The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mrs. Biggert).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, D.C.,

I hereby appoint the Honorable Judy Biggert to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, may the prayers of people across this Nation enfold this Chamber with Your justice. May Right judgement be brought to bear on all issues which affect Your people.

Floods, fire and volcanoes seize our attention. Negotiating war rooms, security chambers, prisons and waiting rooms cannot contain the anxiety of Your people.

Yet You, O Lord, endure like the Sun and the Moon from age to age. Your presence is like soft rain on the meadow, like raindrops on the Earth.

In our own days, justice shall flourish and peace till the Moon fails if You, Lord, rule from sea to sea.

Once again save the children when they cry and the needy who are helpless. Have pity on the weak for You alone have the power to save the lives of all.


THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day’s proceedings and announces to the House the following communication:

The SPEAKER pro tempore. Pursuant to clause 1, rule 1, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Illinois (Mr. Shimkus) come forward and lead the House in the Pledge of Allegiance?

Mr. Shimkus 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 PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 1-minutes at the end of the legislative day.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore. Pursuant to House Resolution 210 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. 2620.

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. 2620) 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, 2002, and for other purposes, with Mr. Shimkus in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Thursday, July 26, 2001, the amendment by the gentleman from New York (Mr. LaFalce) had been disposed of and the bill was open for amendment from page 33, line 5, through page 37, line 9.

AMENDMENT OFFERED BY MR. FRANK

Mr. FRANK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Frank:

In title II, in the item relating to “Community Planning and Development—Home Investment Partnership Act”, strike “That of the total amount provided under this heading, $200,000,000” and all that follows through “as amended: Provided further,”.

Mr. FRANK. Mr. Chairman, one of the popular and successful innovations in Federal aid to housing in recent years dating back to when the gentleman from Texas (Mr. Gonzalez) was the Chair of the committee is the HOME program. The HOME program is one of the few programs now existing, perhaps the only one, which allows municipalities that feel the need to do housing construction. Many of us feel that we have a terrible problem in this country because of the increased price of housing, particularly in areas of housing shortage. While we are strong supporters of the section 8 voucher program, there is a large consensus, which you saw in the bipartisan witnesses before our hearings, that the voucher program alone is not enough, that it does not deal with the situation increasingly common in many of our areas, metropolitan areas and others, but particularly metropolitan areas, where economic pressures have driven housing prices so high and where production is so difficult for a variety of reasons.

The HOME program is the premier flexible block grant program. It is strongly supported by elected officials. The President proposed to take $200 million of the HOME funds and restrict them, restrict them in a way that they have not previously been restricted. The HOME program has been a genuine block grant with complete flexibility. One of the things you can do under the HOME program if the municipality or the consortium of municipalities wants to is to do a homeownership program. But it is not mandatory. This is part of a flexible approach. The President said let’s take $200 million of this plan and make it mandatory that they use it for that and only that. Now, the committee increased the funding, but it increased the funding by picking up this restriction.

What my amendment does is very simple. It has no offset because it needs no offset. It does not change the dollar amount of the bill, of the HOME program or of anything else. It simply removes from the HOME program as put forward in the bill a restriction on the use of $200 million which restriction would be imposed over the objection of the mayors. It is a restriction which takes a first unfortunate step towards converting a genuine flexible, successful, local-oriented block grant program into a partial categorical program. I stress again that the category which is earmarked in this bill at the President’s request is an entirely permissible one. We are not preventing those municipalities that want to do it from doing this. We are saying that if the municipality wants to do it, it should be able to do it, but if it does not wish to do it, it should not have to do it. That is the critical point here.

I want to stress again that this is important because this bill, which fails...
because of the tax reductions having taken away the revenue that we need to be responsible, this bill fails entirely to deal with the production problem. We do have some money in the 202 program for the elderly. We just had testimony that there are nine people on the waiting list for every section 202 elderly unit. If you want to know whether these programs will solve the problem, you can look at that consumer satisfaction. Older people, 9 to 1, want to get into what is available. But that is only for the elderly. We have the low-income housing tax credit which does some good. But the primary program by which we can today do production is the HOME program. This bill fails as I said in not responding to the needs for another production program.

The problem of course is that no such program was on the books and so you cannot expect it to be appropriated before it is authorized. I hope we will in this Congress create an increased production program. But one way to do production—the only way—is to increase home funds. So I want Members to be very clear. The only way you can meet even a small part of the need for increased housing production, particularly in those metropolitan areas where the housing shortage makes vouchers unusable, is to free up the money in HOME. A homeownership program might be a useful one in some municipalities. My amendment does not in any way, shape or form restrict the ability to do that. But to impose that and to say to a city, here is a chunk of money that you cannot use for production, you cannot use for rehabilitation, you cannot use for anything else, you can only use it for homeownership, when that city might prefer to do it in different ways is a veto power of thinking about congresional imposition on municipal flexibility that I had thought this Congress was beyond and I thought my friends on the other side were beyond.

So I hope the amendment is adopted. Now, there are other potential uses of the $200 million. We will have that conflict. But at this point I hope we can free this up and let the Mayors spend this money as they see it, including on production.

Mr. WALSH. Mr. Chairman, I rise in strong opposition to the gentleman’s amendment. The President and the Secretary have made increasing homeownership opportunities for low-income families a top priority, one I believe each and every one of us can and should support. My experience as a city council member in Syracuse and city council president was that the strongest neighborhoods are the ones with the highest percentage of homeownership. Anything that we can do to promote homeownership, we should do.

The program that the President has asked us to support would provide funds for individuals and families to make a down payment in order to get a mortgage on a property. As most of us know who have bought homes, the hardest part is to meet those initial monthly mortgage payments the first several years, but also to get that money for the down payment. It is essential to the equation of homeownership.

As you know, Mr. Chairman, we have made dramatic changes in this country in recent years through welfare reform. Thousands and thousands of families who have been channeled to welfare over the years have now benefited by moving from the strictures of welfare into the workplace. The efforts of the Congress and the administration, in both parties, has given them hope, given them the opportunity and pride of being productive citizens. The next critical step to giving Americans the opportunity to really get a piece of the American dream, is homeownership.

This is a very critical program. This is the President’s major initiative in this bill. So while the Administration request proposed an earmark for this initiative out of the HOME program, we did not do that. Instead, we have provided a $200 million increase over the request for the initiative. I want to make sure Members are aware that the down payment assistance is already authorized as a part of the HOME program. In fact, many States and localities are already using their HOME funds for this purpose. However, given the priority that many of us believe should be placed on homeownership, we have targeted the increase provided over the last year for homeownership as the President requested.

While down payment assistance is an authorized HOME activity, targeted funds would require some authorization. This bill would give the prerogatives of the authorization committee on which the gentleman from Massachusetts serves as ranking member by requiring those authorization changes to be made before targeting the funds. Should those changes not be made by next June, which I certainly hope will not be the case, States and localities can use these increased funds for any authorized HOME purpose.

Mr. WALSH. Mr. Chairman, I yield to the gentleman from Massachusetts.

Mr. FRANK. My question was just this: Since the appropriation begins October 1, but the lapsing of the mandate kicks in June 30, 2002, what happens if the authorizing committee and the Congress do not pass the legislation then as of October 1? Is the mandate in effect and it ends on June 30, or does it never go into effect?

Mr. WALSH. Mr. Chairman, reclaiming my time, if the authorizing committee does its job, there is not a problem. We would expect the authorizing committee to do their job. If they do not do their job, then money reverts back to the States.

Mr. CONYERS. Mr. Chairman, I rise in support of the amendment. Mr. Chairman, could I ask the distinguished chair a question, please, because I heard the gentleman from Massachusetts; and I thought he made good sense. And I heard the chair, the gentleman from New York, I thought he made good sense. Is there a disconnect here that has not been made clear to me? I did not hear the gentleman from New York (Mr. WALSH) say anything about what the gentleman from Massachusetts (Mr. FRANK) said. I would like to yield for the gentleman to explain that.

Mr. WALSH. Mr. Chairman, I would like to do that.

Mr. CONYERS. I yield to the gentleman from New York.
Mr. WALSH. Mr. Chairman, my response was that this program is not authorized. We expect it to be authorized. If it is not authorized, then the money would revert to the States as the rest of the formula for the HOME program already does.

Mr. CONYERS. Mr. Chairman, reiterating my time, we can authorize it ourselves. Do we not have at least that much power? I thought we could do that. Who is this supreme authorizing body in Washington, D.C., that I do not know much about?

Mr. WALSH. If the gentleman would yield further, I would hope that the authorizing committee would respect that this is the President’s number one priority in housing this year and honor that request by doing the authorization.

Mr. CONYERS. So that is the gentleman’s only reservation? That is the complaint?

Mr. WALSH. If the gentleman will continue to yield, we would expect the authorizing committee to get their work done. There is sufficient time in the year.

Mr. FRANK. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Chairman, there is a technical point and a more substantive one. The technical point is this: the gentleman from New York says that if the legislation is not authorized, then the money does go back to the recipient municipalities the way my amendment says.

The problem is that that does not happen in the bill until June 30, 2002, and this appropriation becomes effective on October 1. So from October 1 of 2001 until June 30, the money will be mandated and not available freely. The gentleman said well, he would hope, recognizing it was the President’s priority, they would authorize it.

I know that motivates many on the gentleman’s side. But the President’s priority was not to have the Patients’ Bill of Rights of Ganske-Norwood-Dingell, and the President’s priority has been a different campaign finance reform.

I am pleased to say from time to time this House constitutionally differs with Presidential priorities, and the argument that something is not a Presidential priority, as my friend from Michigan has said, is not an argument.

So I think if the gentleman concedes that we should not be doing this without authorization, then he has it backwards, because his amendment language says as of October 1, if my amendment does not pass, there is this mandate, and the mandate stays in effect for most of the fiscal year. I think that is the wrong way to deal with it.

Mr. CONYERS. Reclaiming my time, I do too. I think the subcommittee chairman is of good heart and great cheer and wonderful spirit, and I think the Frank amendment to this, notwithstanding the President’s wish, and wanted earlier on, maybe if we went back to the President, he would say this is not such a bad idea either. I do not know if we have time to do that, but I think the gentleman from Massachusetts (Mr. FRANK) has come up at least with a good idea.

Mrs. KELLY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to my friend from Massachusetts’ amendment to strike the earmark for the Down Payment Assistance Initiative program in the HOME program. As a member of the Committee on Financial Services Subcommittee on Housing and Community Opportunity, on which I serve with my friend from Massachusetts, I believe that the President’s proposal for low-income downpayment assistance must be a top priority.

When I read the Frank amendment, I was a little surprised, since I know my friend from Massachusetts to be a knowledgeable individual on issues concerning housing. Hence, I assumed he would realize the down payment assistance program is already an authorized purpose of the HOME program and is one that is in current use in towns and cities across the country.

In the past few months, we have both participated in a number of hearings on the lack of affordable housing in our Nation. We have been told again and again of the crisis we face.

The HOME program is important to housing production. It is an important housing production program, and I believe the gentleman from Massachusetts wants to do as much new housing as possible. However, I also believe my friend from Massachusetts would recognize the need to help low-income families with their down payments for their purchase of first home.

Let me be clear: the down payment initiative is not a solution to all the problems we face, but it is one important step that will greatly assist the families who use it.

In addition, in order to target this excess $500 million solely to down-payment assistance, we are required to take this issue up in our committee to target the assistance. I will do everything possible to work with my friend from Massachusetts and all of the other members of our committee to ensure we make these changes. However, if we fail to do this by next June, the funding will be utilized as regular HOME funds would.

With this in mind, I would hope that my friend from Massachusetts would withdraw his amendment so that we can join together to work on this issue and craft a program in the committee. I believe that our Subcommittee on Housing and Community Opportunity has a solid bipartisan approach to the housing programs that our Nation uses. This initiative will require us to work together to bring it into reality.

I also hope that my friend and all of our colleagues on this subcommittee will join us in working on this issue. As the gentleman from Massachusetts (Mr. FRANK) is the ranking member of the committee, I hope he will work to help craft a program to help more people own their own homes.

Mr. FRANK. Mr. Chairman, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Chairman, first, I would point out the ranking member does not set the committee agenda. The committee has been in existence since January or February. The majority has not brought this item forward for us to debate.

Secondly, I thought the gentlewoman was making my argument. Of course I understand it is already authorized. That is why I do not think we need to force communities to do it. It is fully authorized. Some communities are doing it.

The difference between us is not whether this is not in some places a good idea, but whether Congress should retreat from the notion of a block-granted HOME program with reliance on local judgment and take for the first time the wrong step, I think, of mandating the specifics.

I would be glad to have the committee bring it up, but I do want to point out to the gentlewoman, she is a member of the majority. It is up to them to bring something forward.

The problem is this says the committee and House and Senate. It is not one member to the committees. If we do not get legislation through as of October 1, this gets mandated and the communities cannot enjoy the previous flexibility, and that is what I object to.

