time to stop the use of this inequitable VERA formula. 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 implement or 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 veterans in 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 Chairmen and ranking members of the House and Senate Appropriations Subcommittees on VA/HUD expressing frustrations and concerns with VERA and VISN 14 shortfalls.

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 health care in one year and the highest level of increase 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 regrettable 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 northeast part of our nation. All members of Congress should agree, Mr. Chairman, that the VA must provide adequate services and facilities for veterans all 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 veterans 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 commodity 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. Garthwaite, 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 doctors equitably, to ensure that veterans have similar access to care, regardless, 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 after retiring to Florida the VA's doors were closed to them.

□ 1715

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 a system like 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 very legislation that we passed overwhelmingly in the House.

So 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,
Washington, DC, June 19, 2000.

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 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 evaluate the appropriateness and effectiveness of the VERA methodology. Ongoing improvements and refinements to VERA continue as issues arise. Refinements that have been identified for the FY 2001 allocation are listed below.

Non-recurring Maintenance (NRM)—FY 2001 will complete the three-year phase-in of NRM being fully based on patient care workload and the cost of construction using the Boockh 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 home 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 is compensated. 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 team's review are then presented 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, but 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, changes in VISN 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, and

VERA refinements 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 are subject to 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.)

PROJECTED AVERAGE PRICE BY NETWORK-PRELIMINARY FY 2001 VERA ALLOCATIONS

Network	Average Price	Percent variation from national average
05 Baltimore	$5,673	17.74
21 San Francisco	5,543	15.04
12 Chicago	5,440	12.90
03 Bronx	5,375	11.56
20 Portland	5,023	4.24
22 Long Beach	4,978	3.31
02 Albany	4,970	3.14
11 Ann Arbor	4,950	2.74
13 Minneapolis	4,941	2.55
01 Boston	4,936	2.45
National Average	4,818	0.00
17 Dallas	4,783	(0.73)
07 Atlanta	4,768	(1.05)
08 Bay Pines	4,657	(3.34)
06 Durham	4,657	(3.36)
10 Cincinnati	4,465	(3.60)
15 Kansas City	4,539	(5.80)
19 Denver	4,539	(5.80)
14 Lincoln	4538	(5.81)
09 Nashville	4,471	(7.20)
16 Jackson	4,452	(7.60)
18 Phoneix	4,452	(7.91)
04 Pittsburgh	4,433	(8.00)

The chart shows that total 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 specturm. 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 complexity of their patient population and other workload factors.

VERA has completed the shifting of dollars among network based on workload, that began in FY 1997. When VERA wa 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 receiving increase to their FY2000 VERA 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 northeast. 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 would hurt veterans all across this country.

Mr. Chairman, I urge my colleagues to reject this amendment.

Mrs. MEEK of Florida. Mr. Chairman, I yield 45 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 equitable 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.

It is hard for my veterans to understand how they can lose their VA health care simply by moving to another part of the country or because a veteran from a different state is using our VA facilities.

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.

Since VERA's implementation, the Florida 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. This 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 and that tax dollars are spent wisely. If the Hinchey amendment passes, continued funding imbalances will result in unequal access to VA health care for veterans in different parts of the country.

I urge my colleagues to vote against the Hinchey amendment.

Mr. HINCHEY. Mr. Chairman, I yield myself such time as I may consume to say that this is not a regional argument. The issue is bureaucratic bungling by computer. If your area is not being hurt today, it most certainly will be tomorrow.

Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I rise in strong support for the Hinchey-Frelinghuysen 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, this is a question of equity. The program is not working. What we are going to do is wedge one veterans' group 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, Frelinghuysen 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.

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 our nation currently enjoys. 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. 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-Frelinghuysen 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 is going to find its way to 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 seldom 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 transportation problem there is terrific. There are log jams all the time. Veterans have a hard time, some of them unable to drive, and especially those with mental services needs have a hard time getting to the centers as it is now. So you close some. Then you close administrative offices and 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 cure is worse than the illness, 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 (Mrs. 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 our veterans to take care of them. We, the government, made a promise to our veterans: you serve this country and we will take care of you.

Well, I am embarrassed to say that the 3½ years that I have been here, we have not kept that promise to our veterans; and as a nurse, I can tell my colleagues, they know it.

Mr. HINCHEY. Mr. Chairman, I yield myself the remaining time.

In closing, I would just say to my colleagues that this is not a regional issue, this is an issue that affects veterans coast to coast, as we have seen in the arguments that have been presented here this evening. If it happens that one's particular district or one's particular State is not adversely affected at this particular moment, it will be shortly.

Mr. Chairman, this formula has got to change. Please support the amendment.

Mrs. MEEK of Florida. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington (Mr. NETHERCUTT).

Mr. NETHERCUTT. Mr. Chairman, I rise in opposition to the Hinchey amendment.

Mr. Chairman, I rise in opposition to the Hinchey amendment, which would block the continued implementation of the VERA system, a change which would cripple the VA. An identical amendment was offered last year and failed on a vote of 158–266.

On April 1, 1997, the VA began to implement the VERA system, which allocates health care resources according to numbers of veterans in each of 22 regional VISNs (Veterans Integrated Service Networks). The Hinchey amendment would jeopardize health care in a majority of VA networks by blocking continued implementation of this system.

Before VERA, funds were allocated according to the historical usage of VA facilities, adjusted annually for inflation. When veterans migrated to the West and the South, funding continued to be concentrated in the Northeast. The VERA system directly matches workloads with annual allocations, taking into account numbers of basic and special care veterans, national price and wage differences, and education and equipment differences. More efficient networks have more funds available for local initiatives and less efficient networks have an incentive to improve. Some regions do 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 FY 96 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 would be cut 24 percent, the Southeast would be cut 14 percent, the Southwest would be cut 15 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 is working—of 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 can read these numbers, 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 done 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.

VISN 3 has required reserve funding for the last 3 years because our veterans hospitals keep running out of money. In this fiscal year, VISN 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 keep our promise to 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 serves as home to thousands more 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 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 benefitted 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 in Maine.

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.

The 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 VISN1. 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 enroll new patients. Because 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 VERA 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 of the whole region 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 programs and we must find a new and better way to direct those resources to those in need.

This Congress' fixation on hugh tax cuts for the wealthy is endangering funding for veterans 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 methods 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.

What we did with VERA is very straight forward. We discovered that a lot of our older veterans are moving from places up North like Pennsylvania and Ohio and moving to warmer spots like Florida and Arizona. In my own district and in my home state of Florida we have seen an explosive growth in the number of senior citizen veterans living in our communities who requires resources. While in some Northern states we have VA hospitals that used to serve a lot of veterans 20 years ago that are now abandoned because of declining veterans populations in those areas. The demographic evidence is very clear.

So Congress decided to put VERA in place to more equitably distribute VA health care dollars so that the money goes to where the veterans actually are and not where the abandoned buildings are. This ''radical'' concept is fair and it's working, so I guess if you're a little cynical of Washington, it's no wonder that some people want to get rid of it now.

VERA has meant a marked improvement for our veterans in Florida. Working closely on the 2000 Census I recognize that VERA is just one part of the larger issue of re-allocating federal resources based on our nation's changing demographics. For instance, my district and state have similar issues with all senior citizens relating to the Older Americans Act which also attempts to shift some federal funding based on changing demographic patterns.

Just as Florida and Texas and some other growing states may gain Congressional seats in re-apportionment while some states lose seats because of population changes, so too must veterans funding follow the population. I know it's hard for my colleagues on the other side of this issue to see federal funds or Congressional seats go elsewhere and I don't begrudge them for fighting for the amendment, but VERA is fundamentally fair and it's the right thing to do.

VERA also helps force VA to cut waste and inefficiency. The Government Accounting Office (GAO), Congress' non-partisan investigative agency, recently reported that VA is wasting almost $1 million per day maintaining and heating empty obsolete VA facilities, $1 MILLION PER DAY, almost all of it in the Northeast and Midwest. GAO also reported that there are over 30 obsolete VA hospitals with only 20–40 patients.

Mr. Chairman, we're moving to a period of completely different health care needs for our aging veterans population, away from the 1950's hospital system and to a system of outpatient care and long term nursing home care. The number of veterans being treated in hospitals has gone down 60% while the outpatient visits have skyrocketed. VERA helps get us there by shutting down obsolete hospital facilities and freeing up those resources to build clinics that are closer and more accessible to veterans and pay for the doctors and pharmacists to staff those clinics.

Mr. Chairman, keeping money locked up in obsolete facilities, serving needs that don't exist for a population that has moved elsewhere is wrong. I urge my colleagues to keep VERA intact and, vote against this harmful 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.

VISN 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 of their programs.

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.

Mr. Chairman, it's time to end the inequity. Not only is the level of support provided to New Jersey veterans unfair, it is jeopardizing their health care. Lyons Medical Center has closed its emergency room. East Orange VA hospital has closed its pharmacy. There have been round after round of RIFs in New York and New Jersey's veteran hospitals.

VERA is a failure! I urge my colleagues to support 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 in strong support of the amendment offered by my colleague from New York, which would impose a one-year moratorium on the VA's implementation of the ''Veterans Equitable Resource Allocation.'' VERA, as this funding mechanism is known, was instituted in 1997 as a way to distribute VA resources fairly across the country. But the outcomes since then have not been equitable.

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 patients. Veterans 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—and therefore more expensive—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 often lack the money, if not physical condition, to move to a warmer climate. VERA should not penalize these 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 by facilities like the VA 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 implementation of VERA, the VA's allocation formula, and send it back to the drawing board so the VA can create a funding formula that is fair to every veteran in every state.

VERA IS UNFAIR

VERA unfairly pits veteran against veteran for the 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.

HEALTH SERVICES IN NEW JERSEY ARE BEING REDUCED

To save money, the VA has cut back on numerous services for veterans and instituted various managed care procedures that have the impact of destroying the quality of care the veterans receive. For instance, the VA has reduced the amount of treatment offered to

those who suffer from Post Traumatic Stress Disorder (PTSD) and reduced the number of medical personnel at 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 use the money saved 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. HINCHEY 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 part of 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, a vote 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. HINCHEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HINCHEY. Mr. Chairman, I demand a recorded vote.

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. HINCHEY

Mr. HINCHEY. 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. HINCHEY:
Page 90, after line 16, 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. HINCHEY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from New York (Mr. HINCHEY).

MODIFICATION TO AMENDMENT NO. 35 OFFERED BY MR. HINCHEY

Mr. HINCHEY. 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 THE AMENDMENT OFFERED BY MR. HINCHEY

The amendment as modified is as follows:
Page 90, after line 16, 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; or

(2) 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. HINCHEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the purpose of this amendment is to strike from the bill language which is antienvironmental in its intention. 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.

□ 1730

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 are 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. It also prevents us from 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-environmental rider from this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. WALSH. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from New York (Mr. WALSH) is recognized for 10 minutes.

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 certain arsenic regulations.

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 any of these issues. 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, it travels down the current. When there are toxins in the 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 best way to deal with this. What the report language in this bill suggests is that the National Academy of Sciences will come out with a study sometime in September. At that point, the EPA will receive some direction in their decision-making from the National Academy of Sciences report, and they will then incorporate that into their operating plan.

Once they have accomplished that, they can proceed, so we want them to get the benefit of the good science and then 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. HINCHEY. 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 Hinchey-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 we thought it was 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.

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. HINCHEY) 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 dredge 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 here.

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 landfilling 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. HINCHEY. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. 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 3 minutes to the gentleman from Nevada (Mr. GIBBONS), the remaining time to close.

Mr. GIBBONS. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in strong opposition to the amendment offered by my friend, the gentleman from New York.

Here we go again. The EPA is rushing to implement a new arsenic standard in the water with very little justifiable new scientific evidence. They will tell us that the new, more stringent standards of our communities will be at risk, and therefore we must plow ahead.

No one on this floor wants anyone's drinking water to be unsafe. I, for one, am not condemning the EPA for setting scientific safe and reasonable drinking water standards. But there is a consequence to these authoritative actions.

I oppose the EPA requiring small, rural community water districts to spend $10 million to $20 million to comply with the current arsenic standards when the EPA is going to mandate an entirely new and more stringent standard in January of 2001. This tactic is simply going to force small rural water districts to unnecessarily spend millions of taxpayer dollars to build a new water treatment facility to comply with current standards, and then 6 months later spend an additional $10 million to $20 million to build an entirely new facility to comply with the new EPA standards.

If the EPA, Mr. Chairman, has its ways, these small communities will spend up to $35 million to comply with two separate standards. Would it not make sense for communities to build one safe and adequate facility that seeks to comply with the new more stringent standard, rather than 6 months down the road spending an additional $20 million?

This situation occurs throughout my State, it occurs throughout a number of other States. I am sure that there are many communities around who are concerned, whether they are small or large, with the attempt to have to comply with the current existing arsenic standards, facing the new future standards as well.

Let me say, Mr. Chairman, that this is a wrongheaded tactic. Why should any community, large or small, be forced to spend that extra $1 million? I stand here, Mr. Chairman, in opposition to this amendment. We should oppose the Hinchey amendment because it is unnecessary. This is a commonsense report language, and in no way ties the hands of the EPA. It merely allows communities to concentrate on meeting one arsenic standard, build one water treatment facility, and save rural water districts millions of dollars in unneeded and duplicative and costly regulations.

Mr. Chairman, I ask all my colleagues to oppose the Hinchey amendment.

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I rise today in strong support of the Hinchey amendment and against the rider prohibiting the EPA from cleaning up contaminated sediments in our waters.

This language is simply a delay tactic to protect those who have polluted our waterways and do not want to incur the expense of cleaning them up. Many of our rivers and lakes are still polluted from years and years of toxic chemicals being released into them. The people of New York have been waiting for decades. We are not plowing ahead, we have been waiting for decades for the EPA to begin the process of cleaning up the PCB-polluted Hudson River.

Now, as the EPA is on the cusp of beginning the clean-up, this provision was included in this bill to stall the EPA yet again. While I agree that we should make all efforts to ensure that any environmental remediation activities are as safe as possible, I do not believe that this is the case here.

□ 1745

Quite frankly, this language is meant to delay action on cleaning up the Hudson River by making it more difficult for the EPA to take actions in defense of the environment. I urge my colleagues to vote in favor of the amendment and in favor of finally moving to clean up our waterways.

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, I rise in support of this amendment and commend the gentleman from New York (Mr. HINCHEY) and Representative BROWN for their leadership on this important issue.

Once again, we are confronted with a VA-HUD appropriations bill and report that contains damaging and mind-boggling antienvironmental riders.

There are two contenders for this year's winner in the category of the most outrageous and ludicrous antienvironmental riders. The nominee is the language that actually makes it more difficult to clean up PCB, and it is competing against an equally nonsensical provision that would make it more difficult for EPA to keep arsenic out of drinking water.

I really am quite mystified at the fact that we are in the middle of an election year; and 2 weeks ago, the Republicans bring to the House floor a tax break of $20 billion for 400 families. The next week they come in with a bill that cuts the funding for nursing home inspections. Then tomorrow we are going to have to fight whether we are going to continue a lawsuit against the tobacco industry. Now they want arsenic in our drinking water. What constituents are they appealing to?

Mr. HINCHEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Pennsylvania (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 prohibit EPA from removing contaminating sediments from rivers and lakes, even when such removal has been thoroughly studied and is the correct response. Contaminated sediments possess huge risks to health and the environment.

Mr. Chairman, we all know there are two sites that drive this issue every year which are both heavily contaminated with PCBs.

This broad language will stop or delay cleanups not only at these two sites, but also at 26 other sites in 15 States. It is time to stop interfering with EPA protecting human health and the environment. Support the Hinchey amendment.

Mr. Chairman, I include the following letters for the RECORD:

JUNE 19, 2000.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the organizations listed below, we are writing to you in strong opposition to an anti-environmental rider on the FY2001 VA–HUD appropriations bill regarding the Clean Water Act's TMDL program, which may go to the House floor as early as today. Our organizations have consistently opposed all anti-environmental riders, and we urge you to oppose this and other such anti-environmental riders on appropriations bills this year.

The section of the VA–HUD Sub-Committee report, under EPA–Environmental Programs and Management, attempts to use a rider to interfere with EPA's rulemaking process and guidance on the Clean Water Act. Total Maximum Daily Loads (TMDLs) are part of the Clean Water Act's strategy for attaining and maintaining water quality standards in polluted waters. They require that states identify all sources of pollution that impair the uses of waterbodies, such as drinking, swimming or aquatic habitat. Once identified, the TMDL process is a way to ensure that responsibility for reducing pollution is fairly allocated. The conservation community considers this rider an attack on a key opportunity under the Clean Water Act to clean up our nation's waterways. Furthermore, we have serious concerns about Congress' interference with the rulemaking process with a rider.

Moreover, Committee report language encourages EPA to revoke a clean Water Act guidance document issued by the agency's Region IX related in part to the TMDL program that is deemed by the Committee to be too ''stringent'' for the business community. The Committee's intervention on behalf of polluters and the States to prevent a strong TMDL program by discouraging regional offices from adopting guidance to implement the law is an anti-environmental attack on the Clean Water Act. The Region IX guidance at issue is a clarification of long-standing Clean Water Act legal requirements.

The provision of the proposed TMDL rule which has generated the most controversy is the silviculture provision. In response to industry and congressional concerns, the U.S. EPA last week announced that the TMDL rule that is expected to be finalized this summer will not include this provision.

We believe the TMDL program of the Clean Water Act offers the best opportunity to clean up our nation's polluted waters comprehensively and equitably. We urge you to uphold the interests of the Clean Water Act and the value of the TMDL program by opposing this rider.

Sincerely,

Elizabeth 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; Nina Bell, Northwest Environmental Advocates; Ann Mills, American Rivers; David Anderson, Chesapeake Bay Foundation; Jackie Savitz, Coast Alliance; Barry Carter, Blue Mountain Native Forest Alliance; Norma Grier, NW Coalition for Alts to Pesticides; Daniel Hall, American Lands; Jim Rogers, Friends of Elk River; Bruce Wishart, People for Puget Sound; Jennifer Schemm, Grand Ronde Resource Council; Ric Bailey, Hells Canyon Preservation Council; Steve Huddleston, Central Oregon Forest Issues Committee; Mary Scurlock, Pacific Rivers Council; Mick Garvin, Many Rivers Group, Sierra Club; Francis Eatherington, Umpqua Watersheds, Inc.; James Johnston, Cascadia Wildlands Project; Hillary Abraham, Oregon Environmental Council; Asante Riverwind, Blue Mountains Biodiversity Project; Karen Beesley, Nurse Practitioner; Mettie Whipple, Eel River Watershed Association, Ltd.; John Kart, Audubon Society of Portland; Bill Marlett, Oregon Natural Desert Association; Mr. Benson, Association of Northwest Steelheaders; Elizabeth E. Stokey, Organization for the Assabet River; Maria Van Dusen, Massachusetts Riverways Program; Pepper Trail, Rogue Valley Audubon Society; Glen Spain, Pacific Coast Federation of Fishermen's Associations; Ed Himlan, Massachusetts Watershed Coalition; Pine duBois, Jones River Watershed Association; Michael Toomey, Friends of Douglas State Forest; Ellen Mass, Friends of Alewife Reservation.

ASSOCIATION OF METROPOLITAN SEWERAGE AGENCIES,
Washington, DC, 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 246 of the nation's publicly-owned wastewater treatment agencies. Together, AMSA member agencies serve the majority of the sewered population and treat and reclaim more than 18 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 and industry, rather than developing comprehensive solutions to the nation's water quality problems. During the past 30 years, point sources of water pollution—wastewater treatment plants, industry, and others—have met the challenges of the Clean Water Act to achieve our national clean water goals. The investment in wastewater treatment has revived America's rivers and streams, and the nation has experienced a dramatic resurgence in water quality. However, according to the U.S. 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 source of pollution, point and nonpoint, will be addressed as part of a cleanup plan. Development of implementation plans will ensure that the regulated 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 unaddressed. Implementation plans, while requiring extra time and resources to develop, will encourage holistic solutions that will meet water quality goals, and will likely save billions of dollars nationwide by ensuring proper expenditure of limited local resources.

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 and the public to review decisions 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 based 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 are 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.

Providing more realistic deadlines.—The existing TMDL program is currently being driven by the courts, with extremely ambitious schedules and deadlines for a developing and implementing TMDLs. These deadlines will likely result in poorly developed TMDLs based on little or inadequate data, or

grossly simplified TMDLs that fail to address costly implementation issues. EPA's revised rules are expected to allow up to 15 years of develop TMDLs, which will provide a more realistic timeframe to develop and analyze the necessary data needed to properly develop adequate TMDLs.

While AMSA still has some concerns with EPA's revised rule, we do believe that the program revisions will provide greater clarity concerning the roles and responsibilities of all stakeholders in the TMDL process, and would make significant improvements in our efforts to improve the nation's water quality. We therefore urge you to oppose any legislative efforts tht may 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 our 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, 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 finally requiring GE to clean up the crud that they put in the river that is poisoning the ability of communities downstream to use the water, to drink the water, to use it for other purposes.

Now we have this language that says, in the interest of General Electric, we will tell millions of people you cannot clean up your water. This language is foul. It is intended to protect the foulness of our water. I urge everybody to unfoul it by supporting the Hinchey amendment.

