

the Bankruptcy Reform Act of 1999 (H.R. 833) which on May 5, 1999, passed the House by vote of 313-108, with my support. This Member is an original cosponsor of the Bankruptcy Reform Act, that was introduced by the distinguished Chairman of the Judiciary Subcommittee on Commercial and Administrative Law from Pennsylvania (Mr. GEORGE GEKAS). Moreover, the Senate also passed a version of bankruptcy reform. Unfortunately, at this time, bankruptcy reform is caught in the tangled web of an informal conference; therefore, the three-month extension for Chapter 12 bankruptcy is a necessity for our family farmers.

I closing, this Member would encourage his colleagues support for H.E. 1718, which provides a three-month extension of Chapter 12 bankruptcy.

Mr. COBLE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 4718.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 4 p.m.

Accordingly (at 2 o'clock and 56 minutes p.m.), the House stood in recess until approximately 4 p.m.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SMITH of Michigan) at 4 o'clock and one minute p.m.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore. Pursuant to House Resolution 529 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. 4690.

□ 1601

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. 4690) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending Sep-

tember 30, 2001, and for other purposes, with Mr. PEASE (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Friday June 23, 2000, the amendment by the gentleman from North Carolina (Mr. COBLE) had been disposed of and the bill was open for amendment from page 44, line 18 to page 44, line 22.

Pursuant to the orders of the House of Thursday, June 22, and Friday, June 23, no further amendments to the bill shall be in order except pro forma amendments offered by the chairman and ranking member of the Committee on Appropriations or their designees for the purpose of debate and amendments printed in the CONGRESSIONAL RECORD on or before June 22, 2000.

Amendments printed in the CONGRESSIONAL RECORD may be offered only by the Member who caused it to be printed or his designee, shall be considered read, shall be debatable for 10 minutes, except that amendment No. 23 shall be debatable for 30 minutes and amendment No. 60 shall be debatable for 60 minutes, 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.

AMENDMENT NO. 74 OFFERED BY MR. SMITH OF MICHIGAN

Mr. SMITH of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 74 offered by Mr. SMITH of Michigan:

Page 44, line 21, after the dollar amount insert the following: "(increased by \$4,350,000)".

Page 73, line 19, after the dollar amount insert the following: "(reduced by \$8,700,000)".

The CHAIRMAN pro tempore. Pursuant to the order of the House of Friday, June 23, 2000, the gentleman from Michigan (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment helps assure that we have more accurate statistics that guide over \$2 trillion in State and Federal spending and hundreds of billions of dollars in wage decisions and revenue-sharing decisions.

If this amendment had been taken up last week, there were several individuals that had indicated that they would like to speak on the importance of accurately funding BEA, the Bureau of Economic Analysis. That is because we depend so much on what happens with BEA. Seventy percent of our determinations coming from the Congressional Budget Office, coming from the

President's Office of management and budget, is from BEA. The ranking member of the Committee on the Budget, the gentleman from South Carolina (Mr. SPRATT) as well as two potential chairmen of that committee indicated that it is important that we adequately fund BEA. This amendment contains \$4.3 million that we put into BEA to help make sure that they can do their job.

Here is the problem. They have been cut 12 percent in real terms over the last several years, and the economy is changing so dramatically that they cannot be underfunded with the freeze in personnel they have had for the last several years. It will be difficult if not impossible to do the job we need them to do.

I would just like to quote a couple of people, and I will start out with Alan Greenspan. Alan Greenspan said, and I quote, "I am extraordinarily reluctant to advocate any increase in spending, so it's got to be either a very small amount or a very formidable argument, and I find in this case that both conditions are met."

Mr. Chairman, I would like to quote a comment from Robert Shapiro, Under Secretary for Economic Affairs: "Without your amendment, the bill would seriously threaten our capacity to understand and measure the rapidly changing American economy." Then he goes on to say, the new expanded responsibility that BEA has in this new economy and their predictions are so crucial. BEA tracks economic activity and calculates the U.S. domestic products. BEA statistics underlie virtually all economic projections in both business and government.