Mrs. KELLY. Mr. Chairman, reclaiming my time, I believe very strongly that this is a program that we must authorize very quickly. I believe very strongly that this is a program that will allow people to own their own homes. The more people at the low-income level that are able to do that, the better we all are, for our communities and across the Nation.

I urge my colleagues on both sides of the aisle to join me in opposition to this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. FRANK).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FRANK. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on
In the House of Representatives, July 27, 2001

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. WALSH. Mr. Chairman, I ask unanimous consent that amendments numbered 44, 45 and 46 may be offered at any point during further consideration of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that amendments numbered 44, 45 and 46 may be offered at any point during further consideration of the bill.

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and understands the importance of this program. He took time from a markup in another committee to be here this morning. We thank him, Mr. Chairman, much for his leadership and interest on this issue.

Mr. WALSH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would just like to begin my portion of this debate by stating that I am not aware that there has ever been a study to show that this drug elimination program is successful as a national policy. There are lots of anecdotal comments and individual programs around the country that have had some degree of success, but this program has never been declared a success by the Federal Government.

I am also not aware that there is a higher degree or a higher percentage of drug use or drug abuse in public housing than anywhere else in this country. I think, to a degree, it is a negative statement about the Federal Government’s failure to hire a program specifically for drug elimination in public housing.

Having said that, the HOME program, as I have said before, will help Americans to move from tenantry, rentiership, to homeownership. I think it is important that we provide specific funds for that purpose, and I hope the authorizing committee will make this authorization a reality.

Let me just talk a little bit about the drug elimination program. First of all, the program has $700 million of unspent funds. When this program began 13 years ago, it was funded at $8 million. It was designed to address a gap in services that State and local governments were not filling for public housing. A lot has changed since then. The crime bill, for example, provided somewhere in the neighborhood of $9 billion to States and localities to hire over 100,000 police officers. We used to fund 1,000 new Boys and Girls Clubs in public housing, as well as a variety of other juvenile crime prevention activities.

State and local governments have been provided the resources in public housing. Residents should be receiving the benefits of those Federal programs like everyone else.

Currently, less than one-third of all public housing authorities receive drug elimination funds. Just four of the public housing authorities in the country are receiving 25 percent of all of these funds. In New York City, where they receive somewhere in the neighborhood of $35 million to $40 million, half of the money, half of it, is going to pay the salaries of New York City police officers. That is what the crime bill was for.

So they are getting Federal funds through the crime bill to hire additional police. They are also using these drug elimination funds to pay police salaries, and that just is not what these funds were for.

All of the PHAs that have received money have not been able to spend it. The gentlewoman’s hometown of Toledo, Ohio, is only now in the process of spending 1999 funds. In my hometown, in Syracuse, there is about $2 million in the pipeline for drug elimination programs. They can continue to use that money under this bill if they have pipeline funds and they have a program that they believe is effective. In Syracuse there are several that they believe are effective, so they can continue to use those funds.

In addition, if we have increased the public housing operating fund by a little more than 8 percent, a very substantial increase. Under the law, public housing authorities can use those operating expenses for drug elimination programs or, basically, for any other program that they see fit. So they have the flexibility there to continue to do this sort of activity.

Secretary Martinez and President Bush asked us to eliminate this program. Secretary Martinez is a new Secretary. Just as we did with Secretary Cuomo when he had policy initiatives, we tried to honor those public policy initiatives; and the Congress, in most cases, complied. I would ask my colleagues to comply with Secretary Martinez. He does not believe that criminal justice is part of the core business of HUD. He wants HUD to get out of the criminal justice business.

As I said, if individual public housing authorities want to continue the programs that feel they are effective, they can use the pipeline funds, and they can use their HUD operating expenses which we have provided for a very strong increase.

Mr. Chairman, to close, I have a letter here signed by the Enterprise Foundation, the National Council of State Housing Agencies, the National League of Cities, the National Association of Counties, National Community Development Association which says, we need these home funds. We do not want them used for any other program. So they would oppose this amendment.

I urge my colleagues to oppose this amendment.

Ms. KILPATRICK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the tragedy in this whole HUD bill is that it is under-funded. I rise to support the amendment to keep the Public Housing Drug Elimination Program in operation.

Last night we discussed until 11 o’clock that there is $640 million cut out of the Section 8 Program. There is $240 million cut out of the Community Development Block Program. There is $445 million cut out now, in this budget, out of the Housing Modernization Program. There is $37 million less this year in the Homeless Assistance Program, and now we come to the Public Housing Drug Elimination Program, which has not been cut back but eliminated.

This program was started and signed into law in 1988 by President Reagan. President Bush won and continued the program, and last year it had a $310 million appropriation. This budget gives it zero.

So not only have we reduced those other categories of housing needed, one of the most-needed categories behind education and health in our country, moderate safe, clean housing does not exist for many Americans, and what this Republican Congress does, it has decimated that in this HUD budget even more.

What my colleagues need to also know is that last week this Congress passed a bill that gave $675 million to Colombia. Last year, this Congress gave $1.3 billion to Colombia, where it is documented that 90 percent of the cocaine and heroin comes from.

So I say to my colleagues, this drug elimination for public housing program, which does work well; and, the chairman ask for a study, do not zero it out. It is doing marvelous things. It is hiring people who live in public housing to take care, to guide, and to monitor their own living conditions so that the children can be safe, so that the seniors can have opportunity.

On the one hand, we can give Colombia $2 billion and cannot find $175 million for those who live in public housing to try to eradicate drugs, keep drugs down, and keep their housing safe. Something is wrong with that equation.

Mr. Chairman, I thank the gentlewoman from Ohio for introducing the amendment. Our offices have worked closely on this. This is not the time to cut public housing funds. Perhaps we need the money so badly that we can stop the interdiction, but, quite certainly, we also ought to have treatment on demand, which none of these budgets address. Quite certainly, we ought to have a minimum of $175 million for people who live in public housing, again, not to eliminate the program. We need to ask for the testimony. We have testimonies to tell the congressmen that it works, and the study will prove that, too. It works.

Mr. Chairman, $2 billion to Colombia, and $675 million to Colombia to help public housing who want to help themselves, to do what it takes to live in clean and safe housing. I think we can do better than that as a Congress. We are a much better Nation than that.

All of us do not agree with the Andean Colombia program, but we do support eradicating drugs in our society. The way we do that is to stop the flow, yes, and also treatment on demand.

When somebody who is addicted, whose life is in chaos, finally gets ready for treatment and goes to a center in my district, they say, okay, fine, we are glad you are here. Come back in 3 months, and we will find a slot for you.
Come on. That is not how it works, America. My colleagues on both sides of the aisle, they have it in their districts, and I have it in mine. It is an American problem. We cannot give Colombia $2 billion on the one hand and not give a few million for the American citizens who Colombia has strung out.

Mr. Chairman, it is important that we adopt this amendment. It is important that we talk about what is really happening here. The HOME Program is a marvelous program. We want the Downpayment Program as well. The most important thing a person can do, a family can have, is a home. The stability, the consciousness, the being somebody really is defined in America by their home and their home conditions and how they live.

So I hope the Congress will think deeply about this amendment. Mr. Chairman, this is $175 million, on top of all of the cuts I already mentioned in Section 8, community development block grants, housing modernization and homeless assistance. We are going in the wrong direction. Vote "yes" on the Kaptur amendment.

Mrs. KELLY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment of the gentlewoman from Ohio (Ms. KAPTUR) to strike the $200 million from the President's down payment assistance initiative and add it to the drug elimination program.

This amendment would make two changes to this legislation we have at hand. I believe they are both wrong.

The amendment strikes down the President's proposed $200 million down payment assistance initiative. To strike this funding takes the legislation in the wrong direction.

As a member of the Committee on Financial Services' Subcommittee on Housing and Community Opportunity, we have heard several hearings on the current affordable housing crisis we face in this Nation. We have heard again and again that affordable housing is not available, and many families cannot afford market rents. HUD has declared further that a fair market value, dignity, and pride in today's community to eliminate drugs, for people who work in public housing to do this without proper support.

Using the Public Housing Drug Elimination Program, our housing agency has been able to reduce criminal activity by 60 percent since 1995. The grants from this program have enabled IHA to implement a visible community policing effort, and thus has enabled these properties to be among the safest in the city. Imagine public housing safe in the city. Imagine public housing safe in the city.

Mr. CONYERS. Mr. Chairman, I move to strike the requisite number of words.

Ms. CARSON of Indiana. Mr. Chairman, I move to strike the requisite number of words.
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chairman, the gentleman from New York (Mr. WALSH), say that there is no proof that public housing has more drug problems. The gentleman from New York (Mr. WALSH) said there was no proof that public housing has more drug abuse than anywhere else, this has to be put in some context.

I ask of the gentleman from New York (Mr. RANGEL), or ask any of us in any major city.

For the gentleman to be the chairman of the committee and not understand that there is no indication that there is a higher level of drug abuse in public housing than there is in the neighborhoods around our public housing authorities. We have provided billions of dollars to the criminal justice system.

Mr. WALSH. Mr. Chairman, I move to strike the requisite number of words.

Mr. RANGEL. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there is an interesting argument going on. We have a disagreement here. Someone said or we say there is no evidence that there is a problem. We talk about proof. We have a list of abuses that I have no question about.

On the other side, we talk about a need for funding because there are criminal elements within public housing. I do not disagree with that. I am going to accept that argument, and from some facilities I have seen, I think the Members are accurate in that argument. I had one in the city of Cleveland with a problem, and with additional funding, they reformed that problem.

I am willing to accept the argument from my colleagues on the other side that there is a problem in public housing and we need drug elimination funds to eliminate and deter these problems. The argument is that rather than addressing the problem, we continue to put a Band-Aid over the sore. The problem is, we have forced people into public housing projects with section 8 vouchers because there is no place else for them to go.

A good friend of mine owns one of the largest nonprofits in the United States, and they have probably made $25,000 loans to low-income families to get them into housing. The name of the company is Hart. If Members go into Hart’s buildings, every one of the employees in there were single parents, single women formerly on welfare. Every one of them today is in a home, distance to live any longer. To some people, that is scary. To me it is not. What we do is we say that is not adequate. We need to give them additional funding because there is a problem that is worse and needs Federal assistance.
Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. FATTAH. I yield, unlike your colleague who would not yield to the gentlewoman from Ohio (Ms. KAPTUR), Mr. Chairman.

Mr. FATTAH. I yield to the gentleman from Illinois (Mr. DAVIS). Mr. Chairman.

Mr. DAVIS of Illinois. Mr. Chairman, I would like to use this time to talk about the reconstitution of this program. And I would too commend the gentlewoman from Ohio (Ms. KAPTUR) for all of the work and the tenacity with which she has pursued this issue.

Mr. FATTAH. Mr. Chairman, will the gentleman yield?

Ms. KAPTUR. Mr. Chairman, I yield to the gentlewoman from Ohio (Ms. KAPTUR) for all of the work and the tenacity with which she has pursued this issue.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman from Illinois for his eloquent statement. I thank him for giving us a snapshot of places in America where programs like this make an enormous difference. I thank him for his leadership, and I just wanted to place on the record the fact that HUD did a study in 1999. In fact the inspector general of HUD did a study. They found no abuse in this program.

In fact, all HUD said, the inspector general, the inspection side of HUD merely said they ought to do some more studies around the country on how the program is working. They only asked for more paper reporting.

But on the ground, on the ground where people live every day, this is a successful program.

Mr. FATTAH. Mr. Chairman, I wanted to use this moment also to say to the gentlewoman from New York (Ms. WALSH), my good friend, who I really do not think his heart is in opposition on this program, but I want to say to him, in fact, he said the money was not being spent. I would have to say that is not an accurate statement. In fact, over $700,000 of Federal and local money is being spent every year and is being spent according to the allocation formulas from HUD on the proper schedule.

Mr. DAVIS of Illinois. Mr. Chairman, reclaiming my time, I say that we will either pay now or we will pay later.
Mrs. ROUKEMA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, unfortunately, I was unable to be here when there was a debate on the Frank amendment earlier this morning. As the chairwoman of the Subcommittee on Housing and Community Opportunity, I want to repeat my opposition to the Frank amendment and repeat what I stated in the general debate as of yesterday. That is the reference to the President’s downpayment assistance program.

As I stated in the general debate, this is really a compassionate program so that we can help low-income people achieve the American dream. And that is what that program is all about.

Mr. Chairman, I want the Members to know also, because there was some discussion about this legislation. As chairwoman of the Subcommittee on Housing and Community Opportunity, the authorizing subcommittee, I stated in the general debate that I would make every effort to assure that the important initiative would be authorized before the June 30 date in the bill which says we must authorize by June 30, or the funds from thedownpayment assistance program would not be available. So I want to make sure that we have that date.