Mr. HINCHEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I just want to point out that there are 14 States, some 30 sites that will be affected by the language in this amendment, 30 places around the country which are heavily contaminated with heavy metals and toxic contaminants of various kinds which the EPA will not be able to investigate, to find out what is there, to develop a technology and a program for remediation if this language stays in the bill.

This language is inappropriate in this appropriations bill. It ought to be taken out. I ask everyone to join us in support of this amendment.

Ms. VELAZQUEZ. Mr. Chairman, I rise in strong support of the amendment introduced by my dear colleagues Mr. HINCHEY, Mr. BROWN and Mr. WAXMAN. This amendment would ensure that this Body does not impose limits on the use of EPA funds for dredging or other remediation technologies to clean up contaminated sediments in lakes and rivers.

The Gowanus Canal, located in Brooklyn, New York, is in great need of being dredged. Historic industrial uses in and around the canal have caused significant amounts of hazardous materials to accumulate at the bottom. The shallow depth restricts the use of the canal for navigation and commercial purposes. Most importantly, Mr. Speaker, the contaminated sediments represent a continued health threat for the natural resources of the area.

This amendment is about many lakes and rivers around the country and their surrounding communities. It is about the economic development and prosperity opportunities that can not properly take place in contaminated areas. It is about not limiting resources to enforce drinking water standards.

Mr. Chairman, let us not limit the great economic and community development possibilities and the restoration of the environment for my constituents and for people and communities around the country. Limiting those opportunities by limiting resources would be a disservice to the people we represent.

I urge my colleagues to support this amendment and ensure that the people we represent have no limits imposed upon their health, and the restoration of their lakes and rivers.

Mr. HOBSON. 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 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. WALSH. 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 postponed.

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, legislating 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 overbudget. 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 interests 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 Indian (Mr. ROEMER) for the purpose only 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 4 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,

and not do some very important scientific projects within the NASA budget. That might be Shuttle safety programs, guaranteeing the safety of our astronauts. They might be programs to do things faster, cheaper, better. They might be space science programs. They may be missions to Mars where, according to today's paper, scientists are claiming that they have discovered water on Mars. Instead of building a Space Station that limits our dreams, why not go beyond that?

So I would encourage my colleagues, if we are going to build this Space Station, do it smartly, do it prudently, do it wisely, and do it with the taxpayers' interests in mind. Do not send $5 billion in the next couple years to Russia, not our hard-earned money, not our families' hard-earned money. These are two steps that the appropriators and the authorizers should take to curtail costs of the Space Station in the future.

I would encourage my colleagues not to build it and plow this money back into the National Science Foundation, back into NASA, back into other good manufacturing programs that keep good high-paying jobs in America.

So with that in mind, I would hope the gentleman from New York (Chairman WALSH), who I greatly respect, and the gentleman from West Virginia (Mr. MOLLOHAN) would consider these kinds of amendments next year if we are going to go forward with this.

Get the Russians out of the critical path and also put a cap on the Space Station that Mr. MCCAIN has led efforts on in the Senate side. The Senate has agreed to do that, but the House has not.

AMENDMENT OFFERED BY MR. COLLINS

Mr. COLLINS. 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. COLLINS:

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 prior to June 15, 2001, for the designation, or approval of the designation, of any area as an ozone nonattainment area under the Clean Air Act pursuant to the 8-hour national ambient air quality standard for ozone that was promulgated by the Environmental Protection Agency on July 18, 1997, (62 Fed. Reg. 38,356, p.38855) and remanded by the District of Columbia Court of Appeals on May 14, 1999, in the case, American Trucking Ass'ns. v. EPA (No. 97–1440, 1999 Westlaw 300618).

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.

Mr. Chairman, in 1999, the U.S. Court of Appeals ruled the EPA had unconstitutionally usurped Congress' legislative authority in 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. However, the EPA has decided to go forward with the process of designating hundreds of new areas in nonattainment 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. 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 (Mr. WALSH) is recognized for 15 minutes.

Mr. WALSH. Mr. Chairman, I yield 5½ minutes to the gentleman from New York (Mr. BOEHLERT), my colleague and neighbor to the east.

Mr. BOEHLERT. 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.

□ 1800

The sponsors of this amendment know that. When I suggested to them that statutory language to make it even clearer that the 8-hour standard could not be enforced before the Supreme Court rule, the sponsors dismissed it, telling me that EPA was already prevented from enforcing the new standard.

So, again, no one should vote for this amendment thinking that it will somehow protect their communities from enforcement of the new ozone rules before the Supreme Court rules. The lower court has already accomplished that.

So, then, what will this amendment do? This amendment would unnecessarily delay implementation of the new ozone standard if, and only if, it is upheld by the Supreme Court. This amendment would deny the public complete information about air quality by enabling communities to pretend that they do not have an air quality problem when the data indicate that they do.

This amendment would slow the cleaning of our Nation's air by short-circuiting a designation process that has been approved by the D.C. Circuit Court. In short, this amendment would undermine and delay efforts to clean our Nation's air.

And why would we undermine clean air efforts? The answers the sponsors provide are far from compelling. First, they say that continuing with the designation process would cost States and localities additional money. That is not the case. Governors will submit their designation proposals at the end of this month, long before this amendment takes effect.

Moreover, the data for these proposals comes from existing monitors that are already collecting data under the current ozone standard. The only remaining costs are marginal. Existing staff at the EPA and the State environmental agencies will spend some of their time reviewing the proposals and reacting to EPA's decisions.

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

more than 3 years ago, and the sponsors themselves have been circulating lists of out-of-attainment counties for weeks. In other words, the black marks have already been given. The only question is what we are going to do about those black marks. The amendment would remove the black mark temporarily by pretending they were never given. 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 a 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' legislative authority, and that led the court to overrule this agency. That is the first branch of the Federal 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. BOEHLERT) having crocodile tears. Well, I can tell my colleague 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, and I will say 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 States, and they come right across my district, and they carry everything from, well, not much from California, one would assume, but the industrial area of the Midwest, and all of that dirty air that they happen to put up in the atmosphere with the high smokestacks, and I am not saying anything about the industrial area of the Midwest, it just so happens we get a lot of the particulates and ozone problems from that region as a result of the jet stream.

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 anyplace else, but 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 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

whether ozone is harmful or whether EPA had the science to promulgate these standards. No one disagreed with that, and the court was explicit in underscoring 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 Collins–Linder 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 ozone and particulate protection, and to measure 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.

□ 1815

It further held that their standards were arbitrary and capricious and they use no intelligible standards 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 areas 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 the 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. So why does the EPA insist 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, let it be under 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 rejected.

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, there is so much misinformation in this debate it is mind boggling.

Let me read from the D.C. Circuit Court decision. ''The factors EPA uses in determining the degree of public health concern associated with different levels of ozone and particulate matters are reasonable.'' That is a direct quote.

Secondly, not one penny is going to be spent in the designation process. The only money that will be spent is if the Supreme Court upholds these rulings. The fact of the matter is 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 a nonattainment label mean? It means a suspense 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 and the foresight 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 Maryland.

Mr. GILCHREST. Mr. Chairman, I thank the gentleman from Oregon (Mr. BLUMENAUER) for yielding.

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 deemed something reasonable, but they also deemed it unconstitutional and they wrote I think very clearly.

I think 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 thank the gentleman for yielding me the time.

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 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, so were we and so are we.

Now, this bad action by EPA violates the long-standing legal principle of fairness known as ''detrimental reliance.''

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, a lot has been said about gathering information. And information is important. It is important for our cities and 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.

What we are concerned about is the designation, the mark, the stigma, the scarlet letter that so many people will look at prior to entertaining that community as a place to locate a business or even to locate themselves.

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The amendment is just good common sense: wait until such time as the Supreme Court rules on this issue. Mr. Chairman, I know a lot of times common sense does not prevail that much here. But I hope it does today.

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 1½ 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 was said 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 rules, 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 in this debate. I 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 enable its citizens to breathe easier? 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 DC Circuit court ruled that the new 8-hour ozone standards can not 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 or non-attainment areas.

EPA cannot enforce the new standards 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.

Last fall, when I introduced a bill to cut toxic emissions from power plants, I was joined at a press conference by Joan Benoit Samuelson, an Olympic marathon gold medalist, and Maribeth Bush, a young woman from Portland, Maine who suffers from chronic lung disease.

Ironically, each woman said that she doesn't need to watch the weather report to learn the air quality in Maine that day.

One woman has met challenge as a world class athlete, while the other finds every breath she takes a challenge.

Yet both need only step outside each morning to determine if the air is unhealthy to breathe.

On a bad ozone day, everyone suffers, and this amendment will only delay improvements in air quality that will help us all breathe more freely.

The amendment is unnecessary, it is harmful, and I urge its defeat.

Mr. LEWIS of Kentucky. Mr. Chairman, I rise in support of the Linder/Collins amendment.

Despite a ruling last year from the U.S. Court of Appeals, the Environmental Protection Agency continues to press states to enforce its new air regulation standards. The Appeals Court had declared the new standards unconstitutional delegations of legislative powers. The EPA has now appealed to the Supreme Court, and the Court will hear the case.

In the meantime, however, EPA has notified governors that they have until June 30 to designate areas that will not meet the new air standards or the EPA will do it for them. EPA should not be pushing states to enforce regulation that have been struck down in court and whose future will be decided by the Supreme Court.

Five counties in my district have been put on notice that they will not be in attainment of these new rules. How can these counties become non-attainment areas of a regulation that has been declared invalid by the Appeals Court? The EPA does not know what the outcome of the Supreme Court decision will be, yet it is acting as though the air standards are law, instead of respecting the decision of the Appeals Court.

Edmonson County in my district is a rural area with little industy. Much of the country is home to Mammoth Cave National Park. Yet Edmonson County faces the possibility of becoming an ozone non-attainment area. The area easily meets the current ozone standards. Requiring the state and local government to plan for a possible regulation is a waste of resources. At the same time, the area's efforts to attract industry to provide more and better paying jobs to its residents will be hampered by EPA's decision to move forward with null and void standards.

Western parts of my district around Owensboro are facing a similar situation. Local officials are left in limbo, being told they will have to take steps to change ozone levels in their counties but also knowing that without the Supreme Court's approval, the regulations they are planning for will not take affect. This is not prudent policy making.

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 appeals court has ruled EPA acted unconstitutionally 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 process, 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 recorded vote.

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. . 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) and a Member opposed each will control 5 minutes.

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 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 or how to obtain those benefits, and their families are not as well. In fact, a survey conducted by the VA indicated that less than half the veterans contacted were aware of certain benefits they were entitled to receive, including pension benefits for disabled and low-income veterans.

My amendment is simple. It mandates that whatever amount has been previously earmarked for outreach to veterans must be increased by $100,000 from the general operating fund. This extra funding is desperately needed. It is time for the VA to take seriously its responsibility for informing the veterans community about available benefits.

To further achieve this goal, I have introduced legislation, the Veterans Right to Know Act. My bill mandates that the Veterans Administration inform widows and survivors of vets about what benefits and services are available to them. It further requires that the VA develop an annual outreach plan designed to help identify veterans who are not registered and devise ways to inform vets of changes to their benefits.

Most importantly, my bill requires that the VA consult with veterans' organizations in developing the plan. That way we know it will work. I am a veteran. I am fully aware of the challenges that we face, the hardships that many of us have endured, and the pride we take in having served our country. Members of the Armed Forces have put themselves at great risk to protect America. In return, the Federal Government has made a commitment to both active duty and retired military personnel to provide certain benefits. Veterans throughout this country deserve these benefits. They have earned these benefits through their patriotism and their courage and their values. It is an absolute outrage that the Government they fought for is not doing a good enough job informing them of what 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.

There was no objection.

Mr. WALSH. Mr. Chairman, I move to strike the last world. I thank the gentleman for his hard work in this area. We share his concerns regarding veterans and their ability to know all their 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. 24 OFFERED BY MR. HOSTETTLER

Mr. HOSTETTLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 24 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. Today, I offer an 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 comments. 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. In fact, 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 agencies have to stretch 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 legislature 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 411 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; Davenport, Iowa; Los Angeles; Oakland; Wilmington; Peoria; Bowling Green; Anderson, South Carolina; Brink, New Jersey, and many others.

Mr. Chairman, I include the complete list for the RECORD:

COMMUNITIES FOR SAFER GUNS COALITION

ALABAMA

Mitchell, Quitman, Mayor, Bessemer.
Price, Julian, Mayor, Decatur.
Snow, Willie, Mayor, Hobson 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, Prima 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, Azuza.
Dean, Shirley, Mayor, Berkeley.
Clegg, Legrand, City Attorney, Compton.
Wilson, Sharifa, Mayor, East Palo Alto.
Morrisson, Gus, Mayor, Fremont.
Cooper, Roberta, Mayor, Hayward.
Van Arsdale, Lori, Mayor, Hemet.
Dorn, Roosevelt, Mayor, Inglewood.
Hahn, James, City Attorney, Los Angeles.
Brown, Jerry, Mayor, Oakland.
Bogaard, Bill, Mayor, Pasadena.
Gardner, Garth, Mayor, Pico Rivera.
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.
Trindle, Greg, LT, San Mateo County Police Chief.
Andre, 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.
Eriquez, Gene, Mayor, Danbury.
Larson, Timothy, Mayor, East Hartford.
Amento, Carl, Mayor, Hamden.
Peters, Michael, Mayor, Hartford.
Marinan, 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

Aungst, 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-Lacka.
Hickson, Linda, Deputy Clerk, Palm Beach County.
Armstrong, Rae, Mayor, Plantation.
Reeder, Dottie, Mayor, Seminole.
Anthony, Clarence, Mayor, South Bay.
Fischer, David, Mayor, St. Petersburg.
Feren, Steven, Mayor, Sunrise.
Schreiber, Joe, Mayor, Taramac.
Daves, Joel, Mayor, West Palm Beach.
Penelas, Alexander, Mayor, Miami-Dade County.

GEORGIA

Campbell, William, Mayor, Atlanta.
Albritten, 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.
Burris, Chuck, Mayor, Stone Mountain.
Davis, Willie, Mayor, Vienna.
Johnson, BA, Mayor, Wadley.
Carter, James, Mayor, Woodland.

HAWAII

Cayetano, Benjamin, Governor, Hawaii.
Harris, Jeremy, Mayor, City and County of Honolulu.

IOWA

Crews, Jon, Mayor, Cedar Falls.

Clancy, Lee, Mayor, Cedar Rapids.
Yerington, Phil, Mayor, Davenport.
Rooff, John, Mayor, Waterloo.
Koehrsen, Bernal, Chief, Waterloo Police Department.

ILLINOIS

Williams, Carolyn, Mayor, Alorton.
Mulder, Arlene, Mayor, Arlington Heights, Village of.
Powell, Debra, Mayor, East St. Louis.
Bennett, Sillierine, Mayor, Ford Heights.
Jackson, Linda, Mayor, Glendale Heights.
Kolb, Ernest, Mayor, Oak Lawn.
Grieves, Lowell, Mayor, Peoria.
Box, Charles, Mayor, Rockford.
Schwiebert, Mark, Mayor, Rock Island.
Wade, Jr., Casey, Mayor, Sun River Terrace.

INDIANA

Selman, Edwin, Mayor, Angola.
Ullrich, Richard, Mayor, Aurora.
Abplanalp, Bill, Mayor, Batesville.
Fernandex, John, Mayor, Bloomington.
Glassley, Ron, Mayor, Columbia City.
Johnson, Thomas, Mayor, Dunkirk.
Pastrick, Robert, Mayor, East Chicago.
King, Scott, Mayor, Gary.
Dedelow, Duane, Mayor, Hammond.
Buzinec, Linda, Mayor, Hobart.
McGahen, Larry, Mayor, Kendallville.
Dembowski, Nancy, Mayor, Knox.
Heath, Dave, Mayor, Lafayette.
Sheriff, Lafayette.
Huntington, Albert, Mayor, Madison.
Brillson, Sheila, Mayor, Michigan City.
Beutter, Robert, Mayor, Mishawaka.
Canan, Dan, Mayor, Muncie.
Overton, Regina, Mayor, New Albany.
Redick, Dennis, Mayor, Noblesville.
Blair, Richard, Mayor, Peru.
Yeazel, James, Mayor, Plymouth.
Arihood, Herb, Mayor, Rensselaer.
Campbell, Douglas, Mayor, Salem.
Margerum, Sonya, Mayor, West Lafayette.
Bercik, Robert, Mayor, Whiting.

KANSAS

Wagnon, Joan, Mayor, Topeka.
Marinovich, Carol, Mayor, Wyandotte County/Kansas.

KENTUCKY

Renaud, Eldon, Mayor, Bowling Green.

LOUISIANA

Roberson, Joyce, Mayor, Campti.
Washington, Bobby, Mayor, Cullen.
Davis, Willie, Mayor, Farmerville
Coco, Jean, Mayor, Grand Coteau.
Geyen, Rodney, Mayor, Lake Charles.
Pierce, Abe, Mayor, Monroe.
Jupiter, Darnell, Mayor, Napoleonville.
Morial, Marc, Mayor, New Orleans.
Berry, Isam, Mayor, Rayville.

MASSACHUSETTS

Galluccio, Anthony, Mayor, Cambridge.
Menino, Thomas, Mayor, Boston.
Yunits, John, Mayor, Brockton.
Ragucci, David, Mayor, Everett.
Tobey, Bruce, Mayor, Gloucester.
Rurak, James, Mayor, Haverhill.
Sullivan, Michael, Mayor, Holyoke.
Dowling, Patricia, Mayor, Lawrence.
McManus, Patrick, Mayor, Lynn.
Howard, Richard, Mayor, Malden.
McGlynn, Michael, Mayor, Medford.
Kalisz, Frederick, Mayor, New Bedford.
Mead, Lisa, Mayor, Newburyport.
Barrett, John, Mayor, North Adams.
Higgins, Mary, Mayor, North Hampton.
Torigan, Peter, Mayor, Peabody.
Doyle, Jr., Gerald, Mayor, Pittsfield.
Sheets, James, Mayor, Quincy.
Ambrosino, Thomas, Mayor, Revere.
Usovicz, Stanley, Mayor, Salem.
Kelly Gay, Dorothy, Mayor, Somerville.
Albano, Michael, Mayor, Springfield.

MARYLAND

Carter, Cynthia, Councilwoman, Annapolis.
O'Malley, Martin, Mayor, Baltimore.
Dodson, Vivian, Mayor, Capitol Heights.
Simms, Jack, Mayor, District Heights.
Williams, Donjuan, Mayor, Glen Arden.
Beverly, Lillian, Mayor, North Brentwood.
Krasnow, Rose, Mayor, Rockville.
Kennedy, Eugene, Mayor, Seat Pleaseant.
Curran, Joseph, State Attorney, State of Maryland.

MAINE

Kane, Thomas, Mayor, Portland.

MICHIGAN

Guido, Michael, Mayor, Dearborn.
Canfield, Ruth, Mayor, Dearborn Heights.
Archer, Dennis, Mayor, Detroit.
Stanley, Woodrow, Mayor, Flint.
Hampton, Hilliard, Mayor, Inkster.
Kirksey, Jack, Mayor, Livonia.
Moore, Walter, Mayor, Pontiac.
Loster, Gary, Mayor, Saginaw.
Dumas, Curtis, Mayor, St. Clair Shores.
Notte, Richard, Mayor, Sterling Heights.
Pitoniak, Gregory, Mayor, Taylor.
Thomas, Robert, Mayor, Westland.

MINNESOTA

Kautz, Elizabeth, Mayor, Burnsville.
Belton, Sharon, Mayor, Minneapolis.
Anderson, Karen, Mayor, Minnetonka.
Canfield, Chuck, Mayor, Rochester.

MISSOURI

Duncan, Phil, Mayor, Belton.
Deinbo, Babatunde, Mayor, Berkeley.
Eagan, James, Mayor, Florissant.
Green, Alexander, Mayor, Hayti Heights.
Stewart, Rondell, Mayor, Independence.
Shields, Katheryn, County Executive, Jackson County.
Brooks, Alvin, Mayor Pro Tem, Kansas City.
Bush, Errol, Mayor, Northwoods.
Whitfield, Kennard, Mayor, Rock Hill.
Harmon, Clarence, Honorable, St. Louis.
Hensley, Robert, Mayor, Velda City.

MISSISSIPPI

Scott, Alice, Mayor, Canton.
King, Rober, Mayor, Fayette.
Smith, Eddie, Mayor, Holly Springs.
Johnson, Harvey, Honorable, Jackson.
Phillips, Joe, Mayor, Jonestown.
Norman, Nerissa, Mayor, Mound Bayou.
Arnold, Amelda, Mayor, Port Gibson.
Otis, Larry, Mayor, Tupelo.
Walker, Robert, Mayor, Vicksburg.
Leach, Wardell, Mayor, Yazoo.

NEBRASKA

Ryan, Jerry, Mayor, Bellevue.

NORTH CAROLINA

Wilson, Frank, Mayor, Bolton.
Liles, George, Mayor, Concord.
Tennyson, Nicholas, Mayor, Durham.
Holliday, Keith, Mayor, Greensboro.