Mr. Chairman, I say to the gentleman from New York and the gentleman from Kentucky that I have not gone out and solicited political supporters for this amendment. This is not a very glitzy amendment. It is not very exciting. But please consider its importance. Consider the fact that, without these kinds of estimates being accurate, we are going to end up having very poor economic projections.

According to OMB and CBO, discrepancies in the current GDP data, that is what BEA does, can change estimates of government revenues by as much as \$200 billion over the projection period. A recent example: in 1998, CBO projected a unified budget, listen to this, in 1998, CBO projected a unified budget deficit of \$70 billion for this year based on BEA estimates. As it turns out, there is a \$200 billion surplus. This \$270 billion discrepancy can be largely traced to the BEA data.

Mr. Chairman, they have been doing an excellent job, but we have short-changed them. They are 12 percent below what they were in real terms. The President suggested in his budget that we increase them by \$5 million; this amendment will only mean that we increase them by \$4.3 million.

I think it is important to make a quick comment on the offset. The amendment draws from the State Department's Educational and Culture Exchange Account. We did not pass the amendment when we finished last Friday to take something like \$90 million out of that account. CBO informs me that they are only going to spend half of the money that they get in this account. This amendment takes only \$4 million.

This account is one of the few that received a significant increase in this legislation.

While I support cultural exchange, I feel that our need for accurate data on the economy for government and business is more pressing and justifies this small transfer.

The Educational and Cultural Exchange fund would still receive slightly more funding than it got for FY 2000 under this amendment.

CONCLUSION

Chairman Greenspan of the Federal Reserve said the following of BEA in February:

We are moving into an economy, the structure of which none of us has ever seen before. . . . This means that a lot of the things we examine in the economy are very poorly represented in our current statistics. . . . [A]dditional funds could probably very effectively be spent to improve the quality of our statistics both for the private sector, which is crucial, and for those of us who have to be involved in governmental economic policy.

Alan Greenspan:

I am extraordinarily reluctant to advocate any increase in spending. So it's got to be either a very small amount or a very formidable argument. And I find, in this case, that both conditions are met.

I ask for my colleagues' support on my amendment.

Mr. Chairman, I just think it is so very important that the chairman and ranking member of this committee consider the importance of this amendment, and I hope that they will concur.

Mr. Chairman, I submit for the RECORD the letter I quoted from earlier from Mr. Robert Shapiro.

UNITED STATES DEPARTMENT OF
COMMERCE, THE UNDER SEC-
RETARY FOR ECONOMIC AFFAIRS,

Washington, DC, June 26, 2000.

Representative NICK SMITH,
306 Cannon House Office Building,
Washington, DC.

DEAR REPRESENTATIVE SMITH: Thank you for your letter asking our views on your proposal to add \$4.35 million to the \$43.8 million in the Appropriations Committee's FY 2001 budget for the Bureau of Economic Analysis (BEA). Without your amendment, the bill could seriously threaten our capacity to understand and measure the rapidly changing American economy.

The basic measures produced by BEA range from the Gross Domestic Product (GDP) and the balance of payments, to domestic investment and state and local income. BEA is also the world's leading statistical agency in the area of measuring the New Economy—including the development of innovative techniques to measure software as business investments; rapid quality changes in semiconductors, computers and telecommunications equipment; and productivity in banking. The quality of spending and investment decisions across government and the

private sector will depend on the BEA's ability to continue these efforts.

With an additional \$4.35 million in support, BEA will be able to measure additional aspects of the New Economy critical for American business and government—including the size of e-commerce markets; the output of industries such as business services, financial services and education that rely heavily on information technologies; the role of stock options in compensation; and the dimensions of investment, consumption, and wealth. Improving the accuracy of BEA's national statistics will also help end the periodic revenue surprises associated with Administration and Congressional budget forecasts, and improve the allocation of more than \$100 billion a year in federal funds based on BEA state and local income estimates.