Mr. Chairman, I would like to bring this debate back to where it started. We were in the midst of a very important debate on drug elimination grants. I really am concerned that this bill is where the program is. This is where the program has been funded. This is where the program has been successful, however many hiccups it has had.

The program still remains. We hope that the program has been successful so that the problem is on a downward trend line. But it still remains, the program is still viable, and the program should be funded.

Mr. Chairman, I rise in support of the gentlewoman’s amendment and commend her for her efforts in this area.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. MOLLOHAN. Mr. Chairman, I would like to bring this amendment to the attention of the Committee. As I stated in the general debate, this amendment is an important one that allows low-income families to share in the American dream of homeownership. This is evidence of the President’s commitment to compassionate care for all our people.

Mr. Chairman, I would like to bring this debate back to where it started. We were in the midst of a very important debate on drug elimination grants. This amendment and want to emphasize how important this program has been.

This program provides resources for public housing authorities to fight crime and drug use, an incredibly targeted and flexible program for that purpose. Many will say that that is not the proper role of public housing authorities. And while this may be true in the ideal world, the practical experience shows that local law enforcement authorities are not always up to the job. We know that housing authorities have crime problems that are indigenous, that are rooted, and we need programs which focus on that and go to those roots.

Why do we propose reducing funds that they receive to fight crime, to hire law enforcement, to construct fences, remove debris from alleys, and to help residents break drug addictions? If we have problems with how some of the funding has been used, then we should address the inappropriate use of the program. Eliminating the entire program is not the answer. We really need to be adequately funding drug elimination grants. This amendment, the Kaptur amendment, is an excellent start.

By supporting this amendment, I do not want to give the impression that the homeownership initiative she seeks to reduce is unworthy. It is not unworthy. It is a good proposal and should be considered. It is a new start, it is a new initiative, it is the President’s. It has not gone through the authorizing process. So I would hope she could schedule a hearing and, at least, have some committee deliberation on this substance.

This is simply a case of priorities. Drug use in public housing is a problem that is worthy of priority attention. The drug elimination grants program merits support.

I remember when Secretary Martinez appeared before our committee, he did not say, or I do not remember him saying, that this program was a bad program, the drug elimination program. He did not say that there was not the problem in housing authorities. What he said, as I remember it, was that this is in the right jurisdiction, this is not the proper place to fund this program, maybe it should be in the Justice Department.

Mr. Chairman, I serve on the subcommittee that funds the Justice Department. The Justice Department says that they are not into prevention programs, they are into solving crimes. So they say that Justice is not the proper place to fund drug elimination programs. So they said where the program is. This is where the program has been funded. This is where the program has been successful, however many hiccups it has had.

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from West Virginia has so aptly described.
I thank him for yielding to me and for his support of this program.
Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from New York (Mr. WALSH).
Mr. WALSH. I thank the gentleman for yielding. I just wanted to address some comments that were made earlier.
I have the greatest respect for every Member who has spoken. I think these are heartfelt statements that are being made, but I wanted to just add some additional data to the arguments.
The gentleman from Chicago, who represents a very large public housing authority that he spoke about, their budget for drug elimination is approximately $8 million per year. Based on our analysis and HUD's audits, the Chicago Public Housing Authority has right now close to $19 million on hand to provide for future drug elimination programs. We do not say you cannot use existing funds. What we are saying is that, from this bill forward, we are not going to specifically appropriate funds for drug elimination. That means they can use those $19 million.
We provided an increase in funds for operating expenses across the board to public housing authorities, an 8 percent increase. In the case of Chicago, that would mean about a $15 million increase. That means they could take half of that operating fund increase and dedicate that for drug elimination if they saw fit for the future.
The gentleman from New York who is about to speak I believe represents the Cleveland area. The Cuyahoga County Public Housing Authority has about $7.5 million available for drug elimination. They spend about $2.5 million per year. That would provide about 3 years' worth of drug elimination funds; and the operating fund increase for Cuyahoga County would be about $3.5 million per year, which is in excess of what their annual operating expenses are for drug elimination.
Mrs. JONES of Ohio. Mr. Chairman, will the gentleman yield?
Mr. FRELINGHUYSEN. I yield to the gentlewoman from Ohio.
Mrs. JONES of Ohio. Would the gentleman repeat that, since he was talking about my congressional district? I did not quite hear what he said. Would he say it again?
Mr. WALSH. I would be happy to. In Cuyahoga County, which encompasses Cleveland, I believe, the public housing authority funding for drug elimination in 1999 was $2.4 million. That will not be spent out until next year. Those are 1999 funds. In 2000, $2.5 million was appropriated. That has not been spent, either. In 2001, another $2.5 million has not been spent. So there is approximately $7.5 million of unexpended funds in the drug elimination program.
Mrs. JONES of Ohio. This is as of today, what he is reporting from?
Mr. WALSH. The last I heard.
Mrs. JONES of Ohio. I would like to see it when he is done.
Mr. WEINER. Mr. Chairman, will the gentleman yield?
Mr. FRELINGHUYSEN. I yield to the gentleman from New York.
Mr. WEINER. I would point out that many housing authorities around the country have a similar situation where drug elimination funds appear not to be spent because a large number of those dollars are used to recruit and hire police officers.
As the gentleman knows, right now in the country we have a phenomenon from coast to coast that there is a decline in the number of people that are coming forward to take these positions. In most cases, New York City being one of them, those funds have already been allocated.
Mr. WALSH. For example, New York City receives in the neighborhood of $40 million a year in drug elimination funds. It is going to pay salaries for police officers. Under the crime bill and the COPS AHEAD bill, New York City has received a half billion dollars to hire police officers. The drug elimination funds were not a supplement to the budget of the New York City Police Department. These funds were supposed to go for public housing authorities.
So the fact is, Mr. Chairman, there are lots and lots of dollars in the pipeline for drug elimination. If public housing authorities wish to use their operating fund balance to continue these programs, as my public housing authority in Syracuse has chosen to do, they can.
But what we are saying is we are not going to continue to fund this program because the Secretary of HUD, our new Secretary, has asked us to say we want to stick to our core business; we do not want to be in the criminal justice system; let the Justice Department fund this. And they do fund juvenile crime programs into the hundreds of millions of dollars. We think that these funds for the HOME project are far more important and far more in line with the core business of HUD. Let us help Americans to buy homes with these.
Mrs. JONES of Ohio. Mr. Chairman, I move to strike the requisite number of words.
Mr. Chairman, to the people of the United States, the argument that you are hearing this morning is the real reason why we should not have had a tax cut. We should not be standing here arguing about whether we fund a drug elimination program or we fund a downpayment assistance program. The reality is that both of these programs need funding, and there are dollars in the U.S. budget to fund them both. But, instead, the United States policy on housing is such that we have to argue over $20 million for each of these programs.
Let me just switch for a moment to a discussion as to whether or not we should fund drug elimination programs in public housing. Before I came to Congress, I served for 8 years as the Cuyahoga County prosecutor. Many of you can stand up here and say what you think works. I can tell you what I know works. I know it works because it was my responsibility to have oversight over the Cleveland Police Department as well as oversight over the Cuyahoga County Metropolitan Housing Police Department. It took the effort of both of those departments to diminish and eliminate the drug problem at the Cuyahoga Metropolitan Housing Authority.
Now we start talking about the importance of law enforcement, it is important to understand that the people get to know who the police officers are. You can stand in a vacuum and say that the City of Cleveland or the City of New York, or the City of Chicago ought to fund police departments, but we as a government, the City of Cleveland is part of the United States Government. The City of Chicago is part of the United States Government. HUD housing is Federal housing. It is public housing. And people there, regardless of who funds it, need to be able to live in safe housing.
Let me talk a little bit more about how law enforcement has moved from "lock them up and throw away the key" to some point talking about prevention. Part of prevention is using innovative programs to be able to talk to young people, to talk to older people about how you eliminate an addiction and begin to live in a wholesome household. In fact, in housing neighborhoods across this country have begun to be able to do that. It would seem to me that it would really be in the best interests of these United States, of the Federal Government, to talk about saving programs that are working.
Mr. Chairman, I appreciate the gentleman from New York letting me know that Cuyahoga County has $2.5 million in the pipeline and $2.5 million that might be available next year. I would like to ask him to give me more than $2.5 and to suggest to him, after having talked to the director of the Cuyahoga Metropolitan Housing Authority less than an hour ago, that maybe as of today's record there is not showing an expenditure but those funds are in fact ready and have been expended for purposes of that program. I am not sure how their accounting works.
Let me further say that some of the programs may not be what you traditionally believe are programs to deal with drug elimination, but I find it hard to believe that any of us who have
The CHAIRMAN. Mr. SABO. That is right.

Mr. MOLLOHAN. Mr. Chairman, will the gentleman yield?

Mr. SABO. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I understand what the gentleman is asking. He is asking is there a net increase or decrease of the funds out of which the drug elimination grants could be funded last year, as compared to this year.

Mr. SABO. That is right.

Mr. MOLLOHAN. There is a net decrease of $74 million as I compute it. The drug elimination program was funded at $310 million in 2001, and that resulted in a net decrease, or a net cut. And drug elimination grants were authorized to be activities to be funded out of the public housing operations up to $110 million. So the overall net cut is $47 million.

Mr. SABO. Mr. Chairman, reining from what is appropriated for this current year, at the same time that these housing agencies are also going to be required to pay significantly higher energy costs?

Mr. MOLLOHAN. Yes.

Mr. SABO. Mr. Chairman, reining my time, the answer is obvious what we should do with the amendment proposed by the gentlewoman from Ohio: we should support it. But let me make a few other comments.

I think this debate is very useful, because it highlights the importance of being housed. Over the last several years, I have been disappointed to the degree that housing has been off the agenda for both parties, and if there is any area where the Federal Government has played a primary role for decades, it has been in the development of housing policy in this country, whether it is through tax programs, through insurance programs, or through direct expenditures.

We have a crisis in the availability of low- and moderate-income housing in this country today, and I would suggest to my friends that while we have our extensive debates on education policy, that the Federal role in providing for low- and moderate-income housing in this country, in my judgment, is of greater importance to education policy in this country than many of the things we are doing in the education bill.

But if we have limited resources, what should be our priority? Clearly the first priority has to be that we are funding and operating in a decent and efficient manner the housing that exists. That means that we have to have sufficient appropriations for operating subsidies, so that we deal with unique programs and problems, like the drug problem in public housing throughout this country. Next we should move to make sure that the housing that we have today is maintained through our rehab programs. Again, we find that those programs are funded at a grossly inadequate level in this bill. Then we should move on to production, and we desperately need a production program in this country. We are not close to beginning to deal with that problem. I would love to see us doing it. But if we have to make choices, the first choice has to be that we fund in a sufficient fashion those programs that simply keep the existing housing supply operating in a safe manner for its residents, where they can enjoy life.

For some people to suggest that as part of that process of running large public housing projects we should not provide for security, I think flies in the face of reality.

Mr. Chairman, I hope we adopt the amendment offered by the gentlewoman from Ohio.

Mrs. MEEK of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. MOLLOHAN. Mr. Chairman, I stand to support the amendment offered by my good sister from Ohio. Her position is one of a white woman who has come to this arena to defend a program which has been eliminated which pretty much helps low-income people. The gentlewoman is not a lower income person. There are very few of them in this Congress.

I stand today to represent those neighborhoods which many of you have never seen, and the good chairman has, and the good gentleman from Ohio. Her position is one of a white woman who has come to this arena to defend a program which has been eliminated which pretty much helps low-income people. The gentlewoman is not a lower income person. There are very few of them in this Congress.

Now, it is pretty good to talk about what is in the pipeline, and that is the argument which my good chairman has used. But it is a specious argument, in that it cannot be made for public housing, in that last year this Congress, of which I am a Member, appropriated $1.3 billion for Plan Colombia, the anti-drug program that was supposed to stop the flow of drugs from South America to this country. It is a billion and a half. Yet I stand today trying to defend a program which we know is needed for the young people of our community.

Our good President wants to leave no drug behind, but if he has to have this program, he has already left behind the many youngsters in public housing who will be unprotected from the drug dealers that our police department overlooked for years because they did not have the manpower nor the ability to come in to public housing and fight this real ominous enemy we have in there, the drug dealers.

Now they have their own situation, where they can collaborate with the police department, where they can work with local agencies and build a network to work against drugs in public housing. Public housing is good. It is the people that come into public housing and the people who come off the street and come in to hurt our children that are bad.

The Washington Post also reported that only about 5 percent of Plan Colombia’s money has been spent, only about 5 percent. Yet we argue against $175 million which this good gentlewoman has asked from Congress zero the amount for Plan Colombia out of this year’s funding bill? I repeat that question. It is not a rhetorical question, it is a true question.
Does the Congress zero them out, Plan Columbia, in this year's funding bill? No. Earlier this week we voted to add another $676 million to the Plan program of Plan Colombia. That shows that the argument is specious that is used by my good chairman. So all this money that is supposed to be in the pipeline, it remains in there for Plan Colombia, but it does not remain in there for the poor residents of public housing. We must begin to respect these people. We must begin to note that it is the Government's job to respect them.