NEW JERSEY

Tomasko, Paul, Mayor, Alpine.
Russell, Wilbert, City Manager, Asbury Park.
Whelan, James, Mayor, Atlantic City.
Lunn, Scott, Mayor, Barrington.
Doria, Joseph, Mayor, Bayonne.
Escott, William, Mayor, Bellville.
Lynch, Richard, Chief of Police, Belmar.
Lowden, Robert, Mayor, Beverly.
Bukowski, John, Mayor, Town of Bloomfield.
Thatcher, David, Mayor, Borough of Laurel Springs.
Sacco, Nicholas, Mayor, North Bergen.
Scarpelli, Joseph, Mayor, Township of Brick.
Pirroli, Michael, Mayor, Bridgetown.
Sandve, Edward, Borough Administrator, Caldwell.
Milan, Milton, Honorable, Camden.
Kurzenknabe, George, Chief of Police, Chatham.
Poindexter, Arland, Mayor, Chesilhurst.
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.
Russo, Anthony, Mayor, Hoboken.
Bost, Sara, Mayor, Irvington.
Delucca, Jr., Frank, Mayor, Lindenwold.
Schneider, Adam, Mayor, Long Branch.
Corradino, Angelo, Mayor, Manville.
Dobies, Ronald, Mayor, Middlesex.
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.
Harelik, 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.
McGrevey, 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, Sante 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.
Duchessi, John, Mayor, Amsterdam.
DeAngelis, Christopher, Mayor, Auburn, Cayuga County.
Schaffer, Richard, Mr., Babylon Township.
Engelbracht, J.C., Town Attorney, Baldwinsville, Onondago County.
O'Hara, Dan, Mayor, Baldwinsville, Onondaga County.
Hollwedel, John, Town Supervisor, Town of Bethany.
Fiala, Anthony, Majority Leader, Binghamton.

Fiala, Barbara, County Clerk, Binghamton.
Harder, David, Sheriff, Binghamton, Broome County.
Pasquale, 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.
Masiello, Anthony, Mayor, Buffalo.
Hoyt, Sam, State Assembly, Buffalo.
Eichenberger, Robert, Supervisor, Town of Byron.
Bilow, Donald, Supervisor, Chateaugay.
Battiato, Joseph, Mayor, Chester.
Kobre, Jerome, Mayor, Village of Chestnut Ridge.
Deno, George, Town Supervisor, Chozy.
Leak, Frank, Mayor, Village of Colonie.
Phillips, Harold, Supervisor, Town of Constable.
O'Shea, Donal, Supervisor, Town of Coventry.
Elliott, Robert, Mayor, Croton-on-Hudson.
Drew, K. John, Mayor, Darien.
Schneiderman, 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.
Suozzi, Thomas, Mayor, Glen Cove.
Garner, James, Mayor, Hempstead.
Donley, Frances, Supervisor, Town of Russia, Herkimer County.
Passarell, Lewis, Mayor, Holley, Orleans County.
Hogan, Shawn, Mayor, Hornell.
Cohen, Alan, Mayor, Ithaca.
Blumenthal, Susan, Alderperson, Ithaca.
Wade, George, Mayor, LaGrange.
Taylor, Ronald, 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 Monlius.
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.
Michels, 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.
Newburger, May, Supervisor, North Hempstead Township.
Kabasakalian, Mary, Mayor, North Tonawanda.
Leifeld, Berndt, Supervisor, Town of Olive.
Muller, Kim, Mayor, Oneonta, Otsego County.
Kleiner, Thom, Mr., Orangetown.
Cudney, Toni, Town Supervisor, Orchard Park, Erie County.
Cambariere, Thomas, Mayor, Ossining.
Eiser, Bonnie, Council Mbr, Town of Osyter Bay.
Venditto, John, Supervisor, Town of Osyter Bay.
Mayle, Judith, Town Supervisor, Plattekill.
Stewart, Daniel, Mayor, Plattsburgh.
Marshall, Herbert, Mayor, Village of Pomona.
Clark, Barbara, Assemblywoman, Queens, Queens County.
Cohen, Michael, State Assembly, Queens, Queens County.
Pheffer, Audrey, State Assembly, Queens, Queens County.
Scarborough, 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 Springfield, Erie County.
Thompson, Alan, Mayor, Spring Valley, Rockland County.
Gentile, Vincent, Senator, Staten Island.
Bernardi, Roy, Mayor, Syracuse.
O'Connell, Katharine, Council at Large, Syracuse.
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 Yorkshire.

OHIO

Plusquellic, Donald, Mayor, Akron.
Watkins, Richard, Mayor, Canton.
Onunwor, Emmanual, Mayor, East Cleveland.
Campbell, Jane, County Commissioner, Cuyahoga County.
Grace, W., Mayor, Elyria.
Oyaski, Paul, Mayor, Euclid.
Stare, Frank, Mayor, Newark.
Liebherr, 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.
Finkbeiner, Carleton, 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.

PENNSYLVANIA

DiGirolamo, Joseph, Mayor, Bensalem.
Goldsmith, Thomas, Mayor, Easton.
Street, John, Mayor, Philadelphia.
Shadle, Forest, County Commissioner, Schuylkill County.
Young, Wilbert, Mayor, Wilkinsburg.
Robertson, Charles, Mayor, York.

PUERTO RICO

Marin, William, Mayor, Caguas.
Lopez Gerena, Julio, Mayor, Humacao.
Cordero Satiago, Rafael, Mayor, Ponce.

RHODE ISLAND

O'Leary, John, Mayor, Cranston.
Cianci, Vincent, Mayor, Providence.
Avedisian, Scott, Mayor, Warwick.

SOUTH CAROLINA

Anderson, Lovith, Mayor, Andrews.
Carter, John, Mayor, Gray Court.
Talley, 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, Euless.
Thurston, Cathy, Mayor, Everman.
Carreathers, Raymond, Mayor, Prairie View.
Beatty, Chuck, Mayor, Waxahachie.

UTAH

Anderson, Ross, Mayor, Salt Lake City.

VIRGINA

Ward, William, Mayor, Chesapeake.
Hedgepeth, Roger, Mayor, Blacksburg.
Archer, Ruby, Mayor, Danville.
Warren, Druie, Mayor, Lynchburg.
Frank, Joe, Mayor, Newport News.
Fraim, Paul, Mayor, Norfolk.
Holley, James, Mayor, Portsmouth.
Kaine, Timothy, Mayor, Richmond.
Oliver, Jerry, Mr., Richmond.
Bowers, 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 gun 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 states the status quo is acceptable. 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 fight gun violence. The Congress should not be able to mandate how a locality does business.

□ 1845

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 policeman 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, because I am sure that what every 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 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, quickly in reference to what the previous speaker, the gentleman from Maryland (Mr. BARTLETT), said 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 pillow 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.

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 legislation, legislation 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 in the end from accidentally discharging 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 of 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 upon by the gun lobby. They find themselves set upon 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 the vote that people ought 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 defunding 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 believe and I think a 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, they will win these competitions and win these contracts.

I would say to the gentleman with regard to that issue, if Smith & Wesson is the only company that enters into this type of agreement, which they are at this point, and they are the preferred contractor, what incentive will be there for Smith & Wesson to create a better quality product if there is no competition to obtain a higher quality product? Smith & Wesson could quite simply produce a much lower quality product as a result of a political agenda that is being forwarded and not the consideration of law enforcement safety and public safety. Smith & Wesson will get the agreement with the lower quality product.

Mr. Chairman, I think that this is a very common sensical amendment. I think the Law Enforcement Alliance of America believes the same thing. The Fraternal Order of Police believes this is common sensical, and I would ask the majority of the House to support my amendment.

Mr. Chairman, I reserve the balance of my time.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield 2½ minutes to my colleague, the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I am here to express my opposition to the Hostettler amendment. To me, this is the most mean-spirited amendment I have ever seen on this floor. It cuts to the chase. It prohibits the Office of Housing and Urban Development from using funds to administer HUD's Community for Safer Guns Coalition. What does the gentleman from Indiana (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.

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 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 on the floor just a few moments ago all help law enforcement by making guns less attractive to criminals and making it harder for bad apple dealers to supply criminals. After all the ATF reports that just 1.2 percent of dealers account for 57 percent of gun crime traces to active dealers.

There is 411 communities at this point, at this very moment that have signed on. A vote to stop the coalition is a vote to support less responsible gun makers and less responsible dealers.

Mr. Chairman, I urge everyone of us to vote against this ill-conceived amendment.

Mr. HOSTETTLER. Mr. Chairman, I yield 2 minutes to my colleague, the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I would respectfully disagree with my colleague from New Jersey (Mr. PASCRELL). I guess the gentleman can see the equation from either side. I guess the way that I would see it, and some on this side of the aisle would see it, would be that by prohibiting local law enforcement agencies from choosing I guess the equipment or the gun manufacture of their choice, it seems to me to be more coercive and it seems to be a case rather than a local choice being made, it is actually a case of being directed from above.

Two, I would say to me this is about the whole fundamental breakdown of government that our Founding Fathers intended with the legislative branch being responsible for one area of government, the executive branch being responsible for another, and the judicial final for another.

What we have here with this agreement is the executive branch going into the business of creation of laws or lawmaking, because there are two new Federal programs, the Communities for Safer Guns Coalition and the Oversight Commission, both of which would be created by executive branch activity without the authorization of Congress, without the Hostettler amendment.

I simply rise in support of his amendment. Finally, I would make the point in that they are legitimately different perspectives on this thing, and I come from down South and I guess we have a different take on the whole gun equation down there, but for me, I do not like the idea of smart technology because the idea of an intruder breaking into our house and my fingerprint being the only one that could stop that intruder with a given handgun, to me is not a good idea.

I would like the idea of me being able to hand the gun to my daughter or to my young son or to the neighbor who is visiting to help in stopping that intruder. I think there is a legitimate difference of opinion on this.

Mr. Chairman, I rise in support of the Hostettler amendment.

□ 1900

Mr. NADLER. Mr. Chairman, I ask unanimous consent that the gentleman be granted one additional minute.

Mr. WALSH. We have a very strict time agreement. I have to object.

The CHAIRMAN. Objection is heard.

Mrs. McCARTHY of New York. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I rise in strong opposition to this amendment because this amendment runs counter to what the American people have repeatedly asked Congress to do, make our children and our communities safer.

This amendment just does not make any sense. The Smith & Wesson agreement includes common sense measures, like internal safety locks, development of smart gun technology to ensure that only a gun owner can discharge the firearm, child safety trigger locks, and

other provisions aimed at reducing the number of accidental shootings and deaths due to gun violence. Smith & Wesson has also pledged to cooperate with Federal, State and local law enforcement to ensure that its products are used safely and legally.

Agreements such as these should be encouraged, not penalized. This irresponsible amendment, in my judgment, sends 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; and they will protect our children from the 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 written the Congress, a more appropriate name would probably be something like this, and I apologize for its length. It would probably be The Communities for Compromising Law Enforcement Personnel and Public Safety in Order to Forward a Political Agenda Coalition. That is what the true name of the coalition should be.

We should not forward that political agenda and we should not run around with the intent of Congress by doing so. I would have to say I will be offering an amendment subsequent to this discussion, Amendment No. 25, that will actually talk about the Smith & Wesson agreement itself. We have heard a lot of discussion about the Smith & Wesson agreement, but this amendment is actually to stop HUD from creating this environment of preferences for purchase of firearms for local law enforcement.

The gentleman talked about various issues that we should all commonly be opposed to, and he made some points; but some of the points that he made were a little bit outdated in that the gentleman from New Jersey said we should all be opposed to straw purchases. Straw purchases are actually in opposition to Federal law today; and, in fact, we know a young lady in connection to the Columbine tragedy actually made a straw purchase and broke the law as it stands today.

So this agreement is not going to stop criminals that will break the law anyway. That is why we call them criminals. It will simply create an environment whereby local law enforcement agencies will feel compelled to purchase equipment that may or may not be in their best interests; and as a result of that, they may compromise not only the safety of their personnel, which is heinous enough, but it would also compromise the safety of the public at large.

Mr. Chairman, I yield back the balance of my time.

Mrs. McCARTHY of New York. Mr. Chairman, one thing I will say, this is all voluntary. The coalition has come forward freely on this; and this, in my opinion, will help and save police officers.

Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I am not surprised that the gentleman from Indiana (Mr. HOSTETTLER) is offering amendments to weaken HUD's ability to fight crime in our neighborhoods. 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 all handguns.

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 Coalition, 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 hand 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 what little protections 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 regulation, 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 participle. It rewrites 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 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 is a cooperative effort, led by HUD but fully voluntary on the part of the cities, to increase the demand for smart gun technology, knowing that that will lead to an increase in the supply. I understand people's objections when individuals are

concerned, although I do not agree; but this can only be an objection to the principles of safer guns.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. HOSTETTLER).

The question was taken; and the Chairman announced that the noes 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:

SEC. 426. The amounts otherwise 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. Chairman, the gentlewoman from Colorado (Ms. DEGETTE) and I are offering this amendment to increase funding to provide for 60,000 new section 8 vouchers to help low-income families afford safe, decent housing. The bill before us provides for zero new section 8 vouchers.

The need for housing assistance remains staggering. The Nation's robust economic growth has sent housing prices soaring. Today, a record 5.4 million low-income families pay more than 50 percent of their income for rent, or live in severely substandard housing. Not one of these 5.4 million families receives any Federal housing assistance. Their needs are desperate, and we must not ignore the severity of these needs any longer.

I challenge anyone to argue that tenant-based section 8 vouchers do not achieve their goals. The approximately 3 million families, that is almost 7 million Americans, receive section 8 vouchers. For these families, section 8 is more than a contract or a subsidy, it is often the foundation upon which they can build lifelong economic self-sufficiency. Section 8 allows families to enter the private housing market and choose where they want to live, helping them to escape from the cycle of poverty and creating better income mixes throughout our communities. As was said yesterday, section 8 is a free-market approach pioneered by the radical Nixon administration.

The bill in its current form does a terrible disservice to those most in need. The administration's request for 120,000 new section 8 vouchers has been ignored, and there is not one dollar in this bill for new vouchers to address the worst case housing needs of our most vulnerable citizens. The bill merely holds out the possibility of 20,000 vouchers, unlikely to be funded since they are contingent on overly optimistic levels of section 8 recaptures.

Rather than building on the successful provision of 50,000 or 60,000 incremental vouchers the past 2 years, this bill would contribute to the growing backlog of families who cannot afford decent, safe and sanitary housing, by going from 60,000 new housing vouchers last year to zero this year, this at a time of incredible prosperity and huge budget surpluses.

Let me mention one other point. Some may ask why we ought to provide new housing for vouchers when existing funding is not spent quickly. Why is desperately needed money not spent right away? The answer is that the housing crisis is so severe right now that many families are having real difficulty using vouchers because they cannot find any apartments to rent that are affordable, that are within the limits of the voucher.

The Federal Government should be doing more to build affordable housing, but this bill actually reduces Federal assistance for production of new low-income housing. But that is beyond the scope of this amendment.

Our amendment will allow 60,000 more families to live in safe, affordable, decent housing. It is not asking for much. We only ask that we meet about 1 percent of the need for affordable housing in our Nation.

The money is there. In fact 100,000 new section 8 vouchers have been authorized for this coming fiscal year. The bill as currently written reneges on the national commitment to create decent, affordable housing, and fails to fulfill the promise Congress made to poor families in the Housing Act of 1998, which authorized 100,000 new section 8 vouchers for next year.

Mr. Chairman, we must house our people. We ought to fulfill that promise and adopt this amendment.

Mr. Chairman, I reserve the balance of my time.

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 15 minutes.

Mr. WALSH. Mr. Chairman, I yield myself such time as I may consume.

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.

□ 1915

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 the other side if 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 in 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 it work better, I say to my colleagues on the other side. 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, we just did, that we do not need to fund additional section 8 vouchers. We will hear that renewing expiring vouchers is enough. We might hear, and, in fact, we did, that some fiscal year 2000 vouchers might be recaptured; and we will hear that this is enough.

The truth is, though, and I would ask my colleagues to consider this, there are over 12 million Americans, men, women and children, who are considered to have worst-case housing needs. The average waiting period for either a section 8 housing voucher or a space in a public housing unit is over 2 years. We have all the proof that we need that additional vouchers are desperately needed.

While it is true that there are some cases where there are recaptured vouchers, that is not because there is not a need; it is because there are technical problems that are now going to be fixed, we hope, within rulemaking in HUD. But the truth is, these families who are waiting over 2 years need section 8 housing vouchers.

Let me talk about my district, the First Congressional District of Colorado, where rents have soared in the past 10 years as a result of a red hot economy. Between 1995 and 1999, rents in the Denver area rose more than 20 percent, growth matched only by that in the San Francisco Bay area. There is great irony that the areas that are experiencing the most economic growth are also the ones where working families are priced right out of the housing market.

Affordable housing is not a problem that exists in a vacuum, and it will negatively affect our economy if we do not ensure that all Americans have effective housing. We need more section 8 vouchers, not less.

Now, we have heard how much we need the Space Station; and I always vote and, in fact, just voted a little 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 lower-income citizens living 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 kill the Space Station with this amendment. Rather, what we say is, we will move it a little bit more slowly so that we can give the millions of low-income Americans that need them section 8 vouchers.

I say to my colleagues, the majority that wrote this bill have put us in this situation of having to make this very real and very tough choice; and the reason is because they put nothing in the bill to fund the section 8 vouchers that are needed.

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 section 8 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 agree, I 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 this 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. OBEY), 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 confronted 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.

We do not need to starve domestic 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 cared for. We do not need to choose between Space Station and the science programs and housing or any other programs. So I wanted to agree with the gentlewoman. Except, making the distinction that in our committee, given our allocation, I really do want to compliment the chairman for doing the very best job he could; and I know he looks forward to the day that we might get additional allocation.

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 know that the chairman has 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 all having in having to deal with a totally unrealistic budget resolution. The inadequacies reflect themselves when we come to the appropriations process.

So unfortunately, I am going to have 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 was trying to make 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 of 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 in 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 the Space Station, because pretty soon it is going to be as about as expensive to live in parts of Boston and San Francisco as it is to get them up there in the Space Station.

The section 8 program is a decentralized program in its administration, and the failure to have a 100 percent utilization rate is inherent in the program. There are also, of course, situations where people's incomes go up and there is more money, so we do not use as much money for that; but there is a pattern with the distribution which leads, in many cases, to vouchers not being used. I do not believe it is possible to get 100 percent utilization. It is possible to get a high rate, and the more vouchers we vote, the more vouchers we will get in the hands of the people, given that there is an inevitable slippage in a program administered in this fashion.

Mr. WALSH. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

□ 1930

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 again raises the question, and I do not know if we will ever get to do this, of separating out these independent agencies from these very large programs like VA and HUD; not to say that these other independent agencies are not important, but they have a narrow focus, and their focus is important.

HUD is suffering from the fact that these other agencies have funding and HUD does not have enough. However, the Space Station funding and the NASA budget has been flat for almost 5 years. In fact, it has a flat 5-year budget, to a certain extent.

The Space Station has been on an orderly funding cycle. It has utilized the money efficiently. It is almost completed. It is a project that most Americans would support or do support, believing that it does provide the 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 ill-timed, at this time.

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 risks doing just that.

Despite the shortcomings of the VA–HUD appropriation measure, 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 $13.7 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 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.

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. MOLLOHAN), have both spoken against this amendment because 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 $344 million. HUD estimates the need as being more than 4.4 million 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 flourishes, 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 of 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 recaptures. The fact is, 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 worth providing 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 concerns 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 program. The gentleman has admitted that he 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 plussed 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 the program.

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 countries 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.

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. This bill would contribute to the growing backlog of families who can't afford decent, safe and sanitary 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. SENSENBRENNER. 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 payoff 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 vision 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 is space as much, as often and in as many ways as we can possibly be. 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 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 Neighborhood Commons where they are being told that they no longer have section 8, one can imagine the consternation being experienced by this group.

And so, Mr. Chairman, I urge passage of this Amendment to add 120,000 new section 8 vouchers for low-income families.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 525, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 25 OFFERED BY MR. HOSTETTLER

Mr. HOSTETTLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 25 offered by Mr. HOSTETTLER:

At the end of the bill, insert after the last section (preceding the short title) the following:

SEC. ____. None of the funds made available in this Act to the Department of Housing and Urban Development 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 Housing and Urban Development (among other parties).

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 20, 2000, the gentleman from Indiana (Mr. HOSTETTLER) and a Member opposed 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.

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 to ask 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?

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Four, this agreement requires the BATF or an agreed upon proofing entity to test firearms. Did we do this in this Congress?

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 gentlewoman 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. HOSTETTLER) 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 retaliation 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 gut 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 that would help end the scandal that 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. HOSTETTLER. 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 that is gun owners, gun purchasers, 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 comment 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 is more regulation 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. HOSTETTLER). 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 Clinton administration 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, in essence, gut 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

time and time again. It is just a diversionary tactic because it is covering up the fact that, under the Clinton administration, 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 pressure did they finally have to relent and start that program in other parts of the country where we have seen dramatic reductions in gun violence because the Federal Government, through the U.S. attorney in cooperation with local law enforcement, is prosecuting 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 gentlewoman from Texas (Ms. JACKSON-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 leadership.