In recent Senate testimony, Federal Reserve Chairman Alan Greenspan said that BEA is one of the few areas of government that meet his conditions for increased spending. As Congress continues consideration of the Commerce, Justice, State appropriations, I hope your colleagues will seriously consider the enormous benefits to the United States from fully funding the Bureau of Economic Analysis.

Sincerely,

ROBERT SHAPIRO,

Under Secretary for Economic Affairs.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. Does the gentleman from Kentucky (Mr. ROGERS) claim the time in opposition?

Mr. ROGERS. Mr. Chairman, I do.

Mr. ROGERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I reluctantly rise to oppose the gentleman's amendment, well-intentioned as it is. He wants to increase the funding for economic and statistical analysis at the Commerce Department by \$4.35 million.

I will be happy to work with the gentleman as we go through the process in conference with the Senate and further, but in the process this amendment would slash double that amount from the State Department's international exchange program. The funding level in the bill for exchanges provides only for wage and price increases, so any reduction to the level in the bill would be a cut into the meat of these programs, which include the Fulbright Scholarship Program and the International Visitor Program.

Exchanges like these, Mr. Chairman, foster the international dialogue that is critical to American leadership in the world and to long-term peaceful and productive relations with other countries. Exchange programs are a vital tool to advance our foreign economic and security policies, and this amendment would cut them to below a freeze level.

I do appreciate the gentleman's concerns about the economic and statistical programs of the Commerce Department, but this bill already provides funding for those programs at the current year level, which includes an increase over last year's for an initiative to update and improve statistical measurement of the U.S. economy and

the measurement of international transactions. In addition, the Department of Commerce will be able to submit a reprogramming for additional funding for these programs if they feel it necessary.

I would be happy to work with the gentleman to address his concerns, and the concerns of all of us, as we continue through the process; but the proposed offset would do real damage to the exchange program at State; and, therefore, I am constrained to urge that we reject this amendment.

Mr. Chairman, I yield 1 minutes to the gentleman from New York (Mr. SERRANO).

Mr. SERRANO. Mr. Chairman, I thank the gentleman for yielding me this time, and I want to join the chairman in his comments that he has made.

Let me first say that many Members have come to me and told me that this is an area they wish would not be used for offsets. This especially cuts the Fulbright program, which has been cut by Congress by more than 25 percent in fiscal year 1995 and 1996. In addition, I am informed that this would also cut educational advising, which assists folks who are interested in attending school over here.

So, in general, while we certainly understand what the gentleman is trying to do, and under normal circumstances I probably would join him, there are many people on this side who believe that hurting this program would just not be the proper thing to do at this time.

Mr. ROGERS. Mr. Chairman, I yield myself such time as I may consume to note that I am joined in opposition by the gentleman from New York (Mr. GILMAN) of the Committee on International Relations, and by the chairman of the Subcommittee on International Operations and Human Rights, the gentleman from New Jersey (Mr. SMITH), in urging that we reject the amendment.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Michigan.

Mr. SMITH of Michigan. I thank the gentleman from Kentucky for yielding to me, and I appreciate the Chairman's frugal manner and the fact that there are not a lot of excess appropriations in his budget. However, in this particular account, the Educational and Cultural Exchange Account, there was an increase. This amendment still leaves that account with more money than they had last year.

And, again, I would just call to the chairman's attention the fact that BEA has been cut 12 percent in real terms since 1993. It is being held flat this year, even though there are tremendous changes in our economy to calculate.

Do I understand the chairman to say that he will work, as this goes to conference and through the process, to try to more adequately fund the BEA?

Mr. ROGERS. Reclaiming my time, Mr. Chairman, the gentleman is correct. I will work with the gentleman and others to see if there is some way we can find extra money for BEA. I realize the importance of it and that they are being squeezed by this funding level. So I will work with the gentleman to see if there is something we can do along the way.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Michigan (Mr. SMITH).