So I must say, if you do not fund this program, you are showing this Nation that you have turned around a program that works. Regardless of the party that you are in, you are doing the wrong thing for the American people, and it is indefensible. So anyone who stands up to defend this knows it is wrong.

It is so important that we understand, these are very small grants. They are not large. If one reads the report of our committee, you will see very large grants. But these grants, some are less than $25,000. A few million dollars they get for public housing. They are a small amount compared to the problem in New York, a small amount compared to the problem in California. It is a small amount compared to the public housing in Dade County-Miami. It is a small amount of money. Some of them are as small as $25,000.

We must slow the relationship of violent crime in public housing. You do not need a statistical report to see this. You read the paper every day, you listen to the radio. You see how it is rampant. There is no report, and this again goes against something my chairman said. My point is, it is a specious argument used against the COPS program, but every city supports it, although when I was in the New York City Council I was the chairman of the Committee on Public Housing. Listen to what some Republicans have said.

Listen to what Secretary Martinez said earlier this year in response to a question from a Member of the other body, HUD's Public Housing Drug Elimination Program. "HUD supports a wide variety of efforts. Based on this core purpose, I certainly support the program."

A short while ago the gentleman from California (Mr. GARY G. MILLER) stood up to oppose this program. Let me tell you what he said on April 6 of the year 2000. "If the public housing are unable to continue the drug prevention efforts, the problems will return. Will we only allow a doctor to give enough medicine to reduce illness, or will we give enough medicine to cure the disease?" This is what he said in support of the program that supports public housing in Upland, California.

We have also heard from the former chairman of the Committee on Banking and Financial Services, the gentleman from Iowa (Mr. LEACH.) "This type of program is necessary if we are to make public housing developments decent and safe."

Mr. Lazio, the former Member of this House from my State, also said, "The drug elimination program has funded many important and worthwhile items that have resulted in protecting people in public and assisted housing."

For a moment I would like to address some of the criticisms to this program raised by the opponents of the gentleman from Ohio. First, it is that crime reduction is not the primary mission of HUD. True enough. But that does not mean we do not fund modernization programs for better security systems. It does not mean we do not fund modernization programs and operating grants for security systems. It is absurd to say that simply because it is not our primary mission, that we should walk away from a program that works.

For a moment I would like to address some of the criticisms to this program raised by the opponents of the gentleman from Ohio. First, it is that crime reduction is not the primary mission of HUD. True enough. But that does not mean we do not fund modernization programs for better security systems. It does not mean we do not fund modernization programs and operating grants for security systems. It is absurd to say that simply because it is not our primary mission, that we should walk away from a program that works.

Secondly, there is this weird Alice in Wonderland argument that says we are reinforcing the perception that drug problems are bad in public housing by having a program that has reduced crime problems in public housing.

I can tell you as a matter of fact, in New York City we have something called the COMSTAT program where you can see block by block, how a police precincts back address, where the crime problems are. Before the drug elimination program came into effect, there was a 30 percent difference the moment you crossed the street into public housing as opposed to the other way, and the reason is we used to have police precincts that were divided from the housing authority police division so we could see that.

If you think that the program is not working, all you have to do is look at the State of Texas. In the State of Texas, in the Austin Housing Authority, they had a 10 percent reduction compared to outside the housing authority because of the drug elimination program. In San Antonio, there was a 20 percent reduction in crime in the housing authorities, while the crime outside the housing authorities went up. So we not only know as a matter of fact that there is a problem, but we also know as a matter of fact that the problem is being solved by the drug elimination program.

Finally, because New York City has been mentioned so many times in a pejorative sense here, let me explain why it is that New York City is a slightly different creature than other places as it relates to the drug elimination program.

Unlike other places that throughout the eighties were tearing down their public housing, New York City was investing in it, so much so that it not only did not neglect housing authorities, it created its own police department specifically for the housing authority projects, unlike other municipalities in this country.
I want to thank the gentlewoman from Ohio for this amendment, but, most importantly, I want to thank the gentlewoman from Ohio for thinking about me.

Mr. Chairman, as I hear people talking about the drug elimination program and hear people talking about those who live in public housing and I hear people talking about the American dream, let me tell my colleagues, I lived in public housing. I lived in public housing until I graduated law school. I have a relative that lives in public housing. Just because I am a Member of Congress does not mean I can get all of my relatives and friends out of public housing who live there on a daily basis. I visit them every time that I go home.

Not only do I represent public housing, I live in a public housing project. I have lived there, and I would not be here if it was not for public housing.

We can build all the prisons we want, and they will come. They will fill up if we do not do anything.

When we talk about medicine today, we talk about preventive care. We talk about how we have to stop it early. We can stop them and kill diseases early so that we do not have to worry about disease.

What makes this country great, or what should make it great, is how we take care of the least of these.

What the drug elimination program does is give them the opportunity to have hope to live for tomorrow.

Why are we playing reverse Robin Hoodism? Why are we taking from the poor to give to the rich? What makes this country great, or what should make it great, is how we take care of the least of these.

The drug elimination program is, it is preventive care. If we are talking about preventive care everywhere else, why can we not take care of America’s poor? Because America’s poor, like I want to live the American dream; and the first thing in public housing that we see young people today, what they want to do is, indeed, that: just live. They are worried about their lives, when we talk to 15-, 16-year-olds; and they say they may not live until they are 18, 19, 20 years old. They are not sure if they are going to live.

And what the drug elimination program does is give them the opportunity to have hope to live for tomorrow.

Mr. Chairman, I had not intended to speak this morning. I know that people are all poised to go home, and we wanted to see if we could expedite the proceedings today so that we can get out as early as possible. But I could not help but come to the floor to speak on this issue.

I cannot believe that my friends on the opposite side of the aisle who define themselves as law and order, who would have us believe that they have some values better than others, who would have us believe that they are the only ones who care about crime in America, who would have us believe that we do not pay enough attention to crime, would dare come to this floor and support the elimination of a drug program in America’s public housing projects.

America’s public housing projects, for the most part, are poor people and some working people who are living basically in congested areas on top of each other, having to deal with some of the most difficult problems any human being could ever envision.

We have a lot of young people who are attracted to the lifestyles they see on television, who want to go to the concerts; a lot of young people who want the cars; a lot of young people who want what we tell them America can afford. No, they do not have the kind of support oftentimes that will ensure that they keep going and they stay in school. Many of them are drop-outs. Many of them are coming from families who are in trouble. But they are all stacked into many of America’s public housing projects; and, yes, the dope dealers and others come into these places.

Mr. Chairman, we need the opportunity to educate, to prevent, to teach, to say to young people, there is another way. But Members on the other side of the aisle will tell us on this floor that we do not need to have a drug elimination program. Drugs are not a problem in the housing project, is that what they are telling us? No, what they are saying is, it is a problem, we know it is a problem, but we do not want the public housing project management to take the responsibility for the elimination of the drugs in public housing.

What we would rather do is have the police run in, catch a 19-year-old with one rock crack cocaine and send him to the Federal penitentiary for 5 years on mandatory minimum sentencing. No prevention, no rehab, no inclusion of drug elimination in the management.

It is so outrageous to say this is not our core program. This is not what we do. We could not do anything. If we go to New York, we would not tell the resident, we do not have anything to do with your security and drug elimination; we do not have anything to do with making sure this building is safe and you are not at risk.

But when our colleagues come to the floor and they tell us that they do not care enough to support the idea that we can eliminate drugs, we can eliminate crime, that we can provide some security in public housing, then we must come to this floor and we must take our colleagues on and take our colleagues on our will.

Mr. Chairman, I am going to ask the Members of Congress from both sides of the aisle on this vote to forget about the fact that somebody told them they do not want to do this job. I do not know this new Secretary, but I am hopeful that is not the message that he sent to this floor. I am hopeful that somehow the gentleman is a little bit confused about the message.

I would ask that we support the amendment, and I thank the gentlewoman from Ohio (Ms. KAPTUR) for pushing this back on this floor so that we could have this debate.

Ms. LEE. Mr. Chairman, I move to strike the requisite number of words.
Mr. Chairman, first, let me thank the gentlewoman from Ohio for offering this amendment and really allowing us the time to talk about some of the important issues that we have not been able to talk about those that we never have a chance to talk about, those individuals in our districts who are really just hanging from a cliff in terms of the basic substance and in terms of their income and in terms of the housing conditions in which they live.

This is just another example, this elimination of the public housing, drug elimination program, is just another example of really how shortsighted both in terms of policy and in terms of funding that this bill really is.

Mr. Chairman, now one-third of all residents who live in public housing, I want to remind our colleagues that a third of our residents are elderly. They are elderly population, a working population, patrol public housing. So if one does not support this amendment, one is really also in fact allowing thousands of elderly people to live in unsafe environments. How ironic, Mr. Chairman, that as my colleague so eloquently laid out and so clearly laid out, my colleague from Florida, how this Congress will support billions of dollars to be spent on drug interdiction in Colombia and in Peru, a policy that many of us know does nothing to stop drug abuse in this country, but this Congress, just this week sent a message and now again, unless we support this amendment, will be sending another message, unfortunately, that we do not support a few hundred million dollars for drug elimination and patrol right here in our own country, in our own communities.

This is just downright wrong. This hypocrisy is really unjustified. I do not know how my colleagues go home and explain to their constituents. I just do not know how they do it.

Mr. Chairman, I want to reiterate also that this bill cuts a total of over $1.7 billion from our national housing programs. This is no time to cut any funds to the HUD budget, because the Federal Government of the richest country in the world should and must provide a safety net at least for decent and safe shelter. When the richest country in the world has a growing homeless population, a working population where individuals work sometimes 80 hours a week to afford just a modest place to live, not spending valuable quality time with their children and families, then we really are not that rich after all.

This is really not the time to cut in real terms funding for community development block grants and home formula grants and public housing capital funds and, now, the drug elimination program. This budget is really a sham and a shell game, and it is a disgrace. It places this $2 trillion plus tax cut for the wealthy square on the backs of the homeless, public housing residents, the working poor. It is a real cynical ploy I think to pit all of these groups against each other so that they cannot support this amendment and demand that this Congress finally stand up for them.

They do not have a lot of lobbyists here. Our public housing residents may not have one representative here to really look out for them the way that they should.

But I thank the gentlewoman from Ohio (Ms. KAPTUR) and Members here today who are fighting drugs in our own country by fighting to restore this drug elimination program. It makes more sense than sending the money to Colombia and Peru for anti-narcotics efforts that are not working.

Mr. Chairman, this VA–HUD bill cuts $493 million from public housing programs including the complete elimination of the Public Housing Drug Elimination Program. It is just another example of how short-sighted—both in terms of policy and funding—this bill really is. I thank my colleague from Ohio for offering this amendment and for her leadership.

Mr. Chairman, let me remind you that one third of all residents who live in public housing are elderly. Local police officers do not patrol public housing. If you do not support the Kaptur amendment, you are in fact also allowing thousands of elderly people to live in unsafe environments.

How ironic, Mr. Chairman, as my colleague from Florida so eloquently and clearly laid out that this Congress will support billions to be spent on drug interdiction in Colombia and Peru—a policy that many of us know does nothing to stop drug abuse in this country—but this Congress will not support a few hundred million for drug elimination and patrol right here in our own country. This hypocrisy is unjustified and wrong and I don’t know how you explain this back home.

Mr. Chairman, I reiterate, this bill cuts $1.7 billion from our national housing programs.

This is no time for any cuts to the HUD budget because the federal government of the richest country in the world must provide a safety net, at the very least, of decent and safe shelter. When the richest country in the world has a growing homeless population and a working population where individuals must work 80 hours a week to afford a modest place to live, not spending valuable quality time with their children and families, then we really aren’t that rich after all.

This is not the time to cut in real terms the Community Development Block Grant, HOME formula grants, and public housing capital funds and the Drug Elimination Program. This budget is a sham and a shell game. This bill places the $2 trillion plus tax cut, of which working families will see pennies on the dollar of the tax cuts realized for the wealthy, square on the backs of the homeless, working poor, middle income, and public housing residents. It is a cynical ploy to pit these groups against each other. Fighting drugs in our own country makes more sense to me than sending billions to Colombia for anti-narcotics efforts that are not working. Support the Kaptur amendment.

Mrs. JONES of Ohio. Mr. Chairman, will the gentlewoman yield?

Mr. Chairman, first, let me thank the gentlewoman from Ohio (Ms. KAPTUR), and Members here today who are fighting drugs in our own country by fighting to restore this drug elimination program. It makes more sense than sending the money to Colombia and Peru for anti-narcotics efforts that are not working.

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Ms. KAPTUR. Mr. Chairman, I want to thank the gentlewoman from Texas for yielding.