Mr. Chairman, it seems to be a little extreme to suggest that the Clinton administration that spear-headed the passage of the Brady bill that has caused thousands of criminals not to have guns in their hands and the passage 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 underlying 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 conduct that would help close gun show loopholes so that children 6 years old do not kill children and that a distraught young man does not kill his teacher, I think HUD should be applauded. Smith & Wesson should be applauded.

This amendment should be voted down. We should go on with the business of saving lives in America.

Mr. HOSTETTLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I respond to the gentlewoman from Texas (Ms. JACKSON-LEE) in her assertion that I do not understand what I am doing. I think I understand what I am doing perfectly well, and that is reasserting the Congress' authority under article I, section 1 of the Constitution; and that simply states that all legislative powers shall be vested in a Congress.

When HUD entered into the settlement agreement with Smith & Wesson, creating all these gun control measures that not only affect Smith & Wesson's relationship to its dealers and to its customers, but the relationship of all gun manufacturers, all retailers, all customers in every transaction, that it takes place in an authorized dealer of Smith & Wesson, they did take a back door to the legislative process.

It is my desire, through this amendment, to once again reassert the legislative prerogative of this body; and that is to have the people's House determine what the legislation should be, what the direction of course should be in this policy-making arena, and not to allow unelected bureaucrats to do that.

Mr. Chairman, I reserve the balance of my time.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield 2 minutes to the gentlewoman from Indiana (Ms. CARSON).

Ms. CARSON. Mr. Chairman, I thank the gentlewoman very much for yielding me this time.

Mr. Chairman, it is most unfortunate and unwise to sit here on the floor and hear all of the rhetoric from the proponents of this amendment try to align its substance as being anti-Clinton and anti-liberals. When children pick up guns, they are not political. They do not know who manufactures a gun. They do not know whether or not it has a trigger lock on it. They just know they pull the trigger.

I think it is most unfortunate, given the outbreak of violence around this country where innocent people have died at the hands of an innocent person until they pull the trigger, it would be most unfortunate if we supported this amendment.

I want to applaud Smith & Wesson, even though I am not a gun owner and a gun user, for exerting corporate responsibility. That is what it is.

If my colleagues adopt the Hostettler amendment, with all deference to the gentleman from Indiana, if my colleagues adopt his amendment, however, it would have a chilling effect on other companies who are willing to take steps in the right direction in promoting gun safety.

We talk about the bureaucracy in the Clinton administration and Big Brother government; but as I recall, even before I got here, we talked a lot about public safety, air bags in automobiles, safety belts in cars, to keep people from dying accidently.

We talk about imposing training on people when people have to be trained to even get their license to drive an automobile, which if used recklessly and wantonly, will kill people.

We require airline pilots who take the gentleman from Indiana (Mr. HOSTETTLER) and I back and forth to Indiana on a weekly basis, to have a certain amount of training. I would hate for us to get on an airline with an untrained pilot. We both would be in trouble regardless whether we are Democrat or Republican or conservative or liberal.

Mr. Chairman, I urge a defeat, respectfully, of the amendment of the gentleman from Indiana (Mr. HOSTETTLER).

Mr. HOSTETTLER. Mr. Chairman, I yield 5 minutes to the gentlewoman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Chairman, I rise in very strong support today of the Hostettler amendments, both this one and the one that we debated earlier.

I want to just stop for a minute and take a look at our country. Every single day, there are men and women in our country that get up, most of the time they are in uniform, fire fighters, police officers, men and women in the military, and they get up, they button their uniform on; and when they do that, they are saying to us, today I will die if I need to to protect your freedom.

Well, we owe those people something. If the Communities for Safer Guns Coalition gets everything that they want, then what they are doing is they are taking the maximum security that those people could have away from them.

We would never in this body attempt to regulate the kind of ropes that fire fighters might be able to use while they do their job to try to save their life. We would never ask for lower quality guns and ammunition or tanks for our military people just because it was the political action of the day or the political discussion of the day.

So why should we, why should we take the right of chiefs of police in local communities away from them to get the equipment that they think gives their force the greatest possibility of survival, God forbid they should come into a situation where they needed to use that equipment, where they needed to use those weapons.

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That is unthinkable. And that is really what the Communities for Safer Guns Coalition is about. It is about diminishing the safety of those people who say they will die for us if they have to do that. It is not about saving lives.

Let me talk about the other issue, of whether or not we should be spending

Federal funds to implement and enforce the agreement with Smith & Wesson. As my colleagues know, I represent the great 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 trained 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 the law using guns suffer the consequences. President Clinton brags that about 540,000 felons who tried to purchase weapons illegally were prevented from doing so under the Brady bill. Do my colleagues know how many of those people were prosecuted? Fewer than 200.

I would say that if the President really wants to stop death and violence, that he should see to it that we start punishing criminals, locking them up, and letting law-abiding citizens own their guns, be responsible, and protect themselves.

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 them, 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, but if we had more BATF 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 from 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 firearms. 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 in our society, and that is wrong.

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 that interfering. Let us see 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, but as well the ability for 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 that passionate debate based on the understanding of the Constitution, public safety, and all other things, separation of powers, Federalism and all that, according to what the legislation should be and what their elected representatives should do.

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 this agreement.

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 extraordinary 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).

Mrs. MALONEY of New York. 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 handgun 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.

We have, 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.

I urge a ''no'' vote, Mr. Chairman.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, the Hostettler 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 Hostettler amendment tonight.

Mrs. MCCARTHY of New York. Mr. Chairman, may I ask how much time is remaining.

The CHAIRMAN. The gentlewoman from New York (Mrs. MCCARTHY) has 4 minutes remaining.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Chairman, I thank the gentlewoman for yielding me this time.

Unfortunately, Mr. Chairman, we are having this debate on this bill, and I would like to clarify a couple of points. First of all, our staff has checked and, according to HUD's records and their budget office, there are no funds being spent to implement this agreement. The administration has not requested funds for this purpose, and the bill does not include those funds. Consequently, the amendment really has no practical impact on HUD and is, therefore, unnecessary.

The problem is, for us, with this bill, it creates real difficulties. It creates a diversion away from the real issues of the bill. Much like the Kyoto debate on report language, we are trying to anticipate what the administration might do when no funds are actually being expended.

So I would urge that Members vote against this amendment. It really is not, in my mind, germane to this bill; and for that reason, I would urge a ''no'' vote.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, obviously, I stand against this amendment for many reasons. Unfortunately, we have heard an awful lot, in my opinion, on not understanding exactly what the agreement was. We have heard Members talking about gun control. This is not gun control. It is not even near gun control. What we are talking about is child safety, safety and guns. And our police officers across this Nation certainly have the opportunity to either reject or not accept this agreement when they buy their guns.

Let me say something to my colleagues. Across this Nation all of our communities, all of our cities are trying to figure out how to reduce gun violence in this country. Secretary Cuomo, with HUD, has come up with an agreement with Smith & Wesson, which has taken on the responsibility of trying to make safer guns. Not eliminate guns, make safer guns. Safer guns for our police officers and certainly, hopefully, safer guns for our citizens.

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Yes, they want background checks. Well, I think almost everybody should agree that we do not want to sell guns to criminals, so people should go for background checks. Smith & Wesson has agreed to do this. Guns cannot be marketed to children.

Wow, that is some sort of gun control, is it not? Guns cannot be marketed to children. The smart guns again.

We talk about using taxpayers' money. My colleague from New York (Mr. Walsh), the chairman, has said no monies have been appropriated for this. But let me tell my colleagues what we spend on health care in this country every single year because of gun injuries in this country. It is over $2 billion a year.

If our communities and certainly the housing that we are putting people in can be made safer, that is what we should be doing. This is not a Republican issue. This is not a Democratic issue. As far as I am concerned, this is part of a health care issue. Smith & Wesson, certainly Secretary Cuomo of HUD, have tried to do something to try to make this country safer. I applaud him for this.

I wish we could get past this thing of gun control. There is not one person, not one person, in this Congress that is trying to take away the right of someone owning a gun. That is something everyone should start to remember. I am tired of hearing that. I will never try to take away the right of someone owning a gun. That is not what I am here for. But I am certainly trying to keep health care costs down. I am certainly trying to save lives.

I think that Smith & Wesson has done the right job, and I say let us support them for a change.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. HOSTETTLER).

The question was taken; and the Chairman announced that the noes 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.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 525, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 23 offered by the gentleman from New York (Mr. HINCHEY); amendment No. 35, as modified, offered by the gentleman from New York (Mr. HINCHEY); 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. 23 OFFERED BY MR. HINCHEY

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 23 offered by the gentleman from New York (Mr. HINCHEY) on which further proceedings were postponed and on which the noes prevailed by the voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 145, noes 277, not voting 12, as follows:

[Roll No. 303]

AYES—145

Ackerman
Allen
Andrews
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bass
Bereuter
Biggert
Blagojevich
Boehlert
Bonior
Borski
Boswell
Brady (PA)
Camp
Capuano
Carson
Castle
Chabot
Clay
Conyers
Costello
Coyne
Crane
Crowley
Danner
Davis (IL)
Delahunt
DeLauro
Dingell
Doyle
Ehlers
Engel
English
Ewing
Fattah
Forbes
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Ganske
Gejdenson
Gilman
Goodling
Green (WI)
Greenwood
Gutierrez
Hinchey
Hoeffel
Hoekstra
Holden
Holt
Horn
Houghton
Hulshof
Hyde
Jackson (IL)
Johnson (CT)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
LaFalce
LaHood
Larson
Latham
Lazio
Leach
Levin
Lipinski
LoBiondo
Lowey
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
McCarthy (NY)
McGovern
McHugh
McIntosh
McNulty
Meehan
Meeks (NY)
Menendez
Mink
Moakley
Mollohan
Moore
Murtha
Nadler
Neal
Obey
Olver
Owens
Pallone
Pascrell
Payne
Petri
Pitts
Porter
Quinn
Reynolds
Rivers
Rothman
Roukema
Rush
Ryan (WI)
Sanders
Saxton
Schakowsky
Sensenbrenner
Shays
Sherwood
Shimkus
Shuster
Slaughter
Smith (NJ)
Stabenow
Stupak
Sununu
Sweeney
Terry
Tierney
Toomey
Towns
Upton
Velazquez
Walsh
Waters
Weiner
Weldon (PA)
Weller
Weygand

NOES—277

Abercrombie
Aderholt
Archer
Armey
Baca
Bachus
Baird
Baker
Ballenger
Barr
Bartlett
Barton
Bateman
Becerra
Bentsen
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehner
Bonilla
Bono
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Capps
Cardin
Chambliss
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cooksey
Cox
Cramer
Cubin
Cummings
Cunningham
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Eshoo
Etheridge
Evans
Everett
Farr
Filner
Fletcher
Foley
Ford
Fowler
Frost
Gallegly
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hooley
Hostettler
Hoyer
Hunter
Hutchinson
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kasich
Kingston
Knollenberg
Kolbe
Kucinich
Lampson
Lantos
Largent
LaTourette
Lee
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Matsui
McCarthy (MO)
McCrery
McDermott
McInnis
McIntyre
McKeon
McKinney
Meek (FL)
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Moran (KS)
Moran (VA)
Morella
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Ose
Oxley
Packard
Pastor
Paul
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Regula
Reyes
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Scarborough
Schaffer
Scott
Sessions
Shadegg
Shaw
Sherman
Shows
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Traficant
Turner
Udall (CO)
Udall (NM)
Visclosky
Vitter
Walden
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Wexler
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NOT VOTING—12

Campbell
Cook
DeLay
Kuykendall
McCollum
Rangel
Roybal-Allard
Serrano
Tauscher
Thornberry
Vento
Wynn

□ 2040

Mrs. CUBIN, Mr. SMITH of Texas, Mrs. CLAYTON, Messrs. REGULA, BROWN of Ohio, WATKINS, DIXON, MORAN of Virginia, VISCLOSKY, RAHALL, and RAMSTAD changed their vote from ''aye'' to ''no.''

Messrs. WELLER, HYDE, HULSHOF, COSTELLO, LEVIN, CRANE, Ms. KAPTUR, Mr. GUTIERREZ and Mr. ENGLISH changed their vote from ''no'' to ''aye.''

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.

AMENDMENT NO. 35 OFFERED BY MR. HINCHEY, AS MODIFIED

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 redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 208, noes 216, not voting 10, as follows:

[Roll No. 304]

AYES—208

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Bilbray
Bilirakis
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Edwards
Ehlers
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Price (NC)
Rahall
Ramstad
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Rush
Sabo
Sanchez
Sanders
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Shays
Sherman
Sherwood
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Tauscher
Thompson (CA)

Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wilson
Wise
Woolsey
Wu

NOES—216

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Biggert
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth-Hage
Clement
Coble
Coburn
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeMint
Diaz-Balart
Dickey
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Frost
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
King (NY)
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
McCarthy (MO)
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Campbell
Cook
DeLay
Kuykendall
McCollum
Rangel
Roybal-Allard
Serrano
Vento
Wynn

□ 2048

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.

AMENDMENT OFFERED BY MR. COLLINS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. COLLINS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 226, noes 199, not voting 9, as follows:

[Roll No. 305]

AYES—225

Aderholt
Archer
Armey
Baca
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Berry
Biggert
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Camp
Canady
Cannon
Carson
Chabot
Chambliss
Clement
Clyburn
Coble
Coburn
Collins
Combest
Conyers
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Deal
DeMint
Diaz-Balart
Dickey
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Ford
Fowler
Frost
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Green (TX)
Green (WI)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kasich
Kildee
Kilpatrick
Kingston
Klink
Knollenberg
LaHood
Lampson
Largent
Latham
LaTourette
Levin
Lewis (KY)
Linder
Lipinski
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
Mascara
McCollum
McCrery
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Ortiz
Ose
Oxley
Packard
Pastor
Paul
Pease
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Rahall
Regula
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Schaffer
Sensenbrenner
Sessions
Shadegg
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Talent
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Upton
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson
Wise
Young (AK)
Young (FL)

NOES—199

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Bilbray
Bilirakis
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Calvert
Capps
Capuano
Cardin
Castle
Clay
Clayton
Condit
Costello
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Ehlers
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Goss
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kind (WI)
King (NY)
Kleczka
Kolbe
Kucinich
LaFalce
Lantos
Larson
Lazio
Leach
Lee
Lewis (CA)
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McInnis
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Nussle
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Pomeroy
Porter
Price (NC)
Quinn
Ramstad
Reyes
Rivers
Rothman
Roukema
Rush
Sabo
Sanchez
Sanders
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Shaw
Shays
Sherman
Sherwood
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Stark
Sununu
Sweeney
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weller
Wexler
Weygand
Wolf
Woolsey
Wu

NOT VOTING—10

Campbell
Chenoweth-Hage
Cook
DeLay
Kuykendall
Rangel
Roybal-Allard
Serrano
Vento
Wynn

□ 2056

Messrs. WALSH, DEUTSCH, WELLER and CALVERT changed their vote from ''aye'' to ''no.''

Messrs. OSE, WELDON of Pennsylvania, SKELTON, CLYBURN and STUPAK changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 24 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.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 207, not voting 9, as follows:

[Roll No. 306]

AYES—218

Aderholt
Archer
Armey
Baca
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Biggert
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth-Hage
Clement
Coble
Coburn
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Deal
DeFazio
DeMint
Diaz-Balart
Dickey
Dingell
Doolittle
Dreier
Duncan
Ehrlich
Emerson
English
Everett
Fletcher
Fowler
Gallegly
Ganske
Gekas
Gibbons
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kelly
Kingston
Knollenberg
Kolbe
LaHood
Lampson
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
Mascara
McCollum
McCrery
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Portman
Radanovich
Rahall
Reynolds
Riley
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Strickland
Stump
Sununu
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wise
Wolf
Young (AK)
Young (FL)

NOES—207

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Doyle
Dunn
Edwards
Ehlers
Engel
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holt
Hooley
Horn
Houghton
Hoyer
Hyde
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
LaFalce
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Northup
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Ramstad
Regula
Reyes
Rivers
Rodriguez
Roemer
Rogan
Rothman
Roukema
Rush
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Scott
Shaw
Shays
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stupak
Sweeney
Tauscher
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weller
Wexler
Weygand
Wilson
Woolsey
Wu

NOT VOTING—9

Campbell
Cook
DeLay
Kuykendall
Rangel
Roybal-Allard
Serrano
Vento
Wynn

□ 2104

Mr. WELLER changed his vote from ''aye'' to ''no.''

Mr. SMITH of Texas and Mr. TAYLOR of North Carolina changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. NADLER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. NADLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 138, noes 286, not voting 10, as follows:

[Roll No. 307]

AYES—138

Abercrombie
Ackerman
Baldwin
Barrett (WI)
Bass
Becerra
Bereuter
Berkley
Berman
Bilbray
Blagojevich
Blumenauer
Bonior
Brady (PA)
Brown (OH)
Bryant
Camp
Capps
Capuano
Carson
Chabot
Clay
Clayton
Conyers
Costello
Coyne
Crowley
Danner
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Dixon
Dooley
Duncan
Engel
English
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Franks (NJ)
Ganske
Goodling
Gutierrez
Hefley
Hilleary
Hilliard
Hinchey
Hoeffel
Holt
Jackson (IL)
Jones (OH)
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
LaFalce
Lantos
Latham
Lazio
Leach
Lee
Levin
Lewis (GA)
Lowey
Luther
Maloney (NY)
Markey
McHugh
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moore
Myrick
Nadler
Napolitano
Nussle
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Phelps
Pomeroy
Porter
Quinn
Rahall
Ramstad
Rivers
Roemer
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Schaffer
Schakowsky
Shays
Slaughter
Smith (NJ)
Stabenow
Stark
Strickland
Stupak
Tancredo
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Weygand
Whitfield
Wilson
Woolsey

NOES—286

Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bentsen
Berry
Biggert
Bilirakis
Bishop
Bliley
Blunt

Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Cardin
Castle
Chambliss
Chenoweth-Hage
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cooksey
Cox
Cramer
Crane
Cubin
Cummings
Cunningham
Davis (FL)
Davis (VA)
Deal
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Doggett
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Eshoo
Etheridge
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kelly
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Largent
Larson
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McInnis
McIntosh
McIntyre
McKeon
Meek (FL)
Metcalf
Mica
Miller (FL)
Miller, Gary
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Neal
Nethercutt
Ney
Northup
Norwood
Ortiz
Ose
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Portman
Price (NC)
Pryce (OH)
Radanovich
Regula
Reyes
Reynolds
Riley
Rodriguez
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun (KS)
Salmon
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wise
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—10

Campbell
Cook
DeLay
Horn
Kuykendall
Rangel
Roybal-Allard
Serrano
Vento
Wynn

□ 2111

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.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 206, noes 219, not voting 9, as follows:

[Roll No. 308]

AYES—206

Aderholt
Archer
Armey
Baca
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Berry
Biggert
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth-Hage
Clement
Coble
Coburn
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Deal
DeMint
Dickey
Dingell
Doolittle
Dreier
Duncan
Ehrlich
Emerson
English
Everett
Fletcher
Fowler
Gekas
Gibbons
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kingston
Knollenberg
Kolbe
LaHood
Lampson
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
Mascara
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Norwood
Nussle
Ortiz
Ose
Oxley
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Portman
Rahall
Reynolds
Riley
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)

NOES—219

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Bereuter
Berkley
Berman
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dixon
Doggett
Dooley
Doyle
Dunn
Edwards
Ehlers
Engel
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Horn
Houghton
Hoyer
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
LaFalce
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Northup
Oberstar
Obey
Olver
Owens
Packard
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reyes
Rivers
Rodriguez
Roemer
Rogan
Ros-Lehtinen
Rothman
Roukema
Rush
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Scott
Shaw
Shays
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stupak
Tancredo
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weller
Wexler
Weygand
Woolsey
Wu
Young (FL)

NOT VOTING—9

Campbell	Kuykendall	Serrano
Cook	Rangel	Vento
DeLay	Roybal-Allard	Wynn

□ 2118

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, 2001''.

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 repairing 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 as much in return.

I am pleased, therefore, that this measure 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 provisions in conference committee. As the appropriations process moves forward, I will continue to fight for healthy funding levels for all veterans programs.

Unfortunately, while the bill provides important increases in funding for veterans' programs, it falls far short in meeting one of our most basic needs—housing. The bill before us today is $2.5 billion less than the Administration's request for housing and other community development programs. This is unacceptable.

I would like to take a moment to focus on funding for the Community Development Block Grant (CDBG). As many of my colleagues can recall, CDBG funds were used to assist the city of Grand Forks in rebuilding after the devastating flood in 1997. The funds provided the city with needed flexibility to address both urgent and long-term needs. The successful recovery of Grand Forks was due in large part to the assistance from HUD. Under this bill, however, funding for CDBG is cut by $295 million from last year's funding level.

Additionally, the bill does not provide any funding for Round II Empowerment Zones. In my State of North Dakota, the Griggs/Steele Empowerment Zone was designated as such in 1999. At that time, a commitment was made by the Federal Government to assist this area and others in creating jobs and economic opportunity. That commitment, however, goes unfulfilled in this legislation.