The amendment was rejected.

The CHAIRMAN pro tempore. The Committee will rise informally.

The SPEAKER pro tempore (Mr. SMITH of Michigan) assumed the Chair.

FURTHER MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 3903. An act to deem the vessel M/V MIST COVE to be less than 100 gross tons, as measured under chapter 145 of title 46, United States Code.

The message also announced that the Senate has passed with amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1651. An act to amend the Fishermen's Protective Act of 1967 to extend the period during which reimbursement may be provided to owners of United States fishing vessels for costs incurred when such a vessel is seized and detained by a foreign country, and for other purposes.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 2327. An act to establish a Commission on Ocean Policy, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

The Committee resumed its sitting.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 50, line 18 be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The text of the bill from page 45, line 1, through page 50, line 18, is as follows:

BUREAU OF THE CENSUS SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, \$140,000,000.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses to conduct the decennial census, \$392,898,000 to remain available until expended: of which \$24,055,000 is for Program Development and Management; of which \$57,096,000 is for Data Content and Products; of which \$122,000,000 is for Field Data Collection and Support Systems; of which \$1,500,000 is for Address List Development; of which \$115,038,000 is for Automated Data Processing and Telecommunications Support; of which \$55,000,000 is for Testing and Evaluation; of which \$5,512,000 is for activities related to Puerto Rico, the Virgin Islands and Pacific Areas; of which \$9,197,000 is for Marketing, Communications and Partnerships activities; and of which \$3,500,000 is for the Census Monitoring Board, as authorized by section 210 of Public Law 105-119.

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, \$137,969,000, to remain available until expended.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), \$10,975,000, to remain available until expended: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That hereafter, notwithstanding any other provision of law, NTIA shall not authorize spectrum use or provide any spectrum functions pursuant to the National Telecommunications and Information Administration Organization Act, 47 U.S.C. 902-903, to any Federal entity without reimbursement as required by NTIA for such spectrum management costs, and Federal entities withholding payment of such cost shall not use spectrum: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by section 392 of the Communications Act of 1934, as amended, \$31,000,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided*, That not to exceed \$1,800,000 shall be available for program administration as authorized by section 391 of the Act: *Provided further*, That notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, \$15,500,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided*, That not to exceed \$3,000,000 shall be available for program administration and other support activities as authorized by section 391: *Provided further*, That, of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastructure: *Provided further*, That, notwithstanding the requirements of sections 392(a) and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety, or other social services: *Provided further*, That notwithstanding any other provision of law, no entity that receives telecommunications services at preferential rates under section 254(h) of the Act (47 U.S.C. 254(h)) or receives assistance under the regional information sharing systems grant program of the Department of Justice under part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796h) may use funds under a grant under this heading to cover any costs of the entity that would otherwise be covered by such preferential rates or such assistance, as the case may be.

PATENT AND TRADEMARK OFFICE SALARIES AND EXPENSES

For necessary expenses of the Patent and Trademark Office provided for by law, including defense of suits instituted against the Director of Patents and Trademarks, \$650,035,000, to remain available until expended: *Provided*, That of this amount, \$650,035,000 shall be derived from offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, and shall be retained and used for necessary expenses in this appropriation: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2001, so as to result in a final fiscal year 2001 appropriation from the general fund estimated at \$0: *Provided further*, That, during fiscal year 2001, should the total amount of offsetting fee collections be less than \$650,035,000, the total amounts available to the Patent and Trademark Office shall be reduced accordingly: *Provided further*, That any amount received in excess of \$650,035,000 in fiscal year 2001 shall not be available for obligation: *Provided further*, That not to exceed \$254,889,000 from fees collected in fiscal years 1999 and 2000 shall be made available for obligation in fiscal year 2001.

SCIENCE AND TECHNOLOGY TECHNOLOGY ADMINISTRATION

UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology/Office of Technology Policy, \$7,945,000.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, \$292,056,000, to remain available until expended, of which not to exceed \$282,000 may