To reaffirm what she has said with me here today, I have documents from over 1,100 public housing authorities in our country and their neighborhoods that are benefiting from this program, that members should check their own districts prior to voting on this amendment. It serves America coast-to-coast. It has made our communities more beautiful and safer places in which to live. It saves lives every day. I thank the gentlewoman for asking for that clarification.

Ms. JACKSON-LEE of Texas. Reclaiming my time, Mr. Chairman, let me join the leadership of the ranking member. I appreciate his leadership on these many, many issues.

Mr. Chairman, I ask this Congress today to make a stand for not taking us back, I do not want to go back and creating a vision that assumes that those who live in public housing developments are our neighbors, as well, and would want to have clean and safe places to live, and want the degradation of drugs to be taken away from them, lifted up from them, so children can grow, elderly can be safe, and families can thrive.

I ask my colleagues to envision a future where all of us are united behind a new day, and that we vote for this amendment.

Mr. RANGEL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

Mr. Chairman, I come from a city that I am so proud of, but we have more than our share of problems when it comes to crime and drug addiction. The reason I have such a heart is because from these poor communities, those that have access to a decent education and are able to get the tools to be able to negotiate through life, some have been able to make some major contributions to our communities, our city, our State, and indeed, our country. So many of us that come from these very same communities have been able to have the privilege to serve right here in the House of Representatives. I have heard a lot of that testimony here today.

One of the greatest things in being an American is not how much money one has, not how much wealth one has, but the chance one has. How much hope one has. How much one comes from a poor community and is forced, through racism and economic circumstances, to see poverty every day, and one does not have hope nor believe one has an opportunity to get out of it, then sometimes one looks at drugs and alcohol, figuring that one has nothing to lose.

Our young people really deserve better than that. That is what these programs are all about, to give kids enough hope to know that there is something to lose by making the mistakes and abuses that we are making here today.

Mr. Chairman, I cannot understand why this great Nation and this Congress is prepared year after year to invest billions of dollars in the building of jails and penitentiaries, and yet refuses to recognize not only the money that we would be saving in education and prevention, but the contribution we are making to our great country by increasing the productivity, increasing the competition. If we say that we respect the people living in public housing, why can we not give them the support that they need in the communities to make certain that the kids can have a productive life?

There are tough times that we are going through because the majority has seen fit to rely on a $1.3 tax cut, and more is coming. But what good is the tax cut if we are not certain that we are going to be able to maintain economic growth? How can we do this unless we know that the workplace is going to be as productive as it can be, and how can we have this if we know that this great Nation of ours has more people locked up in jail per capita than any nation in the world and that 80 percent of the people who are locked up are there for drug- and alcohol-related crimes and that most all of these crimes are not crimes of violence but crimes where people have abused their own bodies?

So it seems to me that we all can be better Americans and better legislators if we could leave here knowing that we supported legislation to provide the resources to allow our young people to know that there are higher dreams, there are better opportunities than abusing drugs.

I congratulate all of those who have spoken today, and we hope it convinces us that we should leave here today saying that we have restored the money to the program.

Mrs. CHRISTENSEN. Mr. Chairman, I rise in strong support of the amendment of my colleague from Ohio, to restore the Public Housing Drug Elimination Grant. I am dumbfounded as to why the President and my Republican colleagues would eliminate this program, which has proved to be an effective tool at combating drugs in public housing communities.

My colleagues, Public Housing faces a devastating cut of $494 million in cuts in this bill. The modest Kaptur amendment would restore funding to the Public Housing Drug Elimination Program. I cannot understand, Mr. Chairman, how this Congress can justify nearly $2 trillion to fight drugs in Colombia and yet provide nothing to fight drugs and crime in public housing communities here at home.

Sadly, Mr. Chairman, the public housing communities in all our districts have become a magnet for the purveyors of drugs and death. The Drug Elimination Program has been like a beacon in these communities helping authorities to eliminate drug-related crime. In addition
to being used to pay for law enforcement personnel and investigators, it has been used for the development of drug abuse prevention programs that are taught in schools, as well as to provide physical improvements that increase security such as lighting and tenant support patrols. Indeed, the residents of public housing communities in the Virgin Islands have benefited from this program and will be hurt if it is eliminated as the underlying bill proposes to do.

I urge my colleagues to support the Kaptur amendment. If you support the residents of public housing communities in your districts having a safe, crime-free place to live, then you must support this amendment.

Ms. MILLENDER-McDONALD. Mr. Chairman, I am compelled to speak on the issue of drug elimination in public housing given the many public housing units in my district and the need to address my constituents’ concerns regarding drug trafficking. I am here today to support the amendment offered by the gentlelady from Ohio (Ms. KAPTUR). It is imperative that we in Congress pay more than lip service to the notion of truly attempting to eradicate drugs and violence in public housing.

Throughout my congressional district there are numerous public housing unit residents who are pleading for help and relief of violence and criminal acts. And I can tell you that those residents want to experience safe and secure lives devoid of drug traffickers and violence. However, it is puzzling to me that my colleagues in the majority fail to see the merits of providing for others what they routinely experience—safe and secure neighborhoods oftentimes devoid of drug trafficking.

We need to be supporting residents of public housing by providing the funds necessary to eliminate the insidious impact of drug use, abuse, and trafficking. It appears that conservative compassion is nowhere to be found on this issue. I call upon my colleagues to support the Kaptur amendment.

Mr. WALSH. Mr. Chairman, I rise today to support the gentlelady’s amendment to restore funding for the Public Housing Drug Elimination Program. I appreciate her compassion, thoughtfulness, and leadership on this important issue.

However, I must reluctantly oppose the bill. I know my good friend, the Chairman, has worked very hard to produce a bill. He is a good man and I cast no stones toward him today. I will just say that this bill wasn’t given any where near the proper funding required to meet the pressing needs of public housing, veterans programs, and empowerment zones and enterprise communities. This is just unacceptable.

This bill cuts $445 million from the Capital Fund. Just weeks ago, I attempted to offer an amendment to the FY01 supplemental bill to provide additional funding to assist those in public housing with their rising utility costs. I said then that Public Housing Authorities were raiding their Capital Funds to pay utility costs. Now, we have a bill before us that takes more money from the Capital Funds.

I also take issue with the complete decimation of the Drug Elimination Program. For years, I have heard complaints that Public Housing was infested with drug dealers—I heard this from residents and from my colleagues on the other side of the aisle. As a result, it is more important than ever to have police and get rid of drug dealers. It is very successful. What happens? In comes the new administration and they need to hold to their budget numbers so they propose killing it. The majority says that Public Housing Authorities can use their operating funds for drug elimination—but those funds are empty because of the utility bills. I feel like we are going in circles!

I looked for a way to boost funding in the public housing budget. But where would I find it? The other agencies in this bill are just as starved for funding and just as worthy. I will not steal from Peter to pay Paul.

Finally, I want to take a minute to talk about the perception of public housing. For too long, Congress has looked upon public housing residents as second class citizens. We continue to have the outrageous requirement that residents of public housing do community service. Do we ask that of people who take the mortgage interest tax deduction? Do we require the CEO of the major defense contractors to spend 3 hours a week in community service, and any product of public housing. Many of the other members of this body from New York City are products of public housing. We should celebrate the success that is public housing. Instead, with this bill we condemn it.

Mr. Chairman, this bill needs billions more. Billions that would be available were it not for the irresponsible tax cut just passed. This is a shame. We should do better. But, instead we have acquiesced to our priorities to those of the new administration. The new administration has made it clear it is more important to give rich Americans a tax cut than meeting our responsibilities to residents of public housing. That is why there is inadequate funds for this bill today.

I urge my colleagues to vote against this bill.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

The question was taken; and the Chairman announced that the noes had it.

Ms. KAPTUR. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR) will be postponed.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise for the purpose of engaging in a colloquy with the gentleman from New York (Mr. Walsh), the chairman of the subcommittee, and also with my friend, the gentleman from Pennsylvania (Mr. FATTAH), who is also a member of the subcommittee, on language in the bill that will reduce the defined reserves available to individual public housing authorities for administering their tenant-based section 8 programs.

During full committee consideration of the bill, the gentleman from Pennsylvania and I expressed some concern that without the cushion of a guaranteed reserve beyond a single month, public housing authorities, when they seek to avoid running out of money before the end of the year, might less aggressively pursue full utilization of the allocation of vouchers. I understand the committee’s intention, through this language, to reduce the amount of unused budget authority that has resided in the section 8 reserve account. I hope to be able to continue talking with the subcommittee chairman between now and conference about ways to accomplish this goal without reducing the ability of public housing authorities to access the funding that is necessary to ensure that housing for families is not put in jeopardy.

In the meantime, I hope we can clarify for the record what is the committee’s intent exactly with regard to the language in the bill.

Mr. FATTAH. Mr. Chairman, will the gentleman yield?

Mr. PRICE of North Carolina. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, I yield to join the gentleman from North Carolina in again expressing concern about the possible effect of the language in the bill on the availability of supplemental funding for public housing authorities, who, due to unforeseen circumstances, exhaust their 1-month reserves.

I would like to ask the gentleman from New York, the distinguished chairman of the subcommittee, if it is the committee’s intention that the language in the bill should have no practical affect on the ability of public housing authorities to aggressively pursue maximum utilization of section 8 vouchers within the regulatory guidelines.

Further, I would like to ask the gentleman if it is the committee’s intention that HUD should provide additional resources to any public housing authority that exhausts its allocated reserves due to unforeseen circumstances.
Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. PRICE of North Carolina. I yield to the gentleman from New York.

Mr. WALSH. I would be happy to respond to the gentleman, Mr. Chairman. Certainly it is not the Committee's intent nor do I believe this action will have any negative impact on the ability of public housing authorities to fully utilize their vouchers. It is my understanding that less than $46 million of the $1.3 billion in reserve funding was used last year.

I assure the gentleman that it is the Committee's intention that any public housing authority which exhausts its funds be given additional funds to ensure that its legitimate needs are met. In fact, I have a letter from the Deputy Secretary which indicates that HUD will continue its long-standing policy to provide any public housing authority that has exhausted its funds for legitimate needs with whatever funding is necessary to ensure that all families currently served retain their assistance.

Mr. PRICE of North Carolina. Reclaiming my time, Mr. Chairman, I thank the gentleman from New York for his helpful clarification of the Committee's intent. I, too, have seen that letter from the Deputy Secretary and am somewhat reassured by the commitment that letter makes.

I am still a bit concerned, however, about how the bill's statutory reduction in the amount of reserves available to individual public housing authorities might in practice affect their ability to gain access to additional resources for legitimate needs.

Mr. WALSH. Mr. Chairman, I ask unanimous consent that debate on this amendment and any amendments thereto be limited to two minutes to be equally divided and controlled by the proponent and the opponent, myself.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman from Michigan (Mr. BONIOR) is recognized for 30 minutes.

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

Mr. WALSH. Mr. Chairman, will the gentleman from New York (Mr. BONIOR) be recognized for 30 minutes?

Mr. Chairman, I reserve the balance of my time.

Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIRMAN. The gentleman from New York (Mr. WALSH) is recognized for 45 minutes.

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

I would like to make this as clear as I can at the beginning of the debate.
This amendment changes nothing. And, by the way, this is a rider. We try diligently to keep riders off of the appropriation legislation. And I have heard the gentleman who is offering this amendment rail against riders in the past. This is a legislative rider to the bill; and if it were enacted, it would be the only legislative rider in the bill. So I would urge Members who oppose riders in general to oppose this amendment.

Having said that, whether or not this rider is passed, nothing changes. The law requires that the compliance date is 2006 for the standard for arsenic, regardless of when the rule is promulgated. So whether the standard that the Clinton Administration suggested in the late hours of its administration or the standard that current law requires is promulgated, neither of those standards will have to be complied with until the year 2006.

Let me just talk about the substance of the issue a little bit. Arsenic is a naturally occurring contaminant present in drinking water in 3.7 million small communities, particularly in the West. The Administration is updating the standard for arsenic to provide safe and affordable drinking water for all Americans. EPA recently began a review of the new arsenic standard that was issued just days before the end of the Clinton Administration to ensure that the standard is based on sound science, accurate cost estimates and is achievable for small communities.

The real concern here, obviously, is the health of Americans and the cost of promulgating a new compliance standard and implementing that standard in each and every town across the United States. And just to give my colleagues an idea what the impact is on small communities, particularly in south Onondaga County, in my county.

We all agree that we need safe drinking water. We need to have good science. We need to make sure that the standard that is developed and that communities are forced to comply with meets all of those goals. Health effect issues, cost issues, benefit analysis.

We need to have the full opportunity to develop and promulgate a proper rule based on good science. Let us give the EPA the opportunity to develop and promulgate a proper rule based on good science.