Mr. Chairman, at a time of unprecedented economic prosperity, we should not be turning our backs on those who need help the most, the poor and homeless, our Nation's most vulnerable citizens. While I stand in strong support of our Nation's veterans, as a result of these cuts in the housing program, I will be voting against this bill.

Mr. HOLT. Mr. Chairman, I rise today to speak on behalf of the health and safety of our children, our families and our communities. I rise today to call for increased funding for our environment.

H.R. 4635 funds the Environmental Protection Agency at $199 million or nearly ten percent below the Administration's request for basic environmental and public health protection. These programs are considered the backbone of the Agency's work.

A cut of this magnitude would seriously affect EPA's ability to provide American communities with cleaner water, cleaner air, and an improved quality of life.

Toxic air emissions (e.g., benzene, formaldehyde) from industrial plants, cars and trucks will not be reduced. This will expose approximately 80% of the American people to greater risks of developing cancer and other serious health problems (birth defects, reproductive disorders, and damage to the nervous system).

By delaying implementation of new standards for high-risk chemicals such as arsenic, radon, and radionuclides, public health and safety will be jeopardized for 240 million Americans who get their drinking water from public water systems.

Fish kills and hazardous algal blooms in the Nation's rivers, lakes, and estuaries will increase as our ability to develop national criteria to control excessive nutrients (nitrogen and phosphorus) will be significantly delayed.

The reduction in EPA's funding will hinder successful voluntary partnerships with private companies to reduce emissions of greenhouse gases and other air pollutants, such as nitrogen oxides (NO_X).

As a result of this cut, over the next decade 335 million tons of greenhouse gas pollution will unnecessarily be emitted into the atmosphere and 850 thousand tons of nitrogen oxide will be emitted into the atmosphere.

Finally, as we enter the summer, millions of American's visiting beaches will be at increased risk because there will be significant delays in the Agency's ability to monitor and collect adequate information about beach contamination.

I urge my colleagues to protect their communities and reject this anti-environment bill.

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's basic environmental, 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 the 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 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. Yet this bill doesn't fund science and space programs at levels that would indicate this concern. On the countrary—many Members were forced to seek offsets in NASA programs in order to increase funding for other worthwhile programs. For example, cutting funds for the International Space Station—a traditional target for offsets—makes even less sense this year, as we're finally in a position to reap the return on our past investments in that program. NASA estimates that the U.S. portion of the Space Station development program is over 90 percent complete. The first segments of the Space Station are already in orbit and operational, and additional elements of the Space Station are awaiting launch from Cape Kennedy. Under the current schedule, crews 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 with 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. Many of the 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 represent 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 each 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 request for undergraduate education—including 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 this House 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 bills 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.

I plan to vote for final passage of this legislation because I want to keep the process moving forward, but I would like to make clear I will not vote for a Conference Report that fails to restore the Office of Long Island Sound Programs.

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. According 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. BLUMENAUER. Mr. Chairman, the United States is facing an affordable housing crisis. While the American dream has always included homeownership, the price of the average 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 residents of varying income levels and choices for housing are 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 meant additional funding for service coordinators, assisted living, congregate housing services, and capital improvements. No funding for this legislation was included in this appropriations bill. 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 find it extremely 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 residents. Funding for the Section 8 program 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 parents with children.

So I ask my colleagues to consider these items as we each return tonight to the comfort of our homes. Think of the Americans who are honest and hard-working, yet still are having difficulty providing adequate shelter for their families. 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.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. PEASE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4635) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes, pursuant to House Resolution 525, 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 amendment adopted by the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote on final passage of House Joint Resolution 90 immediately hereafter will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 256, nays 169, not voting 9, as follows:

[Roll No. 309]

YEAS—256

Abercrombie
Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeMint
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Evans
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Martinez
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Meek (FL)
Metcalf
Mica
Miller (FL)
Miller, Gary
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo

Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)

NAYS—169

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Dixon
Doggett
Edwards
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lazio
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Moakley
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Reyes
Rivers
Rodriguez
Roemer
Rothman
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Schakowsky
Scott
Sherman
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Weldon (FL)
Wexler
Weygand
Woolsey
Wu

NOT VOTING—9

Campbell
Cook
DeLay
Kuykendall
Rangel
Roybal-Allard
Serrano
Vento
Wynn

□ 2136

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 reconsider was laid on the table.

WITHDRAWING APPROVAL OF UNITED STATES FROM AGREEMENT ESTABLISHING THE WORLD TRADE ORGANIZATION

The SPEAKER pro tempore (Mr. LAHOOD). The pending business is the question of the passage of the joint resolution, H.J. Res. 90, on which further proceedings were postponed earlier today.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 56, nays 363, answered ''present'' 3, not voting 12, as follows:

[Roll No. 310]

YEAS—56

Abercrombie
Aderholt
Baldwin
Barr
Bartlett
Bilirakis
Bonior
Brown (OH)
Burton
Chenoweth-Hage
Coburn
Deal
DeFazio
Doolittle
Duncan
Everett
Gibbons
Goode
Goodling
Hall (TX)
Hilleary
Hostettler
Hunter
Istook
Jackson (IL)
Jones (NC)
Kaptur
Kennedy
Kucinich
Lipinski
McKinney
Metcalf
Mink
Ney
Norwood
Oberstar
Obey
Paul
Peterson (MN)
Pombo
Rohrabacher
Sanders
Scarborough
Schaffer
Sensenbrenner
Smith (NJ)
Strickland
Stupak
Tancredo
Taylor (MS)
Taylor (NC)
Traficant
Wamp
Waters
Weldon (FL)
Young (AK)

NAYS—363

Ackerman
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kasich
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Nussle
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Young (FL)

ANSWERED ''PRESENT''—3

Carson
Hinchey
Rivers

NOT VOTING—12

Campbell
Cook
DeLay
Jefferson
Kuykendall
McIntosh
Rangel
Roybal-Allard
Serrano
Shuster
Vento
Wynn

□ 2144

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 303–310. 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).

PERSONAL EXPLANATION

Mr. FILNER. Mr. Speaker, last Thursday, June 16, 2000, in order to fulfill official commitments in my district on Friday, I took the last plane from Washington to my California district. I missed the following record votes and would like to place in the RECORD my position on these issues: Rollcall number 285, present; rollcall number 286, yes; rollcall number 287, yes; rollcall number 288, no; rollcall number 289, no; rollcall number 290, yes; and rollcall number 291, no.

PRAYER AT FOOTBALL GAMES

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, the Supreme Court begins every session every day with a prayer that goes something like this, ''God save the United States and this honorable court.'' This Congress, every Congress begins every session every day with a prayer by a chaplain paid with tax dollars.

The First Amendment to the Constitution prohibits the Federal government from creating any law prohibiting the free exercise of religion, yet the Supreme Court ruled on Monday that students may not give voluntary prayers before football games even if students vote to do so.

In issuing this football prayer decision, the Supreme Court fumbled. They fumbled before. There is nothing sacrosanct about the Supreme Court decision. They reversed themselves over 100 times in our Nation's history.

They fumbled in 1857 when they said Dred Scott was not a person because of the color of his skin. The Supreme Court fumbled Monday when it ruled against free voluntary speech. Rather than preserving our rights, the court eroded them, and they ensured years of costly litigation for lawyers.

But I hope, yes I pray, if I am allowed to do so, that one day this decision will be overturned also.

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

(Mr. RUSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RUSH. Mr. Speaker, today, I rise to speak out against murder. In the past few weeks, there has been a ground swell of support for Gary Graham, a man placed on death row in Texas at the age of 17.

This case and others have drawn public attention to the death penalty in this country and especially in Texas where Governor Bush says that he is confident that each of the 134 people killed under his watch were guilty. But we must be mindful that confidence of one man or 1,000 men cannot right a wrong.

In a case where a man will die because of suspect eye witness testimony, Governor Bush's confidence is not enough. In a case where already two witnesses who said the man was not the killer, Governor Bush's confidence is not a enough. In a case where those two witnesses were not even called to the stand by the defense to testify, Governor Bush's confidence is not enough. Mr. Speaker, in a case where the gun found at the arrest was not the gun used to kill the murder victim, Governor Bush's confidence is not enough.

I urge Governor Bush to remember that simply saying that one is confident is not enough to right a wrong.

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?

SPECIAL ORDERS

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.

RESPONSIBILITY OF HIGH GAS PRICES FALLS WITH THE WHITE HOUSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, many Americans are becoming very upset about the great and tremendous rise in gas prices around the country, and certainly they should be upset about this. Let me just point out a few things though.

The price of gas could be and should be much, much lower than it is; but in 1995, the President vetoed legislation passed by this Congress that would 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 Smokey 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 $3 or $4 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 these gas pries go to those kinds of levels.

Some people say, well, that is what they are paying over in Europe. But the Europeans and all the others pay the same oil prices that we do, they just add all kinds of taxes.

So we should drill and explore for much more oil in this country, try and become much less dependent on foreign oil, and we could easily bring down the price of gas in this country. But this administration will not do it because they are too controlled by these environmental extremists who almost always are real wealthy people, so they are not hurt by high gas prices as much as the poor and lower income and the working people of this country.

SUPREME COURT DECISION ON SCHOOL PRAYER

Mr. DUNCAN. Mr. Speaker, let me mention one other unrelated thing that the gentleman from Pennsylvania (Mr. PITTS) 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 antireligious bias masquerading as religious neutrality has cost us far more than we have been willing to admit?''

□ 2200

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. PITTS) 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 the extent to which people are going to in this country to keep people from saying voluntary prayers.

PRESCRIPTION DRUGS

The SPEAKER pro tempore (Mr. TOOMEY). 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 Beaudry 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—there 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 again, 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:

[price is per month]

Novasac	$37.99
Prilosec	106.00
Allegra	33.29
Nitro	7.00
Premarin	22.97
Toprol	33.29
Indur	43.94
Mysoloq	18.99
Premarin Cream	40.99
Lipitor	49.99
Synlar	9.14
Aclovate	15.89
Total cost	419.48

Plus—coated aspirin—Vitamin C, Vitamin E, calcium pills, multivitamins, etc.

We hope that you can succeed in your campaign. Sincerely, Crystal Pearl Beaudry.

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 try 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 26, 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 to be 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 build nuclear bombs, were 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, 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 within 8 hours. He was not told 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 they are very, very concerned. 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, the gentleman 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 fire 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 that 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 initiate a plant 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 southern 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.

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.

[News Release from Congressman Ted Strickland, June 21, 2000]

STRICKLAND STATEMENT ON URANIUM PLANT CLOSURE

WASHINGTON, D.C.—USEC's announcement that it will seek to close the Portsmouth Uranium Enrichment Plant is unwise, unwarranted and unacceptable. I will fight this plant closure with every fiber of my being. The thousands of working families in our part of Ohio who depend on this industry for their livelihood deserve much better. For generations these brave, hard-working men and women have sacrificed for our national security. 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: 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—enrichment at the expense of national security, energy security and thousands of hard-working southern Ohioans. I cannot overstate my anger at this decision or my ironclad commitment to protect our workers and make sure that all responsible are held accountable.

DEPARTMENT OF THE TREASURY,
Washington, DC, June 21, 2000.

Mr. JAMES R. MELLOR,
Chairman of the Board, USEC, Inc., Bethesda, MD.

Mr. WILLIAM H. TIMBERS,
President and Chief Executive Officer, USEC Inc., Bethesda, MD.

DEAR MESSRS. MELLOR AND TIMBERS: I have received Mr. Timbers' letter dated Friday, June 16, 2000, in which he wrote to inform Treasury that the Board of Directors, of USEC Inc. ''must contemplate the termination of enrichment operations at one plant'' and that the next meeting of the Board is scheduled for today.

I am writing to urge that you and the other members of the Board vote not to initiate a plant closing at today's Board meeting. It is deeply disturbing that the USEC Board is even considering the precipitous step of initiating a plant closing less than two years after USEC privatization. Before any closing, every possible alternative should be pursued. The Board should give full consideration to the impact of its actions on effected communities and USEC's employees.

Sincerely,

GART GENSLER.

[DOE News, June 21, 2000]

STATEMENT OF SECRETARY BILL RICHARDSON ON USEC DECISION TO CLOSE PORTSMOUTH

''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 closure will have on USEC workers. Many of these men and women spent their entire working lives helping our nation win the Cold War. They deserve better treatment than they are getting from USEC.

''The decision is just the latest in a series of short-sighted decisions aimed at bolstering the corporation's near-term standing on Wall Street. The decision announced today leaves unanswered fundamental questions affecting the employees, the Corporation's future and USEC's ability to carry out important national security obligations to the United States.

''This decision was not inevitable. When USEC was privatized in 1998, it inherited a healthy business with a bright future. A series of decisions by the corporation's present management have weakened the Corporation and the domestic uranium industry and, coupled with a faltering long-term business strategy, have led to this unfortunate outcome that will result in several hundred Ohioans being put out of work.

''We have opposed layoffs from the start. Earlier this year, when USEC announced it would be downsizing at Paducah and Portsmouth, I urged USEC to provide early retirement and other benefits to help these workers, but the company refused. Now they're leaving even more workers up in the air by announcing closure of this plant, without any credible indication of their commitment or ability to deploy a replacement enrichment technology, necessary for long-term viability. The Energy Department has worked hard to increase funding for its cleanup activities at these sites and for workers displaced from USEC's downsizing to move to the cleanup.

''The administration is committed to doing all it can to mitigate the effects of this action on the workers and the community. We will be reviewing all our options in the days ahead and intend to vigorously pursue every possible means to mitigate the impacts of USEC's management failures on the workers at Portsmouth. I will also recommend fundamental changes in the future relationship between the U.S. government and USEC, including serious consideration of replacing USEC as executive agent for the Russia deal.''

THE SECRETARY OF ENERGY,
Washington, DC, June 21, 2000.

Mr. WILLIAM TIMBERS,
Chairman and CEO, United States Enrichment Corporation, Bethesda, MD.

DEAR MR. TIMBERS: I am in receipt of a copy of your response of June 20 to my 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 a burden, that you have long contemplated closing a plant, and that you require substantial federal assistance for a different enrichment technology.

I am pleased that you share our views about the national security importance of the HEU Agreement. I am confused, however, by the assertion in your letter that the important nonproliferation objective 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 side deal. While 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 introduction of even smaller amounts of SWU from another foreign country, based specifically on concerns about its impacts on the domestic market.

In my view, 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, I remain deeply concerned about its regional employment and economic impacts. The same management decisions that led you to notify Treasury of USEC's downgraded 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-owned corporation, USEC spent 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 $50 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 months).

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 the public's money. Surely you must acknowledge that if DOE and other agencies in the federal government are going to invest substantial public funds in a private enterprise, we are owed more than piecemeal requests for federal assistance.

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 and ask 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 106–683.

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 $601,180,000,000 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. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. 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 claims 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 the American 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, apprehending 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 militants of Hizbul-Mujahideen and 11 to 12 foreign mercenaries owing allegiance to Lashkar-e-Toiba, the LeT. 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 civilians in that state. This terrorist 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 indigenous Hindu community, the Kashmiri Pandits.

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The terrorists have also sought to clear out members of other Muslim sects or those Muslims who cooperate with the lawful Indian authorities of the state. And now with this incident, the ethic cleansing campaign has turned on the Sikhs.

It is no coincidence that this massacre took place during President Clinton's visit to South Asia. I believe that these terrorist groups and their supporters in Pakistan wanted an incident that would draw attention to the Kashmir issue. Pakistan has been seeking to internationalize this conflict for years. What better time to perpetrate a high-profile atrocity like this then when the President of the United States is in the region with all the attendant diplomatic and media attention that such a visit brings with it.

What makes the claim that India was behind the massacre all the more absurd, I mean this is why it is absurd. At a time when India was before the world stage, what possible motive would there be for such an ugly incident to detract from all the positive publicity India was seeking to generate. It does not make any sense.

Mr. Speaker, this allegation really makes no sense at all when we look at the record of the two South Asian neighbors, India and Pakistan. India is a secular, pluralistic democracy that seeks to promote civil and human rights for all of its many ethnic, linguistic and religious communities. Pakistan is a military dictatorship that has a long record of fomenting instability and violence in Kashmir while denying human and civil rights at home.

One of the motives behind trying to link India to the attack against the Sikh villagers in Kashmir is to try to generate separatist sentiment against India's Sikh community. Indeed, I understand that an organization based here in this country that seeks to promote the Sikh separatist cause has lent its support to the letter circulating on Capitol Hill.

The reality is that, in India's State of Punjab, where the Sikhs constitute a majority, Mr. Prakash Singh Badal, who happens to be a Sikh, has been elected as Chief Minister of the State. The predominantly Sikh Akali Dal Party holds a majority in the State's legislature. The State government has set up the Human Rights Commission whose primary purpose is to investigate claims of human rights abuses by government security forces, just as India has done on the national level.

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 condoned. 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.

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 of Health.

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 all of 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, he retired from private practice in Conroe, Texas, to be joined in 1958 after graduating from the University of Texas Southwestern Medical School in 1955. In 1951, 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 agreed to answer the Governor's call and provide us leadership. I am honored to call him my friend.

ENVIRONMENTAL PROTECTION AGENCY IS OUT OF CONTROL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. BERRY) 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 adopted a policy of any means is justified by its political ends. They seem absolutely determined to destroy the family farm as we know it today. They have completely abandoned sound science, or any science, for that matter. They pursue the idea that any regulation is a good regulation as long as it causes a lot of chaos and economic disruption.

Earlier this year, EPA attempted to regulate as a point source silviculture in this country. They have pretty well been falled by that effort. But now they are attempting, in a rather secretive way, to try to regulate aquaculture, another very important agricultural pursuit in this country.

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 severe threat.

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.

NATIONAL INSTITUTES OF HEALTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. GILMAN) is recognized for 5 minutes.

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 as a result, the budget 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.

CALLING ON GOVERNOR BUSH TO SUSPEND TEXAS EXECUTIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. RODRIGUEZ) is recognized for 5 minutes.

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.

In 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 had been 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 specific crime 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 DNA that is 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 justice 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 and assist on the Texas 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.

□ 2230

THE PROBLEM OF HIGH PRESCRIPTION DRUG COSTS

The SPEAKER pro tempore (Mr. TOOMEY). Under the Speaker's announced policy of January 6, 1999, the gentleman from Texas (Mr. TURNER) is recognized for half the remaining time until midnight, approximately 45 minutes, as the designee of the minority leader.

Mr. TURNER. Mr. Speaker, tonight we come to the floor to talk about an issue that many of my Democratic colleagues have been talking about for over 2 years, the problem of high prices of prescription drugs for our senior citizens. We are here on the floor tonight at a very critical time, because at this very moment, in this late hour, the Committee on Ways and Means is meeting and debating the issue of legislation to provide prescription drug coverage for our senior citizens. Tonight I want to spend a little time talking about that debate and the forces that are at work that will determine what kind of prescription drug coverage and what kind of plan this Congress will endorse.

We are here tonight on behalf of our senior citizens, and over the last 2 years I have visited and heard from many of them. I remember very distinctly when we first introduced the Prescription Drug Fairness Act, almost 2 years ago, and I traveled around my district talking about the issue with senior citizens at our local pharmacies, and I met a lady who ended up as a surprise at one of my meetings in Orange, Texas, a lady who was 84 years old and blind, who said she just had heard I was coming to town to talk about my efforts to try to fight the high prices of prescription drugs, and she wanted to come down and thank me.

She was a lovely lady. She spent over half of her $700 Social Security check on her 14 prescription medicines that she had to take every day. She said this, and it is recorded in an article in the Houston Chronicle, November 22, 1998. She said, ''By the time I get through paying for my medicines, I have very little to live off of.''

This lady should not have to face a choice of paying for prescription medications or buying food. She says, ''As long as I get my utilities and bills paid, I do the best I can. What is left, I try to spend on food.''

Well, Ms. Daley, we have been fighting for almost 2 years now to try to help you pay for your prescription drugs, and we are going to find out in just a few hours what the Committee on Ways and Means does to help you. I am hopeful that the outcome will be good, but, based on what I will share with you tonight, I have serious doubts as to whether we can report to Ms. Daley that we have a good bill and a good plan.

One letter I got some months ago was from some constituents of mine by the name of Joe and Billie O'Leary. They live down in Silsbee, Texas. I know Joe. I have talked to him several times at town meetings. His wife Billie wrote me a letter. Joe and Billie spend more than $400 a month for their prescription medications. They wrote me a 3 page letter, and I want to share with you a little bit of what Ms. O'Leary said. It speaks, I think, volumes about the problems that our seniors face.

She wrote, ''Most of the elderly have several ailments that require several prescriptions per month. The best and the latest treatments for some ailments and diseases are priced out of range for many on Medicare. Some treatments are available only for those who can afford it. I have found,'' she says, ''the problem is not that older people want free medicine. They want medicine that is reasonably priced so they can afford to buy it. What good,'' Ms. O'Leary says, ''what good is research and finding cures for diseases if a larger part of our population cannot afford the medicine for the cure?''

She goes on to write, ''The people who are having to pay the high costs are the ones least able to pay. Let's be fair to all,'' she says. ''Please try to cap the price the pharmaceutical companies are allowed to charge. Then we all can afford to pay for our own medicine.''

This is the part that was most moving to me. Ms. O'Leary writes, ''Our generation worked hard. We, through our taxes and efforts, helped to pay for schools, public buildings, highways, bridges, and helped pave the way for those now young. In the prime of our lives we fought in the wars for this country to keep our country free. We believe our country is big enough with our resources to provide reasonable health care and affordable medicine for all.''

Ms. O'Leary, I agree, and I hope that the majority of this Congress will also agree.

The big drug companies have been engaged in a campaign to try to defeat our efforts to lower the price of prescription drugs and to provide some affordable prescription drug coverage. No one can dispute the fact that drugs are too expensive, and I think many of our senior citizens are asking the question, why are prescription drugs so high, and why does the price continue to go up?

One-third of all of our seniors on Medicare cannot afford any prescription drug coverage at all, and another one third has only unreliable, incomplete or very costly coverage. That means there are 15 million of our mothers, fathers, grandparents, neighbors and friends who must go without the prescription drugs they so desperately need, and the costs are continuing to rise.

In 1998 the prices of the 50 most popular prescription drugs among seniors

rose by more than four times the rate of inflation. Every time I return to my district in Texas, I hear from seniors who must make the choice that Ms. 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 dose in a sad attempt to try 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 their counterparts 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 more year 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 is this? 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 component of our health care costs, and the CEOs of those big drug companies measure their annual salaries in the hundreds of millions of dollars, and their stock options they measure in the billions.

The 12 biggest drug makers paid their top executives over $545 million in 1998, and $2.1 billion in stock options. The drug companies pull in tens of billions of dollars in profit, and they pay their CEOs hundreds of millions of dollars, and now they are complaining to this Congress that if we lower drug prices, it will cut into research and development.

It is a lie. It is simple greed. The big drug makers are not about to let these 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.

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 the drug manufacturers 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 of taxpayer dollars with 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, a fellow named Tim Ryan, is the former marketing director for PHrMA, the industry trade group for the pharmaceutical manufacturers. The report also revealed that the Members of this Citizens for Better Medicare include other interest groups that have been denounced by Republicans and Democrats alike for their scare tactics to try to persuade seniors to oppose the efforts that are being made in this Congress to lower prescription drug prices.

It is their goal to avoid any kind of Medicare drug coverage that has the effect of reining in the skyrocketing drug costs. This campaign has targeted many Members of Congress, particularly those on the Democratic side of the aisle.

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In fact, this interest group has sent telegrams into my own district and called on my constituents with information 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 weekends 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 under the democratic plan could 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

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 very interesting, 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 cochairs 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 to speak 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 medicine. There is no way that the greatest Nation in the history of the world should allow something like this to go on. It just simply is not fair that our senior citizens and all Americans pay more than any other country for medicine; 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. Is it not a sad thing that we have allowed this to go on this 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 would not provide a single dollar of 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. The plain and 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, that gives them 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 may not recognize that 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 our 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 be paying the most. But the truth of the matter is, one has to pick out the oldest, the frailest, the poorest looking person in that line, probably a woman, and that is the person that is going to be paying the most for prescription drugs, and that is simply not fair. That is based on a very conscious decision 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 or no insurance, or their insurance 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 Committee on Government Reform on which I sit, and I did that study in my district.

□ 2300

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 same drug for Bo, and it 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 scarce 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 been talking to senior groups ever since I have been a public official. 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 the solution here. I love my Medicare, but it is not helping me when it comes to prescription drugs. I need you now.

They need us now. We have to come up with an answer. The answer is having a prescription drug benefit under Medicare giving affordable, accessible prescription drugs for our senior citizens. I appreciate the gentleman's leadership in getting us there.

Mr. TURNER. Mr. Speaker, I thank the gentlewoman from Illinois. I appreciate the leadership the gentlewoman has given to this issue. She is a most effective spokesperson on behalf of senior citizens. I am sure that seniors in the gentlewoman's district fully recognize the 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 gentleman 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 39 or 40 percent cut that is displayed, 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 charge 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, after all, they are making 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 prescriptions. 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 and provide that access 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 our 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 or third 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 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.

□ 2310

Mr. TURNER. Mr. Speaker, I want to thank the gentleman from Texas (Mr. RODRIGUEZ) and the gentlewoman 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 ad campaigns to try to preserve 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 gentlewoman from Illinois (Ms. SCHAKOWSKY) mentioned, they will understand that they are seeing an ad 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. GANSKE), 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. GANSKE) is recognized until midnight as the designee of the majority leader.

Mr. GANSKE. 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.

''She had to have 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 Weinmann of Indianola, 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 $1.05 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 96 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, Dr. 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

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 Furosemide 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 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.

□ 2320

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 per 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 priced higher 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. 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 1 month ago, showed little increase in research and development, especially 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 1999, of 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 financed, research. For example, 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, not just 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 type 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, medicine to prevent anemia in dialysis patients, and oral anticancer 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 with drug coverage are available. This is typically 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 health 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 $1,250. Plan J covers 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.

□ 2330

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 of 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, 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, in a report to 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 for the entire Medicare population or for low income seniors? Should it be comprehensive or for catastrophic? 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 is not new. It was discussed at the inception of Medicare back in 1965 and many times since then. The reason why adding a prescription benefit is such a hot issue now is that there 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, such as some of those that my own father takes.

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 and Medicare. This is because the outcome of reform in 1988 has seared itself into the minds of the policymakers who were in Congress then and who are committee chairman now.

The Medicare Catastrophic Coverage Act of 1988 would have phased in catastrophic prescription drug coverage as part of a larger package of benefit improvements. Under the Medicare Catastrophic Coverage Act of 1988, catastrophic prescription drug coverage would have been available in 1991 for all outpatient drugs subject to a $600 deductible, 50 percent co-insurance.

The benefit was to be financed through a mandatory combination of an increase in 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 the Congressional Budget Office estimated the cost for this at $5.7 billion initially and only 6 months later the cost estimates had more than doubled because both the average number of prescriptions used by enrollees and the average price had risen more than previously estimated.

This plan back in 1988 passed the House by a margin of 328–72, 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.

□ 2340

They even started demonstrating against it. Scenes of Gray Panthers hurdling themselves on to Ways and Means chairman 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 privates 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 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 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, like the GOP plan, about $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 $1,000 for $2,000 worth of drugs in 2003, rising to $2,500 for $5,000 worth of drugs in 2009.

The government would assume the financial risk for prescription drug insurance, but it would hire private companies to administer benefits and negotiate discounts from drug manufacturers. It would aid the poor similar 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, HMOs provide terrible care, and 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. This is from a House Republican Conference source.

Now, I could criticize each of these plans in depth, but I do not have that much time left. Suffice it to say that the details of each of these plans is very important as to how they would work; for that matter, if they would work.

The GOP bill's legislative language just became available a few days ago, so I have been reading the 150 page document over the past few days. I believe that if you let plans design all sort of benefit packages, as does the GOP plan, it becomes very difficult for seniors to be able to compare apples to apples, to compare equivalency of plans in terms of value. I also think that plans can tailor benefits 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 bill would offer insurers to enter markets in which no drug plans are available. Would these incentives encourage insurers to hold out for more money? I have doubts that the private insurance industry will ever offer drug only plans.

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, ''Private 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 particulars 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. After 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 premiums 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 doubtful that anywhere near 80 percent of seniors will sign up for either 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.

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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.

Now, this mandatory provision is 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 drug insurance 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.

Mr. Speaker, if only everyone acted with such prudence now, we would not be dealing with the need for this bill. Unfortunately, the low participation in the current voluntary Medigap programs indicates that unless seniors must sign up initially, a large number will not. They will wait until they need drugs, and then they will complain vociferously to Congress about their high premiums and we will be right back where we started. Since other seniors will have a prescription drug benefit, there will be enormous pressure on legislators to subsidize the seniors who are tardy in signing up for a drug program and that, 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 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 a new Medical Benefits Administration, and the Inspector General already tells us how hard it is to oversee adverse risk selection in Medicare HMOs.

We could, of course, mandate enrollment. That was the approach of the Medicare Catastrophic Coverage Act in 1988, and we saw what happened to that law. To say that mandatory enrollment has little appeal to policymakers in an election year I think is an understatement.

Finally, we could avoid adverse selection for a voluntary benefit like prescription drug coverage if we just subsidized the benefits so much that seniors simply share very little of the cost. The benefit becomes cost-effective for the vast majority, regardless of health, because it is such a good deal. But this could lead to a $400 billion or $500 billion subsidy.

It again reminds me of the article by Mr. Rostenkowski. As Rosty said in his op-ed piece, ''The problem was, and still is, a lack of money.'' Yes, we have a projected surplus, but the 10-year costs of a more highly subsidized drug coverage could, in my opinion, even double or triple the cost of both proposals.

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 in this 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 QMBs, and specified 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 to use 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 certain low reimbursement urban areas at such a disadvantage in attracting 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. GUTKNECHT), 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 Drug 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.

Fifth, I think we should enact 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 those 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 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 approach 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 the pieces fit together so as to do no harm to any one part while benefiting another. It will not do Iowa seniors much good to have an unlimited drug benefit if they do not have a local hospital to go to.

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 amendments and debate, full 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

would advise my colleagues to be very careful. I am sure that television archives preserve the image of unhappy Chicago citizens surrounding Dan Rostenkowski's car when he visited a decade ago to explain why he thought the Medicare reform bill was a good bill. Let us continue regular order.

Finally, I remain committed to seeing 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 Newton, 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 situation and it isn't getting any better because drugs keep going up and up."

When James Weinman of Indianola, 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 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 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 drugs that cost over $200 total each month—over 20% 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 I worked in before coming to Congress:

"Dear Congressman Ganske . . . after completing a University of Iowa study on Celebrex 200 mg. for arthritis, I got a prescription from my MD 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:

a. 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 96 cents per pill, plus shipping.

b. I can order [these drugs] through Pharmaworld, 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 closes his letter to me by saying, "I urge you, Dr. Ganske, to pursue the reform of medical costs and stop the outlandish plundering by pharmaceutical companies."

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 seniors rose 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 inflation.

The prices of some drugs are rising even faster. Furosemide, a generic diuretic, rose 50% in 1999. Klor-con 10, a brand name drug, rose 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 furosemide 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. For a widow at 150% of poverty ($12,525 income per year), the annual cost of Prilosec alone will consume more than one in nine dollars of the senior's total budget. (chart)

My friend from Des Moines, the Iowa Lutheran Hospital volunteer senior citizen, as do the Weinman's from Indianola from their shopping 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. drug prices 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 two-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. Comparing 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 development 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 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 one month ago, showed little increase in R&D, especially in comparison to significant increases in advertising 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 prescription drug commercials a day!

Look at this chart which shows 1998 figures for the big drug companies. In every case, marketing, advertising, sales, and administrative 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 administration as they spent on research and development. Only one of the top ten drug companies spent more on R&D than on marketing, advertising, 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 approximately 5% for other Fortune 500 companies. 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 research. For example, Taxol is a drug developed from government funded research which earns its manufacturer, Bristol-Myers-Squib, millions of dollars 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 addition, 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. 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, medicine 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% of the coinsurance for these drugs.

About 90% 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 one buys in a pharmacy with a prescription from your doctor.

Since the early 1980's 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 Iowa have had such low payment rates that no HMOs with drug coverage are available. This is typically a rural problem, but some metro areas also have inequitably low reimbursements.

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 don't. But I'll return to this issue later.

Employers may offer their retirees health benefits that include prescription drugs but fewer are doing so. From 1993–1997, prescription drug coverage of Medicare-eligible retirees dropped from 63% to 48%.

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% of the charges up to a maximum benefit of $1,250. Plan J covers 50% 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 of moderate coverage, she pays $1,320 without a drug benefit and $1,917 for a policy with a drug benefit. For extensive coverage, she would pay $1,524 for insurance without drugs and $3,252 for insurance with drug coverage.

Why is there such a price gap? Because the drugs benefit is voluntary. Only those persons 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. 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 deductibles and coinsurance by their state's Medicaid program. For these "dual eligibles," the most important service paid for entirely 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 more limited Medicaid protection:

Qualified Medicare Beneficiaries (QMBs) have incomes below the poverty line ($8,240 single, $11,060 couple) and assets below $4,000 single/$6,000 couple. Medicaid pays their deductible and premiums.

Specified Low-Income Medicare Beneficiaries (SLIMBs) have incomes up to 120% of the poverty line and Medicaid pays their Medicare Part B premium.

Qualifying Individuals (QI–1) have income between 120% and 135% of poverty. Medicaid pays only their Part B premium, but not deductibles.

Qualifying Individuals (QI–2) have income between 135% of 174% of poverty. Medicaid pays part of the Part B premiums.

QMBs and SLIMBs are not entitled to Medicaid's prescription drug benefit unless they are also eligible for full Medicaid coverage under their state's Medicaid program. QI–1s and QI–2s are never entitled to Medicaid 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 had no coverage at all.

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 why adding a 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 takes.

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 price 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 demonstrating against it. Scenes of Gray Panthers hurtling themselves onto Ways and Means Chairman Dan Rostenkowski's car were broadcast to the nation. Angry phone calls from senior citizens 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. Rosty 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 receive tomorrow." 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.

Apparently, the drafters of the Democratic and Republican bills agree with him because 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 costs. If subscribers didn't 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 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

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 this 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 cost of each prescription and there would be no deductible. Maximum federal payment would be $1,000 (for $2,000 worth of drugs) in 2003, rising to $2,500 (for $5,000 worth of drugs) in 2009.

The government would assume the financial risk for prescription drug insurance, 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 sicker 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 is too restrictive and puts politicians and Washington bureaucrats in control.''

I could criticize each in depth, but don't have that much time tonight. Suffice it is to say that the details of each of these plans is very important as to how they would work, for that matter, if they would actually work. The GOP bill's legislative language just became available Thursday and so I have been reading this 150-page document over the past few days.

I believe that if you let plans design all sorts of benefit packages, as does the GOP plan, it becomes very difficult for seniors to be able to compare apples to apples, to compare equivalency of plans in terms of value. I also think that plans can tailor benefits 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 bill would offer insurers to enter markets in which no drug plans were available. Would these incentives encourage insurers to hold out for more money?

I have doubts that the private insurance industry will ever offer drug-only plans. 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 Commerce Committee on June 13, 2000, Mr. Kahn said, ''Private drug-only coverage would have to clear insurmountable financial regulatory, and administrative hurdles simply to get to market. Assuming that it did, the pressures of ever-increasing drug costs, the predictability of drug expenses, and 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 a plan to seniors at an affordable premium.''

Mr. Kahn predicted that few, if any, insurers would offer this type of product.

I could similarly criticize several particulars of the Democratic bill but, in the spirit of bipartisanship, I want to expand on what I think is the fundamental flaw of 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. 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 be getting 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 seniors 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 highly doubtful that anywhere near 80% of seniors will sign up for either 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% 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 participation 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. Since other seniors 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 policy 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 Rosty 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 made a bipartisan commitment not to use Social Security surplus funds. Second, there are people who have no health insurance at all, much less prescription drug coverage. Should we expand coverage for some while the totally unprotected group grows? Third, Medicare is closer to insolvency than it was back in 1988. Shouldn't our first priority be to protect the current Medicare program?

Given these constraints, what can we do to help seniors and others with high drug costs?

Here's a 10-step modest proposal for helping seniors and others with their drug costs:

1. Allow Qualified 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 the floor to $450, 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 do 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 that importing drugs is against the law. The FDA should not send a warning notice regarding the importation of a drug without providing to the person involved a statement of the underlying reasons for the notice. Mr. GUTKNECHT, my colleague from Minnesota, has introduced legislation called the "Drug Import Fairness Act of 1999", H.R. 3240, and Congress should pass this common sense provision.

4. Congress should at least fully debate Congressman TOM ALLEN's bill, the Prescription Drug Fairness for Seniors Act, H.R. 664. The idea is simple. It would allow pharmacists to buy drugs for Medicare beneficiaries at the best prices 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, just as customers of Aetna, Cigna and other private plans receive the benefit of negotiated lower prices.

5. Congress should enact full tax deductibility retroactive to January 1, 2000, for the self-insured. It isn't just seniors that have medical expenses. 40 million Americans have no insurance at all, much less prescription drug coverage. We should devote at least $40 billion over ten years to this problem.

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 to be commended 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 discontinued drugs.

8. 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 BILIRAKIS 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.

9. 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.

10. Finally, I think Congress could actually get signed into law a combination of the above in a bipartisan fashion. Yes, this approach is more limited than either the Clinton plan or the House GOP plan. However, a more comprehensive drug plan should, in my opinion, be a part of over-all Medicare reform where all the pieces fit together so as to do no harm to one part while benefiting another. It won't do Iowa seniors much good to have an unlimited drug benefit if they don't have a local hospital to go to.

This prescription drug issue is complicated. As I said at the beginning of this speech, there is little consensus yet on some of the most important provisions. Furthermore, a reform like this truly should be a bipartisan effort, with more than just a few members of the other party signed on to a bill.

For a long time, in its wisdom, Congress has gone through "regular order" in legislating. This means a bill with all its details dropped in the bin and made public. Hearings on the bill's particulars, comparisons of language and the implications of legislative language. Subcommittee mark-ups with amendments and debate. Full committee mark-ups with amendments and debate. All committees of jurisdiction weighing in and marking up the bill. Rules that allow full debate on the floor.

"Regular order" isn't just for the members of the committees of jurisdiction, it is really for the other members so that they can watch and learn and make sure that an issue is fully vetted before they vote on it.

I am sorry to say that on this very important issue, "regular order" is not being followed and for political reasons a bill is being rushed to the floor. I would advise my colleagues to be very careful. I am sure that television archives preserve the image of unhappy Chicago senior citizens surrounding Dan Rostenkowski's car when he visited a decade ago to explain why he thought the Medicare reform bill then was a good deal. That tape is a warning to any politician who deviates from "regular order" and doesn't pay attention to the lessons of the past.

As for me, I will find it very difficult to vote for a bill of this magnitude that doesn't go through regular order. That means a chance to improve it in the Commerce Committee. Regardless of 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.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. CARSON (at the request of Mr. GEPHARDT) for June 20 after 5:30 p.m. on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. FILNER) to revise and extend their remarks and include extraneous material:)

Mr. ALLEN, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Ms. STABENOW, for 5 minutes, today.

Ms. MCKINNEY, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. BERRY, for 5 minutes, today.

(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mr. REGULA, for 5 minutes, June 23.

Mr. DUNCAN, for 5 minutes, today.

Mr. HUNTER, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today and June 22.

Mr. KASICH, for 5 minutes, today.

Mr. BRADY of Texas, for 5 minutes, today.

Mr. GILMAN, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. KINGSTON, for 5 minutes, today.

Mr. RODRIGUEZ, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. KNOLLENBERG and to include extraneous material, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $3,770.

ADJOURNMENT

Mr. GANSKE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock a.m.), the House adjourned until today, Thursday, June 22, 2000, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8265. A letter from the Director, Office of Management and Budget, transmitting a report that appropriation to the National Transportation Safety Board (NTSB) for ''Salaries and Expenses'' for the fiscal year 2000 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 Program Revisions [FRL–6704–7] received May 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); 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(f); 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 Memorandum of Agreement concerning the International Test and Evaluation Program for Humanitarian Demining, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

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. DTC 026–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8271. A letter from the Secretary of Transportation, transmitting the semiannual report of the Inspector General for the period ending March 31, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

8272. A letter from the Director, Institute of Museum and Library Services, transmitting the FY 1999 Annual Program Performance Report; to the Committee on Government Reform.

8273. A letter from the Assistant Secretary, Policy, Management and Budget, Department of the Interior, 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. 1337(a)(9); to the Committee on Resources.

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. 4204; 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 the Judiciary.