The second argument one could make is that the argument is woefully outdated drinking water standard for arsenic. Then in 1996, the House voted unanimously to require EPA to update the arsenic standard for drinking water. We required that EPA act by 2001. Finally in January, 2001 EPA set a new standard for arsenic at 10 parts per billion. Public health and environmental groups thought the standard should be lower. States suggested lower standards as well. Even Christie Todd Whitman had supported the standard at this level when she was Governor of New Jersey. But EPA
decided to stick to 10 parts per billion because the science supported it and it was a commonsense number. The gentleman wants to ignore the fact that this standard is based on good science and a comprehensive record and it accomplishes a comprehensive goal. It reduces the amount of arsenic in our drinking water. In addition, we know that no major water company trade association has challenged the rule. In fact, the California/Nevada section of the American Water Works Association has written in strong support of the new arsenic standard.

We can have safe water at a reasonable cost all across the country. I think it is our obligation as a Congress to do that. That is what this amendment will do. I urge my colleagues to vote for the Bonior-Waxman-Obey-Brown-Kildee amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, let me add my concerns over his failure to acknowledge the public health consequences that will result from not meeting the new standard. There are only about 10 families served by that water system.

What that means is they are going to lose their rural water supply in San Ysidro, New Mexico will have to take out a loan of $2 million in order to meet the new standard. There are only 80 families served by that water system.

The Environmental Protection Agency proposed to reduce the arsenic standard in water from 50 parts per billion to something lower. Then right at the last moment before the change in administrations, they set that level at 10 parts per billion. I think it is important to start out by understanding what small amount we are talking about. A part per billion means nothing to me. But this is what it is: in 32 years’ time we are talking about the difference between 10 seconds and 50 seconds. What a kind of a leap are we talking about? Detecting what the public health effects are in that small a difference.

The fact is we know very little about the effects of arsenic on people at low levels. It is broadly acknowledged that high levels of arsenic cause cancer. But we do not know what happens at low levels of arsenic. There is a terrible public health consequence that will affect rural water systems.

The EPA estimates that there are 3,500 rural water systems that would be affected by this. It is not about the timber industry. It is not about mining. It is about naturally occurring arsenic. We are talking about organic arsenic in the soil in the West because of our volcanic soils. In the State of New Mexico we have about 150 rural water systems where the naturally occurring arsenic level is about 10 parts per billion but below the current standard. They are in small parts to small communities all over New Mexico.

The gentleman wants to ignore the lack of scientific evidence at low levels of arsenic and just impose this rule without reviewing it. Guess what that means for me in New Mexico? That means the town of San Ysidro, New Mexico will have to take out a loan of $2 million in order to meet the new standard. There are only 80 families served by that water system.

We do not know what the health effects are of arsenic in very low levels. We do know that if we set that standard so low, we will force rural water systems to close and we will go back to having untreated water with wells.

There have been a number of scientific studies, some of which are selectively used by the Environmental Protection Agency. Most of them were done abroad. Very few of them deal with arsenic at low levels. There was only one in the State of Utah that looked at naturally occurring organic arsenic and the effect on the population. And while it was a small study, the only one funded by EPA in creating this rule, they ignored it because it was a small population. And yet the results showed that in that town in Utah, even though they have high levels of naturally occurring arsenic, they have very low levels of the diseases associated with arsenic and have for generations.

Mr. Chairman, it does not make any sense. That is why it does make sense to look at the science behind the rules.

Now, we think 20 parts per billion, 10 parts per billion, it does not make a big difference. But it costs twice as much in capital costs to set up a water plant to treat down to 10 parts per billion as it does to 20. In my State of New Mexico, New Mexico does not have a minimum of $300 million in capital investment, and then it costs more to take care of the water and operate it.

In closing, Mr. Chairman, I would like to read a letter from a gentleman in Cloudcroft, New Mexico. We are in the Lincoln National Forest, Sacramento Mountains at an elevation of about 9,000 feet. We have no landfills, junk yards, Mafia burial grounds, large cemeteries, nuclear reactors, industry of any kind, sewage disposal plants. We have about anything which is a threat to our drinking water. Rain falls on our forests, trickles down into cracks and crevices and replenishes our water table. We gather our water from a spring and distribute it to about 25 homes. Before us, the Mescalero Apache Indians did the same.

Mr. Chairman, this is a wrong-headed amendment for policy reasons, and I urge that this House reject it.

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

Mr. Chairman, if I could respond to the comments of the gentlewoman from New Mexico (Mrs. WILSON), number one, the difference in the number of people that are affected between 10 and 20 parts per billion in the State of New Mexico is about 78,000 individuals in that State. The National Academy of Sciences said that drinking water at the current EPA standard could easily result in a total lifetime risk of 1 in 100. That is a cancer risk 10,000 times higher than EPA allows for food.

In addition to that, what are we talking about in terms of this risk? We are talking about especially children and pregnant women being vulnerable. We are talking about bladder, lung, skin cancer, kidney, liver and other types of cancers, skin lesions, birth defects, reproduction problems.

Mr. Chairman, this is a real problem. That is why so many countries, so many jurisdictions around the world have moved to this standard of 10 parts per billion.

We have good science dictating that this is a level at which we should move to. I am opposed to setting the old 1-year standard of 50 parts per billion that has caused problems like that which I have recited on the floor affected the Burr family in my own State.

Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Minnesota (Mr. LUTHER).

Mr. LUTHER. Mr. Chairman, I rise in strong support of this amendment to prevent any further delay or weakening in the arsenic standard for drinking water. As a member of the Energy and Commerce subcommittee that deals with this particular issue, I wrote a letter to President Bush on this precise issue expressing my concerns over his failure to adhere to the lower standard in this area.

Mr. Chairman, we should not even be arguing about this issue today. Over 25 years of scientific research confirms the danger of arsenic. Arsenic is not a good thing. It is not a vitamin, as has been suggested here today, or alluded to.

It is a carcinogen that has been linked to many forms of cancer. As such, the dangers of arsenic warrant an
urgent response from our government, and the Bush administration’s withdrawal of the revised rule is unnecessarily risking millions of Americans today.

Mr. Chairman, the bottom line is that the United States’ standard for arsenic should not be amongst the worst in the world. Our country should, in fact, be a leader in the world. And there is simply no excuse for delay.

Mr. Chairman, I submit a copy of my letter to President Bush on this issue, and I urge a “yes” vote on this amendment.

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES

Hon. GEORGE W. BUSH,
President of the United States,
The White House, Washington, DC.

DEAR MR. PRESIDENT: I write this letter to express extreme concern over your Administration’s decision to withdraw the recently revised standard for arsenic in America’s drinking water. A member of the Energy and Commerce Committee, which has jurisdiction over the Safe Drinking Water Act, I have requested a Congressional hearing on this matter.

In particular, I have two concerns about your Administration’s decision. First, ample scientific evidence indicates that the finalized arsenic standard of 10 parts per billion (“ppb”), promulgated by the Clinton Administration, serves an important public health interest. Indeed, the current standard of 50 ppb was based upon data dating back to 1942; and water utilities, states, scientists, public health officials and environmentalists recommended a significant downward revision of this outdated standard. As I understand it, over 25 years of scientific research confirms the dangers of arsenic—a carcinogen that has been linked to lung, bladder, skin, liver, and kidney cancer—and warrants an urgent and expeditious response to improve the quality of our drinking water. As such, your Administration’s decision causes serious questions about whether your decision jeopardizes the health of millions of Americans.

Second, Congress directed EPA to promulgate final standards on safe arsenic levels by January 1st of 2001 pursuant to the Safe Drinking Water Act Amendments of 1996. This deadline was extended to June 22nd, 2001, in the HUD/VA Conference Report for FY 2001. Consequently, your Administration’s decision to withdraw the final rule is questionable legal fidelity. I would like to know how your Administration justifies its decision to ostensibly defy this legislative directive from Congress.

Mr. President, I look forward to a response from you on this important issue. In general, I believe that we can work together to resolve this issue in a bipartisan manner that best serves the public health interests of the American people.

Sincerely,

BILL LUTHER,
Member of Congress.

Mr. FRELINGHUYSSEN. Mr. Chairman, I yield 4½ minutes to the gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Chairman, I rise in opposition to the amendment. This Member urges his colleagues to look at the facts when it comes to the issue of arsenic in drinking water.

The Bush administration’s re-examination of this matter has led to heated rhetoric, wild exaggerations, and sound-bite politics. It is important to get the full story and to listen to those who would have been most affected by the proposed changes.

Many State and local officials as well as water system administrators have expressed concerns about the unnecessary and extraordinary costs which could be caused by the proposed change to 10 parts per billion. Unlike what the gentleman from Minnesota said or implied, no one is suggesting arsenic in drinking water is good. It is a matter of how much we reduce the standards to what the costs and benefits are.

This Member would begin by clearly stating the obvious. Everyone recognizes the importance of providing safe drinking water to all of our Nation’s citizens. Also, I will say this. Some change in the arsenic standard may be justified. However, it makes no sense, it is rational, to base these changes on sound science rather than on emotion. The sound science is simply not there to justify a change from 50 parts per billion to 10 parts per billion.

Mr. Chairman, as many of us now know, in the last-minute flurry of activism in the final days of the Clinton administration, a final rule was rushed through which would have reduced the acceptable arsenic level in drinking water from 50 parts per billion to 10 parts per billion. However, new EPA Administrator Christine Todd Whitman quite rationally later announced that the Agency would seek a scientific review of this standard before implementing a new rule. It makes no sense, it is rational, to base these changes on sound science rather than on emotion. The sound science is simply not there to justify a change from 50 parts per billion to 10 parts per billion.

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Mr. Chairman, one of the claims that has been made about the arsenic problem is it is a result of mining. As the arsenic in my State’s water supply where it is found has nothing to do with mining. We basically have no mining. It is naturally occurring in our soils. Until recently, people in my district lived longer than any part of the country. Las Jollas have passed us now, but we still, despite drinking some water that has arsenic levels relatively low in most areas, in other cases not quite as low as 10 parts per billion, it has not had an effect.

The standards that have been proposed here are not based upon sound science. I urge defeat of the amendment.

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

Let me just say that this science argument that is being raised, I want to point out to the Members that it was a unanimous decision by the National Academy of Sciences to go to this safer level. This is based on 25 years of science.

Let me also say that for the vast majority affected by this high level of arsenic in their water, over 90 percent, the remedial cost of removing it is about $3 a month. What a price to pay for the knowledge and the peace of mind and the safety of one’s family. It seems to me it is a reasonable thing to do.

With the cost of this, Mr. Chairman, with regard to our own fund to deal
with cleaning our drinking water, we appropriated 800 and some million dollars last year to do that. We have a bill, H.R. 1313 right now, that as a matter of public policy, insist to improve public water systems, would be doubled to $2 billion annually. It has 174 Members who have sponsored that bill. I would urge my colleagues and the leadership on the other side of the aisle to give us the opportunity to act and to act promptly.

Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, I am happy to say that I have two healthy sons. When you look at your kids when they are newborn and you ask yourself, what do you want for them, what you conclude is that you want them to be able to go to a good school, to see them to be able to get a good job, you want them to be able to find a good life’s partner, and you hope to God that they live long, happy, healthy lives.

The little things mean a lot. People talk about safety for your families. The number one thing you want to know in your own home is that when you turn on that tap water, it is safe, it is reliable, it is not going to do any long-term damage. And people really do not know, they just count on their public authorities to keep their kids from harm. That is what this amendment is trying to do, plain and simple.

You have a choice. You can recognize the standards that were recommended by the scientific community, or you can decide you are going to stick by an outmoded standard which has been on the books since 1942. To any of you who are about to have children or grandchildren, I would suggest that is not even a close call. The Bonior amendment is in the interest of your families, your health, public safety. It is clearly in the interest of every single child and every single family in America.

When people grapple on in political debates about family values, I would suggest that this is a family value that ought to be put at the top of the list. Keeping every kid safe when they pick up a glass of water or when they go to a hamburger stand and get a hamburger or when they walk into a restaurant and get a glass of water, those are the basic issues that really account for quality in life. That is what the gentleman from Michigan is trying to say with this amendment. I am proud to cosponsor it with him. I would urge the House to adopt the amendment.

Mr. WALSH. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. BOEHLERT), chairman of the Committee on Science.

Mr. BOEHLERT. I thank the gentleman for this thoughtful amendment.

Mr. Chairman, let me start with a basic proposition on which I think we can all agree. Arsenic is not very good for us. Ever since I first read “Arsenic and Old Lace” as a kid, I made up my mind I was going to try to avoid it as much as possible throughout the rest of my life. I am convinced that arsenic would not appear on Martha Stewart’s “It’s a Good Thing” list. That I think we can all agree with.

But in my capacity as chairman of the Committee on Science, I would like to go over a little history. In 1985, the National Academy of Sciences issued a report on the safety of arsenic in drinking water. The Academy concluded that the arsenic standard for drinking water that we have had for the past 50 years was too high to ensure public safety and should come down as soon as possible. That standard was 50 parts per billion.