8276. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Mitsubishi Heavy Industries, Ltd. MU–2B Series Airplanes [Docket No. 97–CE–21–AD; Amendment 39–11724; AD 2000–09–15] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8277. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce plc RB211–535 Series Turbofan Engines [Docket No. 2000–NE–04–AD; Amendment 39–11723; AD 2000–09–14] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8278. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400 Series Airplanes Equipped With General Electric CF6–80C2 Series Engines [Docket No. 2000–NM–93–AD; Amendment 39–11711; AD 2000–09–03] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8279. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767 Series Airplanes Equipped with General Electric Model CF6–80C2 Series Engines [Docket No. 2000–NM–94–AD; Amendment 39–11712; AD 2000–09–04] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8280. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 99–NM–268–AD; Amendment 39–11673; AD 2000–07–19] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8281. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 99–NM–269–AD; Amendment 39–11674; AD 2000–07–20] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8282. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 99–NM–270–AD; Amendment 39–11675; AD 2000–07–21] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8283. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 and MD–11F Series Airplanes [Docket No. 99–NM–265–AD; Amendment 39–11670; AD 2000–07–16] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8284. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11; AD 2000–07–14, et al.; Final Rule—received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8285. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 99–NM–264–AD; Amendment 39–11669; AD 2000–07–15] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8286. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 and MD–11F Series Airplanes [Docket No. 99–NM–267–AD; Amendment 39–11672; AD 2000–07–18] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8287. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 99–NM–266–AD; Amendment 39–11671; AD 2000–07–17] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8288. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF6–50 Series Turbofan Engines [Docket No. 98–ANE–41–AD; Amendment 39–11697; AD 2000–08–11] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8289. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF6–80E1 Series Turbofan Engines [Docket No. 98–ANE–49–AD: Amendment 39–

11698; AD 2000–08–12] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8290. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company GE90 Series Turbofan Engines [Docket No. 98–ANE–39–AD; Amendment 39–11696; AD 2000–08–10] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8291. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 99–NM–231–AD; Amendment 39–11707; AD 2000–08–21] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8292. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 727 and 727C Series Airplanes [Docket No. 98–NM–293–AD; Amendment 39–11705; AD 2000–08–19] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8293. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes [Docket No. 2000–NM–01–AD; Amendment 39–11710; AD 2000–09–02] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8294. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes [Docket No. 99–NM–338–AD; Amendment 39–11709; AD 2000–09–01] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8295. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; MD Helicopters Inc. Model 369D, 369E, 500N, and 600N Helicopters [Docket No. 2000–SW–02–AD; Amendment 39–11708; AD 2000–08–22] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8296. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Allison Engine Company AE 3007 Series Turbofan Engines [Docket No. 99–NE–46–AD; Amendment 39–11714; AD 2000–09–05] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8297. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model 717–200 Series Airplanes [Docket No. 2000–NM–99–AD; Amendment 39–11713; AD 2000–07–51] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8298. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9 Series Airplanes, and Model MD–88 and MD–90–30 Airplanes [Docket No. 97–NM–244–AD; Amendment 39–11704; AD 2000–08–18] (RIN: 2120–AA64) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Florida: Committee on Appropriations. Report on the Revised Suballocation of Budget Allocations for Fiscal year 2001 (Rept. 106–686). 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 Counterintelligence Capabilities at the Department of Energy and the Los Alamos, Sandia, and Lawrence Livermore National Laboratories (Rept. 106–687). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. GONZALEZ (for himself, Mr. ORTIZ, Mr. REYES, Mr. BONILLA, Mr. RODRIGUEZ, Mr. SMITH of Texas, Mr. BACA, Mr. FILNER, and Mr. 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.

By 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 pharmaceutical, biologic, or genetic products; to the Committee on Commerce, and in addition to the Committees 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.

By 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.

By Mr. DIAZ-BALART (for himself, Mr. WAXMAN, Ms. ROS-LEHTINEN, Mr. MENENDEZ, Mr. GILMAN, Ms. LOFGREN, Mrs. MORELLA, Ms. 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.

By 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 settling of the western portion of the United States; to the Committee on Resources.

By Mr. GILMAN (for himself, Mr. MCNULTY, Mr. LAZIO, Mr. ROHRABACHER, and Mr. FILNER):

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.

By Mr. LARGENT (for himself, Mr. TAUZIN, Mr. OXLEY, Mr. PICKERING, Mr. GOODLATTE, Mr. STUPAK, and Mr. ADERHOLT):

H.R. 4710. A bill to authorize appropriations for the prosecution of obscenity cases; to the Committee on the Judiciary.

By Mr. LARSON (for himself, Mr. WELDON of Pennsylvania, Mr. KASICH, Mrs. JOHNSON of Connecticut, Mr. MURTHA, Mr. SHAYS, Mr. MEEKS of New York, Mr. DOOLEY of California, Mr. DELAHUNT, Ms. DELAURO, Mr. LAFALCE, Mr. POMEROY, Mr. MOAKLEY, Mr. TAYLOR of Mississippi, Mr. CLEMENT, Mr. TRAFICANT, Mr. TANNER, Ms. DEGETTE, Mr. GEJDENSON, Mr. FORD, Mr. NEAL of Massachusetts, Mr. RANGEL, Ms. PELOSI, Mr. GEORGE MILLER of California, Mr. WU, Mr. INSLEE, Mr. ACKERMAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SPRATT, Mrs. LOWEY, Mr. BOSWELL, Mr. MALONEY of Connecticut, Mr. HOEFFEL, Mr. ABERCROMBIE, Mr. CAPUANO, Mr. CROWLEY, Mr. RODRIGUEZ, Mr. FRANK of Massachusetts, Mr. TURNER, Mr. MOLLOHAN, Mr. DINGELL, Ms. WATERS, Mr. SENSENBRENNER, Mr. BALDACCI, Mr. TIERNEY, Mr. JOHN, Mr. SHOWS, Mr. SAWYER, Ms. BALDWIN, Mr. JEFFERSON, Mr. KENNEDY of Rhode Island, Mr. ALLEN, Mr. GONZALEZ, Mr. HINOJOSA, Ms. SCHAKOWSKY, Ms. BROWN of Florida, Mrs. JONES of Ohio, Ms. CARSON, Mr. MOORE, Mr. OWENS, Mr. GREEN of Texas, Ms. BERKLEY, Ms. JACKSON-LEE of Texas, Mr. BONIOR, Mr. UDALL of New Mexico, Mr. BORSKI, Mr. BRADY of Pennsylvania, Mr. FATTAH, Mr. HOLDEN, Mr. KLINK, Mr. KANJORSKI, Mr. STUPAK, Mr. MASCARA, Mr. DOYLE, Mrs. MCCARTHY of New York, Mr. MATSUI, Mr. HILL of Indiana, Mr. KLECZKA, 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. MEEHAN, Mr. HASTINGS of Florida, Mr. SKELTON, Ms. DANNER, Ms. SLAUGHTER, Mrs. THURMAN, Mr. SMITH of Washington, Mr. NADLER, Mr. PASTOR, Mr. PRICE of North Carolina, Mr. SANDLIN, Ms. NORTON, Mr. BOUCHER, Mr. ETHERIDGE, Mr. PHELPS, Mr. ENGEL, Ms. MCCARTHY of Missouri, Mr. MCGOVERN, Mr. COYNE, Mr. HILLIARD, Mr. THOMPSON of Mississippi, Mr. CLAY, Mr. WYNN, Mr.

ENGLISH, Mr. GORDON, Mr. PAYNE, Mrs. FOWLER, Mr. BARRETT of Wisconsin, Ms. SANCHEZ, Mr. PETERSON of Minnesota, Mr. GOODE, Mr. ANDREWS, Mr. CHAMBLISS, Mr. BACA, Mr. FILNER, Mr. MORAN of Virginia, Mr. BERRY, Mr. SNYDER, Mrs. EMERSON, Ms. ROYBAL-ALLARD, Mr. GILLMOR, Mr. BLUMENAUER, Mr. EHLERS, Ms. WOOLSEY, Mr. BROWN of Ohio, Ms. LEE, Mr. SERRANO, Mr. BAIRD, Mr. FROST, Mr. WISE, Mr. PICKETT, Mr. GUTIERREZ, Ms. KAPTUR, Mr. MENENDEZ, Mrs. CLAYTON, Mr. SCOTT, Mr. DEUTSCH, Mr. BOYD, Mr. WAXMAN, Mr. CONYERS, Mrs. MINK of Hawaii, Mrs. MALONEY of New York, Mr. CONDIT, Ms. HOOLEY of Oregon, Mr. WEYGAND, Mr. OLVER, Ms. KILPATRICK, Ms. MILLENDER-MCDONALD, Mr. UNDERWOOD, Mrs. MEEK of Florida, Mrs. TAUSCHER, Mr. STENHOLM, and Mr. KUYKENDALL):

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 distress, to help these regions and communities, in restructuring their economies, and to expand the authorization of appropriations for these purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OXLEY (for himself, Mr. STEARNS, Mr. LARGENT, and Mr. PICKERING):

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 Ms. PRYCE of Ohio (for herself, Mr. ARMEY, Mr. CAMP, Ms. DUNN, Mrs. JOHNSON of Connecticut, Mr. SESSIONS, and Mr. UPTON):

H.R. 4713. A bill to amend the Internal Revenue Code of 1986 and the Surface Mining Control and Reclamation Act of 1977 to restore stability and equity to the financing of the United Mine Workers of America Combined Benefit Fund by eliminating the liability of reachback operators, to provide additional sources of revenue to the Fund, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAXTON (for himself, Mr. ABERCROMBIE, and Mr. SANFORD):

H.R. 4714. A bill to establish the Social Security Protection, Preservation, and Reform Commission; 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.

By Mr. SHAW (for himself, Mr. FOLEY, Mr. LEWIS of Georgia, Mr. COYNE, Mrs. JOHNSON of Connecticut, Ms. DUNN, Mr. MATSUI, Mr. NEAL of Massachusetts, Mrs. THURMAN, and Mr. ENGLISH):

H.R. 4715. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain expenses of rural letter carriers; 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, Mr. STRICKLAND, Ms. ROYBAL-ALLARD, Mr. GUTIERREZ, Mr. FROST, Mr. MCGOVERN, Mr. DINGELL, Mr. SCOTT, Mr. BALDACCI, Mr. KILDEE, Mrs. KELLY, Mr. RANGEL, Mr. PETERSON of Minnesota, Mrs. JONES of Ohio, and Mr. BARRETT of Wisconsin):

H.R. 4716. A bill to amend title 38, United States Code, to provide that the rate of reimbursement for motor vehicle travel under the beneficiary travel program of the Department of Veterans Affairs shall be the same as the rate for private vehicle reimbursement for Federal employees; to the Committee on Veterans' Affairs.

By Mr. CAMPBELL:

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 Turkish-occupied Cyprus, for the reunification of the Government of the Republic of Cyprus; to the Committee on International Relations.

By Mr. HOLT (for himself and Mr. WEXLER):

H. Con. Res. 359. Concurrent resolution expressing the sense of the Congress that the carrying of firearms into places of worship or educational and scholastic settings should be prohibited; to the Committee on the Judiciary.

By Mr. PASCRELL:

H. Con. Res. 360. Concurrent resolution expressing the sense of the Congress that Roberto Clemente was a great athlete and should be honored by a national day of recognition; to the Committee on Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 40: Mr. FORD.
H.R. 141: Mr. JONES of Ohio, Mr. LANTOS, and Ms. CARSON.
H.R. 303: Mr. SOUDER.
H.R. 329: Mr. STUPAK.
H.R. 362: Mr. BALDACCI.
H.R. 583: Mr. HOLT.
H.R. 689: Ms. CARSON.
H.R. 783: Mr. CONYERS, Mr. PASCRELL, and Mr. DOOLITTLE.
H.R. 797: Mrs. TAUSCHER and Mr. ROGAN.
H.R. 914: Mr. DOYLE.
H.R. 923: Mr. ENGEL.
H.R. 934: Mr. HOLT.
H.R. 1041: Mr. CRAMER.
H.R. 1044: Mr. SHIMKUS, Mr. GEKAS, and Mr. GILLMOR.
H.R. 1082: Mr. SAXTON.
H.R. 1172: Ms. BROWN of Florida, Mr. NETHERCUTT, and Mr. HOLT.
H.R. 1248: Mr. WHITFIELD, Mr. LATOURETTE, and Mr. EVERETT.
H.R. 1354: Ms. CARSON.
H.R. 1560: Mr. BLUNT.
H.R. 1795: Mr. MARKEY, Mr. MCINTOSH, and Mr. BAKER.
H.R. 1870: Mr. PHELPS.
H.R. 2129: Mr. LATHAM, Mr. HOEKSTRA, Mr. VISCLOSKY, Mr. CASTLE, Mr. DAVIS of Virginia, Mr. BRADY of Pennsylvania, and Mr. DELAHUNT.
H.R. 2341: Mr. BLUMENAUER, Mr. CROWLEY, Mr. BALDACCI, Mr. GONZALEZ, and Mr. DOYLE.
H.R. 2451: Mr. BLUNT.
H.R. 2457: Mr. MCNULTY, Mr. LEVIN, Mr. BLAGOJEVICH, Ms. DEGETTE, Mr. KENNEDY of Rhode Island, Ms. CARSON, and Mr. SYNDER.
H.R. 2597: Mr. BAKER.
H.R. 2620: Mr. ABERCROMBIE.
H.R. 2631: Mr. KUCINICH.
H.R. 2655: Mr. HAYES.
H.R. 2741: Mr. TIERNEY.
H.R. 2814: Mr. COOK and Mr. GILCHREST.
H.R. 2816: Mr. CALVERT.
H.R. 2871: Mr. PETERSON of Minnesota.
H.R. 2934: Mr. STRICKLAND.
H.R. 3082: Mr. GREEN of Wisconsin.
H.R. 3100: Mr. NEY, Mr. WATKINS, and Mr. HILLEARY.
H.R. 3125: Mr. COOK.
H.R. 3240: Mr. JONES of North Carolina.
H.R. 3250: Mr. FALEOMAVAEGA, Mr. BAIRD, Mr. WAMP, and Mr. LANTOS.
H.R. 3302: Mr. RYUN of Kansas, Mr. RYAN of Wisconsin, Mr. GUTKNECHT, Mr. SHADEGG, Mr. TIAHRT, Mr. SOUDER, Mrs. CUBIN, Mr. TERRY, Mr. DICKEY, Mr. BARTLETT of Maryland, Mr. JONES of North Carolina, and Mr. TOOMEY.
H.R. 3408: Mr. MOORE.
H.R. 3454: Mr. COLLINS, Mr. DEAL of Georgia, Mr. KINGSTON, Mr. ISAKSON, Mr. BARR of Georgia, Mr. BISHOP, Mr. LEWIS of Georgia, Ms. MCKINNEY, Mr. LINDER, and Mr. NORWOOD.
H.R. 3521: Mr. BRADY of Texas.
H.R. 3561: Mr. GOODLING.
H.R. 3575: Mr. EDWARDS.
H.R. 3576: Mr. THORNBERRY.
H.R. 3578: Mr. CANNON.
H.R. 3610: Ms. CARSON, Mr. GORDON, and Mr. CUMMINGS.
H.R. 3682: Mr. DOYLE.
H.R. 3698: Mr. WELDON of Florida, Mr. INSLEE, Mrs. MORELLA, Mr. COBLE, and Ms. WOOLSEY.
H.R. 3710: Mr. NEY, Mr. INSLEE, Mrs. JONES of Ohio, and Mrs. MORELLA.
H.R. 3842: Mr. HOEFFEL, Mrs. MINK of Hawaii, Mr. MCINNIS, Mr. SHERWOOD, and Mrs. CAPPS.
H.R. 4038: Mr. LANTOS.
H.R. 4042: Mr. COYNE.
H.R. 4106: Mr. RAMSTAD.
H.R. 4136: Mr. COOK and Mr. PASTOR.
H.R. 4144: Mr. HILL of Indiana.
H.R. 4162: Mr. LEWIS of Georgia.
H.R. 4167: Mr. ROEMER, Mr. BROWN of Ohio, Mr. WYNN, Mr. ROTHMAN, Mr. WEXLER, Mr. JACKSON of Illinois, Mr. LEWIS of Georgia, Mr. MCGOVERN, and Ms. JACKSON-LEE of Texas.
H.R. 4207: Mr. BALDACCI, Mr. DEFAZIO, Mr. COSTELLO Ms. MCKINNEY, Mr. GONZALEZ, Mr. SHERMAN, and Mr. UNDERWOOD.
H.R. 4210: Mr. COBLE and Mr. BLUMENAUER.
H.R. 4220: Mrs. MYRICK.
H.R. 4239: Mr. INSLEE and Ms. VELÁZQUEZ.
H.R. 4257: Mr. NETHERCUTT and Mr. BLILEY.
H.R. 4260: Mr. SHIMKUS and Mr. MCINTOSH.
H.R. 4271: Mr. FRANK of Massachusetts and Mr. BEREUTER.
H.R. 4272: Mr. FRANK of Massachusetts and Mr. BEREUTER.
H.R. 4273: Mr. FRANK of Massachusetts and Mr. BEREUTER.
H.R. 4277: Mr. PAYNE.
H.R. 4299: Mr. HORN.
H.R. 4320: Ms. ESHOO, Mr. SHAW, and Mr. PASCRELL.
H.R. 4357: Mr. HOEFFEL.
H.R. 4393: Mr. KLECZKA.
H.R. 4395: Mrs. MORELLA.
H.R. 4398: Mr. STUPAK and Mr. TURNER.
H.R. 4410: Mr. FALEOMAVAEGA, Mr. ABERCROMBIE, Mr. PALLONE, and Mr. DEFAZIO.
H.R. 4439: Mr. WAXMAN and Ms. LOFGREN.

H.R. 4453: Mr. HOUGHTON.
H.R. 4467: 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. 4539: 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. 4658: Mr. WATT of North Carolina.
H.R. 4659: Mr. ROYCE, Mr. WYNN, Mrs. JONES of Ohio, Mr. SCHAFFER, Mr. ENGLISH, Mrs. CLAYTON, Mr. FORBES, Ms. MILLENDER-MCDONALD, and Mr. OWENS.
H.R. 4660: Mr. MCKEON 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. CRAMER, and Mr. OXLEY.
H. Con. Res. 297: Mr. CRANE.
H. Con. Res. 306: Mr. METCALF, Ms. DEGETTE, Mr. MORAN of Virginia, Mr. WYNN, Mr. KENNEDY of Rhode Island, Ms. NORTON, Mr. TALENT, Mr. MARKEY, Mr. WATT of North Carolina, Mr. BAIRD, Mr. WELDON of Florida, Ms. ROYBAL-ALLARD, Mr. MCCOLLUM, Mr. REYES, Mr. PHELPS, and Mr. HUTCHINSON.
H. Con. Res. 308: Mrs. MINK of Hawaii and Mr. EVANS.
H. Con. Res. 321: Mr. ROMERO-BARCELO, Mr. GALLEGLY, Mr. FROST, Mr. PHELPS, Mr. MCGOVERN, Mr. SHAYS, Mr. PASCRELL, and Mr. COYNE.
H. Con. Res. 325: Mr. WAXMAN and Ms. LOFGREN.
H. Con. Res. 348: Ms. CARSON, Mr. DIXON, Mr. RANGEL, and Mrs. TAUSCHER.
H. Con. Res. 350: Ms. RIVERS and Ms. LOFGREN.
H. Con. Res. 356: Mr. BROWN of Ohio, Mr. DAVIS of Illinois, and Mrs. MINK OF HAWAII.
H. Con. Res. 357: Ms. HOOLEY of Oregon.
H. Res. 37: Mr. MCGOVERN.
H. Res. 187: Ms. LOFGREN.
H. Res. 420: Mr. GREEN of Texas.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4461

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 amounts made available in this Act for the Food and Drug Administration may be expended to approve any application for a new drug submitted by an entity that does not, before completion of the approval process, provide to the Secretary of Health and Human Services a written statement specifying the total cost of research and development with respect to such drug, by stage of drug development, including a separate statement specifying the portion paid with Federal funds and the portion paid with State funds.

H.R. 4461

OFFERED BY: MR. SANFORD

AMENDMENT NO. 33: Insert before the short title the following:

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:

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 arsenic

where such activities are authorized by law.

H.R. 4690

OFFERED BY: MR. ALLEN

AMENDMENT NO. 13: At the end of the bill, insert after the last 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 78, line 2, after ''$498,100,000'' 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. CAMPBELL

AMENDMENT NO. 20: Page 107, after line 21, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds appropriated under this Act may be used to incarcerate an alien subject to removal from the United States under the Immigration and Nationality Act (whether pending a decision on whether the alien is to be removed or subsequent to the issuance of an order of removal) if the determination to detain the alien is based in whole or in part on evidence not shared with the alien.

H.R. 4690

OFFERED BY: MR. DAVIS OF VIRGINIA

AMENDMENT NO. 21: Page 37, 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, insert after the last section (preceding the short title) the following new title:

TITLE ____ — ADDITIONAL GENERAL PROVISIONS

SEC. ____. 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:

SEC. 114. Section 286 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. 26: 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. 1259) 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 AND CUBANS**'' and inserting ''**NICARAGUANS, CUBANS, SALVADORANS, GUATEMALANS, HONDURANS, AND HAITIANS**'';

(2) in subsection (a)(1)(A), by striking ''2000'' and inserting ''2003'';

(3) in subsection (b)(1), by striking ''Nicaragua or Cuba'' and inserting ''Nicaragua, Cuba, El Salvador, Guatemala, Honduras, or Haiti''; and

(4) in subsection (d)(1)(E), by striking ''2000'' and inserting ''2003''.

(b) The amendments 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, that 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. (a) Section 202 of the Nicaraguan Adjustment and Central American Relief Act is amended—

(1) in subsection (a)(1)(B), by adding inserting after ''apply'' the following: ''and the Attorney General may, in her unreviewable discretion, waive the grounds of inadmissibility specified in section 212(a)(1)(A)(i) and section 212(a)(6)(C) of the Immigration and Nationality Act for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest'';

(2) in subsection (a), by 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 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 241(a)(5) of the Immigration and Nationality Act shall not apply. In addition, an alien who would otherwise be 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 without regard to the requirement that the consent be granted prior to the date of the alien's reembarkation at a place outside the United States or attempt 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)(C)(ii) of the Immigration and Nationality Act.''