On January 22 of this year, the previous administration issued a regulation to be lower the arsenic standard to 10 parts per billion and for the new standard to go into effect by the year 2006. The fact that the regulation was issued on the last day of the previous administration in and of itself does not necessarily mean that the regulation was rushed. As a matter of fact, it has been cooking for a number of years. A number of people have been legitimately concerned about it.

But regulations issued so late in any administration create at least the appearance of being rushed. That maybe is not necessarily so. But when the new administration came in, the new chief of staff Andy Card immediately issued an order: Hold everything. If I was President, I would have said to Andy Card, if you did not issue that regulation, I would have called you to task, because we want to take a good look at all these regulations. Particularly, we want to look at those that were issued in the waning days of an administration.

I want to stress this point. Any review of regulations must be fair. It should not simply be an excuse to gut the regulation. I agree, the National Academy of Sciences was absolutely right. We have to lower the arsenic level in our water. Fifty parts per billion is hard for me to even comprehend what that really means in my everyday life as I draw a glass of water from the tap. But if the National Academy of Sciences says it is so, I believe them. We are in a time where everyone likes to say they are for science-based decision-making until the scientific consensus leads to a politically inconvenient solution, and then we look for an alternative. I like the idea that we are focusing on science.

So I was very pleased when the Administrator of EPA, soon to be the Secretary of EPA, a well-deserved acknowledgment of the importance of scientific validity, when she, unlike, I must admit, a counterpart in the Department of Labor who tried to make us feel good when they rejected the ergonomics rule which I think should not have been rejected and said we are going to deal with it sometime in the future, she did not say sometime in the future. Secretary Whitman said right now, and she is doing it in a very thorough, a very methodical way. She has given us assurance that we are going to meet the same timetable as the Clinton administration had wanted to meet, that is, have full compliance by the year 2006.

That makes sense to me. That says no inordinate delay.

She has made certain that we understand the full dimensions of the problem. We have a range of from 3 to 20 parts per billion, and the proposed regulation that will be forthcoming in a timely fashion to meet the deadline will fall within that range. It might actually be more reduction than some people have called for.

The whole point of this is this: Let us do it right. Let us not decide that it is going to be 10 parts per billion and then find out after this very timely and expedited review that it really should be 7 parts per billion. Shame on us if we did that.

Let us get it right the first time. I have the fullest confidence in the Secretary of the Environmental Protection Agency that she will do it right. I have the fullest confidence that we are dealing with science-based decision-making. That is the right way to go about it.

I will feel a lot more comfortable when this is behind us instead of pending. I share the view of my distinguished colleagues that are advancing this proposal that we have to deal with it in a timely, constructive manner and we have to deal with it so that it gets the issue behind us in a way that we can all point to with a great deal of pride.

I hope one day, when this regulation is issued, Martha Stewart will say, “It’s a good thing.”

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

I bet Martha Stewart does not drink 50 parts per billion of water. I think she is probably drinking out of a really nice container of filtered water.

But to my friend from New York, whom I do respect enormously on these issues, let me just say a couple of things quickly before I yield to my friend from Ohio.

Number one, this does not preclude the Administrator from going lower than 10 parts, so if she wanted to go to 7 parts per billion she could do that under this amendment.

The second thing I would point out is that there is a dangerous level between 10 and 20 parts per billion and it stems from everything that we know already that the Administrator is going to have a range, anywhere from 20 down to whatever level she decides.

I would say to my friend from New York, that means that 246,000 people in
the State of New York will be at between that 10 and 20 parts per billion level, which the National Academy of Sciences in a unanimous vote in 1999 has said is not safe.

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I want to protect the life of every single New Yorker because we have been losing population. We have been redistricted, we will go down two seats, and I do not want any New Yorker to go away. But I am just as much concerned with the people of Michigan as I am with New York.

Mr. BONIOR. Mr. Chairman, reclaiming my time, I appreciate that.

Mr. Chairman, I yield 3 1⁄4 minutes to the gentleman from New York (Mr. Brown), a sponsor of the amendment.

Mr. BROWN of Ohio. Mr. Chairman, I thank my friend from Michigan for yielding me time.

Mr. Chairman, we obviously know this issue. In 1942 a standard was set of 50 parts per billion. Science in those days recognized that arsenic was dangerous, they recognized it was a toxic substance. We all knew that. We have seen the play and the movie.

In 1942, when arsenic was set at 50 parts per billion, we did not know so much about arsenic as a potent carcinogen that can cause bladder cancer and lung cancer and skin cancer. We did not know it had been linked to kidney and liver cancer. We did not know in 1942 that it can be linked to birth defects and reproductive problems. We know that today.

The World Health Organization has recommended that that number be brought to 10 New York’s per billion. The National Academy of Sciences has said the 50 parts per billion is much, much too high. State after State after State in this country has brought the number down to 10 or less.

The State of Washington has recommended a standard of 3 parts per billion. My State of Ohio has recommended a standard of 10 parts per billion. Massachusetts has supported a standard of 5 parts per billion. Alabama supported a standard of 10 parts per billion.

The gentleman from Michigan (Mr. BONIOR) mentioned the number of people in Michigan. In Ohio, 137,000 residents in my home State may be drinking water with arsenic above the levels recommended by the National Academy of Sciences. Also the World Health Organization, in State after State after State in this country.

We can choose to stay with the 1942 level, the level that was determined 49 years ago, the level that we would continue to share with Bangladesh, the People’s Republic of China, Bolivia, and a host of other countries; or we can bring our standard to 10, still exceeded by some countries, some countries are still more strict than 10, but we can bring our levels to 10 and join most of the world in realizing the industrialized democratic world.

You sit here and think why would this administration want to keep it at 50? Why would this administration, even if it says it wants to bring it down, why would it delay what the EPA, after years of study recommended to come to 10, and you keep asking yourself why would this administration do that?

We have heard this song before, but the administration clearly does not want to bring the standard down. It has delayed the standard, will not come to 10, likely, because all you got to do is look at the kind of people that are influential in this White House.

On environmental companies seem to have a major role to play in White House decision making. On the Patents’ Bill of Rights, it is the insurance companies that seem to have a major role in policy in this administration. On prescription drug coverage for seniors, this administration, this Congress has done nothing substantive on this issue, likely because of the influence of the prescription drug companies, the big, huge drug firms in this country, the influence they have on the White House.

Look at this issue. When you look at why won’t they bring the standard for arsenic down to 10 parts per billion, why are they delaying this. This Republican Party received $5.6 million from the mining companies, $9 million from the chemical companies.

Mr. Chairman, listen to the scientists. Do not listen to the political contributors. Listen to the scientists.

Support the Bonior amendment.

Mr. WALSH. Mr. Chairman, I yield 3 minutes to the gentleman from Nevada (Mr. GIBBONS).

Mr. GIBBONS. Mr. Chairman, I thank the gentleman for yielding me time.

For those of my colleagues who seem lost in the haze of rhetoric that we have heard from the other side that seems to surround the issue of arsenic, let me say that arsenic has nothing to do with oil, it has nothing to do with prescription drugs, it is a naturally occurring component in groundwater, particularly in the Western States, like Nevada, the one I represent.

There are communities in my State that have 100 parts per billion naturally occurring arsenic in the water. People have been drinking it for 5 and 6 generations, living decades into their 80s and 90s, with no ill-effects, like my colleague from New Mexico has said, of the other indicators that have been heard about by the fact that arsenic exists there.

The gentleman from Michigan should know that local communities in the district that I represent in Nevada want nothing more than to provide safe drinking water for everyone, and especially to the citizens of their communities.

But the gentleman should also know that before these small communities in my district can go out and build $10 million and $20 million water treatment plants, they want assurance that the EPA’s mandated arsenic standards are based on sound science and accurate costs and benefit analysis. I do not know if anyone can tell me whether it is trivalent or pentavalent arsenic which is the high component in anybody’s water that has the effect they are talking about.

But, keep in mind, if we implement such strict standards, and it is of such importance, as it is to this administration as well, then why did the previous administration under Mr. Clinton put this in place on his way out the door, and not 8 years ago when he came in prior to that? If this was such an important issue, I do not know anyone who they did not implement the new standards 2, 3, 4, 5, 6, 7, 8 years ago.

Mr. Chairman, this administration is committed to a stricter arsenic standard, and I support the implementation of a stricter standard. Mayors in Nevada and small communities, who have high levels of arsenic in their water, support stricter standards. But meeting the 25 parts per billion standard will cost our small communities millions of dollars to comply with; meeting a 15 parts per billion standard will cost even more; and meeting stricter standards will virtually bankrupt every small community.

I commend Administrator Whitman for taking a good, hard look at the politically motivated standard put in place by the outgoing Clinton Administration. Certainly, we should not be undermining the hard work that she and her agency has put into this important issue. Let us allow the EPA to complete its science review of arsenic standards, and let us vote no on Mr. BONIOR’S amendment.

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

Mr. Chairman, to my friend from Nevada, the Nevada-California American Water Works Association has fully supported the 10 parts per billion standard. So when the gentleman talks about local input, I would say his own State and this association is asking for what we are asking for in this matter. I would like to hear the gentleman’s response, if the gentleman from New York (Mr. WALSH) will yield.

Mr. WALSH. Mr. Chairman, I yield 1⁄2 minute to the gentleman from Michigan (Mr. BOXOR).

Mr. GIBBONS. Mr. Chairman, will the gentleman yield?

Mr. BONIOR. I yield to my friend, the gentleman from Nevada.
Mr. GIBBONS. Mr. Chairman, I appreciate the gentleman's response to that. Certainly the California and Nevada Water Users Associationendorse stricter standards, but the fact is that science does not tell us exactly at what level that standard should be and it has not looked at it from a cost-benefit analysis or operating cost. They do want strict standards, they do want to lower it. As I have said, the mayors and all the water-user communities in my State want to have lower standards, but we also want the science to show exactly what standard we are going to and what the cost is going to be for these people.

Mr. BONIOR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding me time, and I certainly want to join my colleagues on this side of the aisle who have spoken in support of the gentleman's amendment to preclude this administration from weakening the arsenic standard.

The chairman of the subcommittee suggested that if this amendment passes, nothing changes. Oh, yes, something changes. What changes is we will stop seeing the EPA administrator, as she did yesterday, suggesting that she may weaken the standard; because if Congress overwhelmingly supports this amendment, the message will come from the House of Representatives that we want the standard to go forward, we want a standard to go forward that protects the American people from increased arsenic in their water supply, and we want the administration to quit fooling around with the special interests for purposes of weakening this standard, because that is what the EPA administrator, Ms. Whitman, said yesterday in the newspaper, that quite possibly this standard will be weakened.

That is exactly what the National Academy of Sciences suggested we not do. What the National Academy of Sciences suggested we do is the arsenic had to be reduced, and it had to be reduced as promptly as possible. Now what we see after years of work, after years of scientific study, after years of public comment, after years of the process going forward as it should, now the suggestion is somehow that we need good science.

Nobody has suggested that this is bad science. Nobody has suggested that. But the offering is now somehow we need good science so we can further delay this activity. The suggestion is somehow this amendment should not go forward because it would be a rider. Well, with all respect, it would be nice to have a rider once in the public interest, because what we spend most of our time doing around here is fighting off riders that are added on to appropri-
our water until we have the right answer.

Mr. BONIOR. Mr. Chairman, I yield myself such time as I may consume to respond to the gentlewoman from New Mexico. I want to inform my friend that there are many people on our side of the aisle who have naturally occurring arsenic in our own States and in our own communities. Michigan is a good example of that. We have a doughnut that extends from Washington County to Ann Arbor that runs up to the top of what we call the "thumb," where we have many, many naturally occurring arsenic components in well water.

So the gentlewoman is not the only one that has this particular problem, nor is the gentleman from Nevada.

The second point, in response to my colleague from New Mexico, is this: This is not just one National Academy of Science study. They have had six studies. This has been going on, as we have heard repeatedly now, for 25 years. This science has been looked at not only here in this country but abroad.

Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. KILDEE), a person who has this in his particular constituency in a naturally forming way.

Mr. KILDEE. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise today in support of the Bonior-Waxman-Obey-Brown-Kildee amendment for the fiscal year 2002 VA-HUD appropriations bill.

This amendment will restore implementation of reasonable arsenic reductions in drinking water, and it is time to address this very important health problem.

In some areas of my district in Michigan, we have a very high occurrence of unhealthy arsenic content in public drinking water systems and individual wells. I have heard too many stories of the negative health effects suffered by my constituents, and I believe we should move quickly to rectify this problem.

The current arsenic standards of 50 parts per million was developed in 1942, before President Bush was born, and it does not represent a public health standard consistent with our responsibility to ensure the health and welfare of citizens nationwide. We have learned much about arsenic since 1942.

The Clinton administration spent years studying the issue; and, in 1999, the National Academy of Science again affirmed the public health threat of 50 parts per million arsenic levels. Despite National Academy of Science's affirmation of our position, the Bush administration has unwisely delayed implementation of this health protection.