(3) in subsection (a), by striking paragraph (3) (as so redesignated), and inserting the following new paragraph:

''(3) RELATIONSHIP OF APPLICATION TO CERTAIN ORDERS.—An alien present in the United States who has been ordered excluded, 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 paragraph (1). Such an alien may not be required, as a condition of submitting or granting such application, to file a separate motion to reopen, reconsider, or 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 exclusion, 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) in subsection (b)(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 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.'';

(6) in subsection (d)—

(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 ''ADJUSTMENT OF STATUS.—'';

(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 before the date of enactment of the Department of Justice Appropriations Act, 2001; and (ii)''; and

(E) 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—

''(i) meets the requirements in subparagraphs (1) (B) 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.'';

(7) in subsection (g), by inserting after ''for permanent residence'' the following: ''or an immigrant classification''; and

(8) 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, be paroled into, 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.''.

(b) The 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)(1), (a)(2), (a)(5), (a)(6), and (a)(7) shall effective as of the date of enactment of this Act.

SEC. 805. (a) Section 902 of the Haitian Refugee Immigration Fairness Act of 1998 is amended—

(1) in subsection (a)(1)(B), by inserting after ''apply'' the following: ''and the Attorney General may, in her unreviewable discretion, waive the grounds of inadmissibility specified in section 212(a)(1)(A)(i) and section 212(a)(6)(C) of the Immigration and Nationality Act for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest'';

(2) in subsection (a), by 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, or for permission to reapply for admission to the United States for the purpose of adjustment of status under this section, the provisions of section 241(a)(5) of the Immigration and Nationality 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 without regard to the requirement that the consent be granted prior to the date of the alien's reembarkation at a place outside the United States or attempt 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)(C)(ii) of the Immigration and Nationality Act.'';

(3) in subsection (a), by striking paragraph (3) (as so redesignated) and inserting the following new paragraph:

''(3) RELATIONSHIP OF APPLICATION TO CERTAIN ORDERS.—An alien present in the United States who has been ordered excluded, 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 paragraph (1). Such an alien may not be required,

as a condition of submitting or granting such application, to file a separate motion to reopen, reconsider, or 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 exclusion, 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) in subsection (b)(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 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.'';

(6) in subsection (d)—

(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 ''ADJUSTMENT OF STATUS.—'';

(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 before the date of enactment of the Department of Justice Appropriations Act, 2001; and (ii)'';

(E) in paragraph (1), by adding at the end the following new subparagraph:

''(E) the alien applies for such adjustment before April 3, 2003.''; and

(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—

''(i) meets the requirements in subparagraphs (1) (B) 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.'';

(7) in subsection (g), by inserting after ''for permanent residence'' the following: ''or an immigrant classification''; and

(8) 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, be admitted to, be paroled into, 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.''.

(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 number 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 1988, 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 1988.

(b) Notwithstanding any time and number 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: MRS. MALONEY OF NEW YORK

AMENDMENT NO. 27: Page 40, line 7, after the dollar amount, insert the following: ''(reduced by $5,000,000)''.

Page 45, line 8, after the dollar amount, insert the following: ''(increased by $5,000,000)''.

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 Prison Card Program from a not-for-profit entity which has operated such 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. MCGOVERN

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. 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 $29,793,000)''.

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 11, after the dollar amount, insert the following: ''(increased by $2,275,000)''.

H.R. 4690

OFFERED BY; MR. SANFORD

AMENDMENT NO. 33: Page 80, 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 $18,277,000)''.

Page 51, line 21, after the dollar amount insert ''(reduced by $18,391,500)''.

Page 51, line 23, after the dollar amount insert ''(increased 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. 35: 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. 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 $880,000 shall be available for the Office of Plans and Policy of the Federal Communications Commission.

H.R. 4690

OFFERED BY: MR. STEARNS

AMENDMENT NO. 38: 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. 657c)

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 85, line 19, after the dollar amount, insert the following: ''(increased by $1,000,000)''.

H.R. 4690

OFFERED BY: MR. TERRY

AMENDMENT NO. 41: Page 20, line 8, after the dollar amount, insert the following: ''(reduced by $471,000)''.

Page 20, line 23, after the dollar amount, insert the following: ''(reduced by $471,000)''.

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)''.

EXTENSIONS OF REMARKS

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. Six of the missions 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, it is with a great deal of pride that I support this legislation authorizing the presentation of Congressional Gold Medals to Neil A. Armstrong, Buzz Aldrin, and Michael Collins. Accordingly, 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 roll call.

The Company, along with the rest of the Division, was sent to Camp Pickett in Virginia for training. On July 19, 1951, the Division received its orders to report for overseas duty in Germany. The 43d Infantry Division was the first National Guard Division ever to go to Europe in peacetime. Its orders were part of a determined effort to strengthen the free world's defenses against Russian aggression.

In name, it stayed there for more than 2½ years. Company K went into the portions of Bavaria that directly faced the Iron Curtain on the Czechoslovakian border. There it organized the terrain and built a defense system as part of a strengthening NATO force.

A June 25, 1990 article in U.S. News and World Report aptly describes the reason why Company K's involvement was so crucial in the Korean War, ''The War's effects were felt far from its battlefields. Worried that Korea was only a diversion in advance of a Soviet attack on Berlin, the Truman Administration sent four divisions to Europe to bolster the two already on occupation duty and began pressing to transform occupied West Germany into a rearmed anti-Communist bastion.''

On June 25, 2000, the members of Company K will hold their 50th Anniversary Reunion. I would like to urge my colleagues to join me not only in celebrating their anniversary, but also in recognizing the service and sacrifice these individuals gave to their country in its time of need.

IN HONOR OF BETTY WYTIAS

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 21, 2000

Ms. DEGETTE. Mr. Speaker, today I honor and recognize the laudable efforts and accomplishments of Betty Wytias. It is both fitting and proper to recognize Ms. Wytias because of her exceptional record of service and civic leadership.

Betty Wytias has touched the lives of many people and made a tremendous impact on our community. As a working professional, she gives freely of her time and energy to domestic violence prevention efforts, especially through the Colorado Bar Association and SafeHouse Denver. 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 Hamil-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 Senators 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 HOW 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 1,400 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 students' 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 MAINE

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 bellylaugh. 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 consumed 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 homeless 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 second 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 freedom and protecting our great nation. 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.

Rand was known to counsel men about the draft. In particular, he took up the case of Eric Larsen, a Marine who refused duty during the Persian gulf war. Rand later approached Eric Larsen to work at the Resource Center. This effort later led him to take other anti-militarist ventures, such as his anti-war toys campaign.

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 school boy at Denver 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 Epsilon, 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 during World War II, where he served with great valor and distinction. Bus was involved in numerous marine operations in the Pacific and was awarded the prestigious Bronze Star for his extraordinary heroism in action against enemy Japanese during the assault and capture of Okinawa. In 1948, he was discharged as a Captain and was later upgraded to the status of Major.

Upon his return from WWII, Bus returned to Colorado A&M to pursue higher learning. After completing his studies, he was named the football and baseball coach at Fort Lewis College where he served until 1950, when he accepted the top jobs in the football and baseball programs at then Mesa College. At Mesa, Bus' football teams went 102–63–9, winning three conference championships, while his baseball teams were 378–201, winning twenty conference championships and finishing second three times at the JUCO World Series.

While it would be impossible to list the litany of awards and achievements garnered during his remarkable career, it is safe to say that Bus has achieved beyond what most could ever dream. Throughout his career as a player and coach, Bus was the very symbol of greatness.

For those who know Bus, it is clear that, above all else, Bus is a family man. Bus and his lovely wife Elinor Pitman were married in 1946, later giving birth to three children: Judy Black, Walter Bergman, Jr., and Jane Norton. Bus and Elinor are also the proud grandparents of six grandchildren. While his athletic and professional accomplishments are many, Bus' enduring legacy will be his family.

As you can see, Mr. Speaker, Bus Bergman has achieved beyond measure in his distinguished life. He is a model citizen who represents all of the best that Colorado and America has to offer.

As he celebrates his 80th birthday, Mr. Speaker, I wanted to take this opportunity to say thank you and congratulations on behalf of his family, friends, and the United States Congress. In every sense, Bus Bergman is a great American who deserves the praise and admiration of 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) 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 of workers must be guaranteed a reasonable rate of return on their payroll tax contributions, (4) all workers must be given the opportunity to share in the nation's economic prosperity through participation in a private investment account within the Social Security system, (5) Social Security Trust Funds must be protected from congressional or other efforts to spend on non-Social Security purposes, and (6) Non-Social Security surplus revenues must be available to shore up the system while implementing reform.

Also, the bill establishes a 13-member Social Security Protection, Preservation, and Reform Commission charged with developing a legislative proposal for comprehensive reform of the Social Security system, consistent with the objectives stated in the bill. This Commission is composed of 12 voting Congressional Members, equally divided between Republicans and Democrats. The members would include the Chairmen and Ranking Members of the Senate Finance and House Ways and Means Committees, and two Congressional appointees each by the Speaker and the Minority Leader in the House and the Majority and Minority Leaders in the Senate. The Commissioner of Social Security would also serve as a non-voting, ex-officio member of the Commission.

In order to ensure Congress doesn't continue to drag its feet on this issue, the bill requires the Commission to submit a detailed legislative proposal to Congress by September 2001 and includes a process for expedited Congressional action on the Commission's recommendations by the end of next year.

The concept is simple: principles and process for Social Security reform. This bill focuses on the goals we want to achieve in any proposal that protects Social Security while ensuring action is taken in an expedient matter. It forces Congress to forget about the politics 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, Ronnie 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 spoke of our nation's need for talented, creative, enthusiastic teachers who are ready to help our children learn and grow. Ronnie is just that kind of educator. Throughout her career, she has touched the lives of thousands of young people. Ronnie's career began as a special education teacher at Jerome Harrison in North Branford, Connecticut. For over two decades, Ronnie 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, Ronnie 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 a lack of understanding. Ronnie 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, Ronnie 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 Ronnie 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. Ronnie has indeed become an irreplaceable member of our community. I would like to extend 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 those of the past in 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 Anniversary. 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 delivery 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 cities, and even countries, but mail delivery continues to be an important function for all Americans.

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 substantially—increasing to over 200 billion pieces a year. And although everyone seems to be communicating by email these days, the Postal 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 accelerate 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 include many bills and payments. In its study, U.S. Postal Service: Challenges to Sustaining Performance Improvements Remain Formidable on the Brink of the 21st Century, dated October 21, 1999, the GAO reports that the Postal Service's core business—letter mail—will decline substantially. As a result, the revenue the Postal Service collects from delivering First-Class letters also will decline.

While the Internet will eventually reduce the amount of letter mail rural letter carriers deliver, the Internet will present some new opportunities for delivering parcels. Rural letter carriers have for decades delivered the packages we order from catalogs, and now they deliver dozens of parcels every week that were ordered online. For some rural and suburban Americans the Postal Service still remains the only delivery service of choice. Today, the Postal Service has about 33 percent 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 already see the need for larger delivery vehicles.

In exchange for using their own vehicles, rural letter carriers are reimbursed for their vehicle 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 taxation through a specific provision for rural letter carriers in the Technical and Miscellaneous Revenue Act of 1988 [TAMRA]. This provision allowed rural mail carriers to compute their vehicle expense deduction based on 150 percent of the standard mileage rate for their business mileage use. Congress passed this law because using a personal vehicle to deliver the U.S. Mail is not typical vehicle use. Also, these vehicles have little resale value because of their high mileage and most are outfitted for right-handed driving.

As an alternative, rural letter carrier taxpayers could elect to use the actual expense method (business portion of actual operation and maintenance of the vehicle, plus depreciation). 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 exceeded two percent of the taxpayer's adjusted gross income.

The Taxpayers Relief Act [TRA] of 1997 further simplified the taxation of rural letter carriers. TRA provides that the EMA reimbursement is not reported as taxable income. That simplified taxes for approximately 120,000 taxpayers, but the provision eliminated the option of filing the actual expense method for employee business vehicle expenses. The lack of this option, combined with the effect the Internet will have on mail delivery, specifically on rural letter carriers and their vehicles, is a problem we must address.

Expecting its carriers to deliver more packages because of the Internet, the Postal Service 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 traditional 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 vehicle 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 congressional 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 expenses exceed the EMA, a deduction for those expenses should be allowed. I believe we must correct this inequity, and so I am introducing a bill that would reinstate the deduction 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 Americans will use the Internet to get their news and information, and perhaps one day to receive and pay their bills. But mail and parcel delivery by the United States Postal Service will remain a necessity for all Americans—especially those in rural and suburban parts of the nation. Therefore, I encourage my colleagues to support this bill and ensure fair taxation 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 conferee on the conference committee to resolve differences between 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 extension of remarks that I made during House consideration of the conference report to accompany S. 761 (June 14, 2000, CONGRESSIONAL RECORD at H4357–H4359). Mr. MARKEY, the other House Democrat conferee on this matter, has authorized me to indicate that he concurs 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 affected parties and the courts in interpreting the laws that we enact.

Late in the conference negotiations, we reluctantly 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. Accordingly, 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 regarding 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 BLILEY's floor remarks and June 16, 2000, CONGRESSIONAL RECORD at S5283–S5288 as an extension of Senator ABRAHAM's remarks) in the fortnat of ajoint

statement of managers. Our Senate Democratic colleagues also have expressed concerns with this language (June 15, 2000, CONGRESSIONAL RECORD at S5216, 3rd column, last para. and carry over on S. 5217 remarks of Senator WYDEN and at S5220, I st 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 clarify that this material is not the statement of managers for the conference agreement, notwithstanding its format. Both Mr. BLILEY and Senator ABRAHAM indicated in their remarks that the explanatory document had been prepared by them and expressed their views, and it should be taken as such. In several instances, their guidance does not reflect the intent or understanding of all the members of the conference. A number of their statements are simply not correct, and some of their views conflict with the very words of the statute. 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 that we disagree with. However, 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 advantage 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 squandered. 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 filings 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 filing of records with such agencies or organizations. The authority contained in section 104(a) is not subject to the limitations set forth in section 104(b) or other limitations contained in the Act. The preservation of agency authority contained in section 104(a) is subject only to the requirements of the Government Paperwork Elimination Act.

Agencies that seek to promote electronic filings may set standards and formats for such filings as they deem appropriate. Standards and formats for electronic filings may be appropriate, 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 advance the agencies' statutory mission.

Section 104(b) allows agencies to adopt regulations, orders and guidance to assist in implementing the legislation, subject to standards set forth in section 104(b). Section 104(b) contains criteria for agencies to use, but because of the vast numbers of transactions that agencies regulate, agencies must necessarily have appropriate discretion to apply those criteria to determine when to require performance standards or, in some limited circumstances (in a manner consistent with the this bill and the Government Paperwork Elimination Act), paper records.

Having recognized in Section 101(d) the importance of accuracy and accessibility in electronic 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 accessibility of records that are required to be retained. Quite often, standards that require electronic records be preserved in a non-rewriteable or non-erasable manner are crucial to an important government objective.

Although agencies should seek to implement the goals of the statute, the bill also provides federal and state regulatory agencies the necessary latitude to prevent waste, fraud and abuse, and to enforce the law and to protect the public, by interpreting section 101 in the appropriate way for their programs and activities, subject to any applicable criteria in the bill. It is my understanding that courts reviewing any such agency interpretations or applications of such criteria would apply the same deference that they give to other agency action. It is not my understanding that the conference report would demand unusual scrutiny beyond applying the criteria set forth in the statute.

Consumers are given many protections in this legislation, and among those protections is the continued right to receive paper (or other non-electronic) notices on certain important occasions. For, example, Section 103(b)(2)(A) leaves intact laws that require paper notification of the cancellation or termination of utility services. This includes—but is not limited to—water, heat and power. Other utilities, such as telephone service (a utility critical to safety in modem times), would also be protected. Obviously, Internet service would also be included in this exemption, to avoid the anomalous situation of a consumer trying to obtain, understand and respond to a disconnection notice that is available only through the very medium that has been disconnected.

Consumer consent to electronic transactions is, in general, a critical safeguard that is maintained in this bill. The Chairman was absolutely correct when he began his statement by saying, ". . . under E-Sign, engaging in electronic transactions is purely voluntary. No one will be forced into using or accepting an electronic signature or record. Consumers that do not want to participate in electronic commerce will not be forced or duped into doing so." However, the conferees recognized that there may be some specific instances in which stringent requirements for verifying consent might not actually be needed to protect consumers. Therefore, under the bill, agencies have a very limited authority to exempt certain transactions from the consent verification provisions. In those instances where it is truly necessary to eliminate a consent verification requirement—in part because there is no other way to eliminate a substantial burden on electronic commerce—agencies may sometimes be able to do so. However, even when eliminating a consent verification requirement is the only way to avoid a substantial burden on electronic commerce, an agency may do so only when there will not be any material risk of harm to consumers.

I would also like to make another point that is very important to keep in mind when trying to understand the impact of this legislation. Of course, the bill does not force Federal and State government agencies to use or accept electronic signatures and electronic records in contracts to which they are parties. Therefore, the limitations in parts of the conference reports such as sections 102(a), 104(b)(2) and 104(c)(1) on the ability of Federal and State agencies to interpret section 101 do not apply to contracts in which such agencies are parties. Just like private commercial parties, government agencies have the freedom to choose their methods of contracting, subject to other applicable laws. The conference report does not force parties to a contract to use any particular method in forming and carrying out the contract, and allows them to decide for themselves what specific methods to use. When the government is a party to a contract, it naturally has the same rights. The restrictions in the sections that I cited do not apply in that circumstance and do not diminish those rights.

Also, I note that this legislation was consciously drafted to avoid displacing the carefully-crafted provisions of the Government Paperwork Elimination Act, Pub. L. No. 105–277 sections 1701–1710 (1998), or GPEA. That Act set a timetable for Federal agencies to make available electronic alternatives to traditional paperwork processes, and set standards for agencies to apply in determining whether and how to adopt such alternatives. To the extent that the two bills do overlap, this bill is crafted to allow agencies the flexibility to comply 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 into an electronic contract which was capable of being retained or reproduced, but the customer 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 customer to make a copy of the contract at that particular time, this section is not invoked." (June 16, 2000, CONGRESSIONAL RECORD at S5284, 3rd column, last para.)

Section 101(e) addresses more than the application 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 capable of being retained and accurately reproduced. As a threshold matter, businesses create 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 also applies to businesses that are obligated to make and keep accurate electronic records for examination by government regulators (and, if necessary, for enforcement action). The fact that a consumer uses particular technology that does not immediately produce an

electronic record does not excuse the other party's regulatory obligation to have accurate and accessible records or otherwise exempt the transaction from this provision. To suggest otherwise, flies in the face of the plain meaning of the statute and opens up a gaping loophole for fraudsters to take advantage of.

Conferees should be given adequate time 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.

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 the VA to use a different and stingy method to determine reimbursement rates for vets that are only one-third what is considered reasonable for Federal employees.

I am introducing this bill to amend Title 38, United States Code, to provide that the rate of reimbursement for motor vehicle travel regulated under the beneficiary travel program of the Department of Veterans Affairs be the same as the rate for private vehicle reimbursement for Federal employees.

This is an equity issue and also a matter of respect in the way we treat our veterans. Our vets deserve the same travel reimbursement rate as Federal employees. Please join me in supporting this bill.

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

Armed Services
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 Paducah Plan Faces Uncertainties and Excludes Costly Cleanup Activities''.
SD–366

Foreign Relations
To hold hearings on the nomination of Karl William Hofmann, of Maryland, to be Ambassador to the Togolese Republic; Howard Franklin Jeter, 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 improvements to 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

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–485

JUNE 29

9:30 a.m.
Governmental Affairs
Investigations Subcommittee
To hold hearings to examine the nationwide crisis of mortgage fraud.
SD–342

10 a.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold oversight hearings on the United States Forest Service's Draft Environmental Impact Statement for the Sierra Nevada Forest Plan amendment, and Draft Supplemental Environmental Impact Statement for the Interior Columbia Basin Ecosystem Management Plan.
SD–366

1 p.m.
Governmental Affairs
To hold oversight hearings to examine the rising oil prices and the efficiency and effectiveness of the Executive Branch Response.
SD–342

2 p.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.
SD–406

2:30 p.m.
Energy and Natural Resources
National Parks, Historic Preservation, and Recreation Subcommittee
To hold hearings on S. 134, to direct the Secretary of the Interior to study whether the Apostle Islands National Lakeshore should be protected as a wilderness area; S. 2051, to revise the boundaries of the Golden Gate National Recreation Area; S. 2279, to authorize the addition if land to Sequoia National Park; and S. 2512, to convey certain Federal properties on Governors Island, New York.
SD–366

JUNE 30

9:30 a.m.
Governmental Affairs
Investigations Subcommittee
To hold hearings to examine the nationwide crisis of mortgage fraud.
SD–342

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.
SD–366

Indian Affairs
To hold oversight hearings on risk management and tort liability relating to Indian matters.
SR–485

JULY 19

2:30 p.m.
Indian Affairs
To hold oversight hearings on activities of the National Indian Gaming Commission.
SR–485

JULY 26

2:30 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.
SD–366

Indian Affairs
To hold hearings on S. 2526, to amend the Indian Health Care Improvement Act to revise and extend such Act.
SR–485

SEPTEMBER 26

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs on the Legislative recommendation of the American Legion.
345 Cannon Building

CANCELLATIONS

JUNE 27

10 a.m.
Health, Education, Labor, and Pensions
To hold hearings on S. 1016, to provide collective bargaining for rights for public safety officers employed by States or their political subdivisions.
SD–430