It is inaccurately suggested that the rulemaking was rushed. This is simply not so. This rulemaking is a result of years of study and public comment. The time for studies and delays has passed. This time for healthy drinking water is here. This Congress owes this to our people.

Mr. Chairman, I urge all of my colleagues to support this amendment.

Mr. WALSH. Mr. Chairman, I reserve the balance of my time.

Mr. BONIOR. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO), and a member of our leadership.

Ms. DELAURO. Mr. Chairman, the Bonior amendment simply prevents the Environmental Protection Agency from further delay or weakening of the arsenic standards for our drinking water. That is it.

We know now that there are dangers in arsenic. We have known that for centuries. We know it is toxic. We know it is a carcinogen. It is found in the drinking water of millions of Americans. There have been many studies that show that it endangers our health, our children's health. The National Academy of Science has said it causes several forms of cancer, it causes heart disease and lung disease. In 1999, they further reported that the old standard "requires downward revision as promptly as possible." It could easily result in a total of a fatal cancer rate of 1 in 100.

Mr. Chairman, I say to my colleagues, there is not any question about it, arsenic is a killer.

So, what happened here in 1996? Oftentimes, people say that the Congress never acts to do anything. The Congress acted. It addressed this issue. It required the EPA to issue a safer arsenic standard, and to issue a new regulation by January 1, 2001. That standard was put into place by the previous administration. But facing the pressure from its friends in the chemical industry and in the energy industries, the Bush administration delayed it for another 9 months and requested additional studies.

Mr. Chairman, how many studies do we need? We know what the standards should be. We have been looking at this for years. The fact is that 56 million Americans today drink tap water with excessive levels of arsenic. How many people have to develop cancer before the administration moves on this issue?

Let us strengthen our standards for our drinking water. Let us not delay. Why do we want to jeopardize the health of our children, our families any longer?

It is time for a stringent arsenic standard. I urge my colleagues to vote "yes" on this amendment.

Mr. WALSH. Mr. Chairman, I reserve 1/4 minutes for closing.

Mr. BONIOR. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from Washington State (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, I support this amendment because I think it will help restore Americans' trust in their government.

There is a sad context of this debate which is that, unfortunately, the administration has poisoned the well of environmental consideration in this country.

When an administration tries to make it easier to use cyanide for mining waste, when it backtracks on its climate change commitments to the world, when it tries to drill in our national monuments, how can we expect the American people to trust it when it sets an arsenic level for the water we drink?

I rise in opposition to this amendment, not because I am opposed to the concept but because I think that the gathering of science needs to be clearly understood as soon as possible in order for us to implement a level of arsenic that we know beyond a reasonable doubt that is safe for consumers.

I would like to tell the previous speaker that I believe totally that human activity is causing climate change, and we are working with the administration. We have a difference of opinion, but I as a Republican believe that climate change is real. I believe in strong protections for wetlands, strong protections for our national forests, strong protections for all of our environmental issues. But I believe in those policies based on the best available data and the best science that we can gather. It is difficult to get the best available science on the House floor by non-scientists as we continue to debate this issue.

The gentlewoman from Connecticut said it is time that we bring the studies to a conclusion and implement that information. Well, I would say that I would hope that scientific studies
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never come to a conclusion, that they continue to be ongoing, that when we have water at a level of arsenic that will be acceptable could be down to 5 parts per billion; not 10 parts per billion, but 5 parts per billion.

So let us let the administration move forward. I urge my colleagues to oppose the amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I would like to express my strong support for the Bonior Amendment, which prohibits funds from being used to delay the national primary drinking water standard for Arsenic. Water from being contaminated with arsenic. Water systems should work with government and Citizen Help to Protect Source Water. It is armed with such knowledge can the public be expected to support funding and efforts to remediate the problem.

Water Systems Should Treat to Remove Arsenic, and Government Should be Increased to Help Smaller Systems Pay for Improvements. Readily available treatment technology can remove arsenic from tap water, at a cost that is reasonable ($5 to $14 per month per household) for the vast majority of people (87 percent) served by systems with arsenic problems. Very small systems serve a small fraction of the population. Drinking water containing arsenic- contaminated water, however, will often be more expensive to clean up per household. Assistance to such systems should be a high priority for drinking water funds such as the SRF and USDA's Rural Utility Service programs. The SRF should be funded at least $1 billion per year to help systems with arsenic problems.

EPA Should Improve its Arsenic, Geographic Information, and Drinking Water Databases. EPA should upgrade its Safe Drinking Water Information System to include and make publicly accessible all of the arsenic and unregulated contaminant data, as required by the Safe Drinking Water Act.

Mr. Chairman, throughout my tenure in Congress I have supported legislation to reduce health risks and inform the public about water safety standards. In 1996, I voted for the Safe Drinking Water Act. In 1998, I supported the Drinking Water and Public Health Act (PL 105-144), which directed the EPA to propose a new, cleaner, standard for arsenic in drinking water. At that time, Congress also directed the EPA, with the National Academy of Sciences (NAS), to study arsenic's health effects and the risks associated with exposure to low levels of arsenic. Three years later, in 1999, NAS concluded their report, and made the appropriate recommendations. Now, nearly two years later, we are still debating the rule. Mr. Chairman, the evidence is clear, Arsenic is in our water and poses a serious health risk—the American populace can not wait any longer for action. I urge all members of Congress to support the Bonior Amendment.

Ms. MILLIEN-McDONALD. Mr. Chairman, I rise in support of the amendment offered by Representatives BONIOR, WAXMAN, and BROWN. Ms. ESHOO. Mr. Chairman, after catering to a host of special interests on the issues of tax policy and energy, it's amazing the reasons the majority have come up with to stop legislation that is clearly in the public interest.

EPA Must Immediately Propose and Finalize by January 1, 2001 a Health-Protective Standard for Arsenic in Tap Water. The National Academy of Sciences (NAS) has made it clear, and we agree, that EPA should expeditiously issue a stricter Maximum Contaminant Level standard for arsenic. Based on available scientific literature and NAS risk estimates, this standard should be no higher than 3 ppb—the lowest level reliably quantifiable, according to EPA. Even an arsenic standard of 3 ppb could pose a fatal cancer risk several times higher than EPA has traditionally accepted in drinking water. EPA must act forward the Dose for Arsenic. EPA's current reference dose likely does not protect such vulnerable populations as infants and children. Furthermore, the current intake levels are present unacceptably high cancer risks.

To protect children, EPA should reduce this reference dose from 0.3 micrograms per kilogram per day (μg/kg/day) to at most 0.1 μg/kg/day. For concordance with cancer risk numbers, EPA should reevaluate the RfD in more depth as expeditiously as feasible. EPA Should Assure that Improve Analytical Methods Are Widely Available to Lower Detection Limits for Arsenic. EPA must act to reduce the level at which arsenic can be reliably detected in drinking water, so that it can be reliably quantified by most labs at below 1 ppb, the level at which it may pose a health risk.

Water Systems Should Be Honest With Consumers about Arsenic Levels and Risks. It is in public water systems' best long-term interest to inform those customers about arsenic levels in their tap water and the health implications of this contamination. Only when it is armed with this knowledge can the public be expected to support funding and efforts to remediate the problem.

Water Systems Should Seek Government and Citizen Help to Protect Source Water. Water action works with government officials and citizens to prevent their source water from being contaminated with arsenic.
The point of no quorum is considered withdrawn.

Mr. WALSH. Mr. Chairman, I move that this committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BE-REUTER) having assumed the chair, Mr. SHEMKUS, 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. 2620) 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, 2002, and for other purposes, had come to no resolution thereon.

LIMITATION ON AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2620, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2002

Mr. WALSH. Mr. Speaker, I believe an agreement has been worked out to the satisfaction of both parties. I ask unanimous consent that during further consideration of H.R. 2620 in the Committee of the Whole pursuant to House Resolution 210—

One, no amendment to the bill may be offered except:

Pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate.

The amendment printed in House Report 107–164.

The amendments printed in the CONGRESSIONAL RECORD numbered 5, 6, 7, 12, 19, 20, 21, 24, 25, 30, 36, 37, 38, 39, 40, 41, 42 and 46.

Two amendments by the gentleman from Massachusetts (Mr. FRANK) and one amendment by the gentleman from Ohio (Mr. TRAFICANT) that I have placed at the desk.

One amendment en bloc by the gentlewoman from Texas (Ms. JACKSON-LEE) consisting of the amendments numbered 31, 33, 34 and 35.

Two, such amendments shall be debatable as follows:

Except as specified, each amendment shall be debatable for 10 minutes only.

The amendments numbered 6, 12, 24, 39 and 42 shall be debatable for 20 minutes each.

The amendments numbered 5 and 37 and one amendment by the gentleman from Massachusetts (Mr. FRANK) shall be debatable only for 30 minutes each.

The amendment numbered 46 shall be debatable only for 40 minutes.

Such debate shall be equally divided and controlled by the proponent and an opponent.

Three, each such amendment shall be offered only by the Member designated in this request, the Member who caused the amendment to be printed, shall be considered as amendment, except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, may offer one pro forma amendment to any amendment at any time during further debate on any pending amendment, and shall not be subject to a demand for a division of the question in the House or in the whole.

Four, all points of order are waived against amendment numbered 25.

Five, the amendment printed in House Report 107–164 may amend portions of the bill not yet read.

The SPEAKER pro tempore (Mr. BE-REUTER). The Clerk will report the amendments.

The Clerk read as follows:

Amendment Offered by Mr. FRANK:

SEC. 427. The amounts otherwise provided by this Act are hereby revised by reducing the aggregate amount made available for "PUBLIC AND INDIAN HOUSING—PUBLIC HOUSING OPERATING FUND", reducing the amount specified under such "PUBLIC HOUSING OPERATING FUND" item for the Inspector General for Operation Safe Home, reducing the aggregate amount provided for "MANAGEMENT AND ADMINISTRATION—OFFICE OF INSPECTOR GENERAL", and reducing the amount specified under such "OFFICE OF INSPECTOR GENERAL" item that is to be provided from the "PUBLIC HOUSING OPERATING FUND" item for Operation Safe Home, and none of the funds made available in this Act may be used to fix, establish, charge, or collect mortgage insurance premiums for mortgage insurance made available pursuant to the program under section 221(d)(4) of the National Housing Act (12 U.S.C. 1715l(d)(4)) in an amount greater than the cost (as such term is defined in section 502 of the Federal Credit Reform Act of 1990) of such program, by $5,000,000.

Page 93, after line 25, insert the following new section:

SEC. 427. The amounts otherwise provided by this Act are hereby revised by reducing the aggregate amount made available for "PUBLIC AND INDIAN HOUSING—PUBLIC HOUSING OPERATING FUND", reducing the amount specified under such "PUBLIC HOUSING OPERATING FUND" item for the Inspector General for Operation Safe Home, reducing the aggregate amount provided for "MANAGEMENT AND ADMINISTRATION—OFFICE OF INSPECTOR GENERAL", and reducing the amount specified under such "OFFICE OF INSPECTOR GENERAL" item that is to be provided from the "PUBLIC HOUSING OPERATING FUND" item for Operation Safe Home, and none of the funds made available in this Act may be used to fix, establish, charge, or collect mortgage insurance premiums for mortgage insurance made available pursuant to the program under section 221(d)(4) of the National Housing Act (12 U.S.C. 1715l(d)(4)) in an amount greater than the cost (as such term is defined in section 502 of the Federal Credit Reform Act of 1990) of such program, by $5,000,000.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. OBEY. Mr. Speaker, reserving the right to object, I just do so in order to allow the gentleman to make clear to the membership what this will mean for all of them for the rest of the day, and what it will mean for the further consideration of this bill.

It is my understanding that this will mean that after we take up the Menendez amendment, we will then vote on the accumulated amendments, and that there will be no further votes today; that the committee will rise, and that we will resume consideration of this bill Monday after 7, and proceed to the completion of the bill Monday evening.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from New York.

Mr. WALSH. Mr. Speaker, that is precisely our understanding of this agreement.

Mr. OBEY. I thank the gentleman.

Mr. Speaker, I congratulate the gentleman from New York and the gentleman from West Virginia (Mr. Mol-Long) for the agreement.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. BE-REUTER). Would the gentleman from New York specify the Traficant amendment that he intends?

Mr. WALSH. Mr. Speaker, one Traficant amendment is printed and the other is not printed yet. It is at the desk. It is his Buy American amendment.

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Ohio (Mr. Traficant).

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds appropriated or otherwise made available in this Act may be used to fix, establish, charge, or collect mortgage insurance premiums for mortgage insurance made available pursuant to the program under section 221(d)(4) of the National Housing Act (12 U.S.C. 1715l(d)(4)) in an amount greater than the cost (as such term is defined in section 502 of the Federal Credit Reform Act of 1990) of such program, by $5,000,000.

Mr. OBEY. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the requests of the gentleman from New York to dispense with the readings of the three unprinted amendments?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from New York?

There was no objection.