SENATE—*Tuesday, July 24, 2001*

The Senate met at 10 a.m. and was called to order by the President pro tempore [Mr. BYRD].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, Sovereign of our Nation and personal Lord of our lives, thank You for the gift of prayer. It is awesome that You who are Creator, Sustainer, and Redeemer of all, know each of us by name and know our needs before we ask You. In this sacred moment, we realize that we need You more than anything You can give us. You created each of us to know and enjoy You as our Master and Friend. You who are so mighty are also magnanimous in our friendship with You. You love us, give us security, and replenish our hope. Time with You changes everything: Our stress and strain are healed by Your peace; our worries are resolved by trusting You; our burdens are lifted off our backs; our souls are replenished by Your indwelling Spirit. You care for us so much that You confront us when we are tempted with pride, anger, or impatience. You change our thinking when it gets muddled or confused. You have challenged us to pray and care for each other across party lines. You give us the courage to put the needs of the Nation first, above political advantage. Bless this Senate with unity, civility, and productivity today. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore 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.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The majority whip is recognized.

SCHEDULE

Mr. REID. Mr. President, today we will resume consideration of the Transportation Appropriations Act. Senators MURRAY and SHELBY are anxious to move this as quickly as possible. There will be rollcall votes on amendments throughout the day.

The two leaders met yesterday to discuss what the remaining schedule would be for this week and next week. There are certain things that have to be done prior to the recess. The two leaders recognize that. I am sure there will be announcements made in the near future as to what those items are.

The Senate will recess from 12:30 to 2:15 today for the weekly party conferences.

I am brought back to the prayer by Reverend Ogilvie where he said, among other things, that he hopes today is a productive day. I do, too. We have so many things to do, not the least of which is this Transportation appropriations bill, which is important for every State of the Union. I hope we can move through this bill expeditiously and, as the Chaplain said, be very productive today.

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

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. I ask unanimous consent that the order for the quorum call be rescinded.

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

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

The PRESIDENT pro tempore. Under the order previously entered, the Senate will now resume consideration of H.R. 2299, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

Pending:

Murray/Shelby amendment No. 1025, in the nature of a substitute.

Murray/Shelby amendment No. 1030 (to amendment No. 1025), to enhance the inspection requirements for Mexican motor carriers seeking to operate in the United States and to require them to display decals.

Mr. NELSON of Florida. Mr. President, I will speak on the matter of the Transportation bill.

The PRESIDENT pro tempore. The Senator may proceed.

Mrs. MURRAY. Mr. President, may I inquire of the Senator how long he intends to speak?

Mr. NELSON of Florida. About 3 minutes.

Mrs. MURRAY. I thank the Senator.

Mr. NELSON of Florida. Mr. President, Floridians who travel Interstate 4 between Tampa and Orlando need relief. The congestion they encounter on the I–4 corridor is paralyzing, and it is not just a problem for our residents in Florida. It is also a nuisance for the millions of tourists who visit central Florida each year. With each new tourist attraction comes another traffic snarl. We must find ways to relieve the gridlock, but double-decker highways are not the answer.

Last year, Florida's voters approved an initiative in a statewide referendum that requires the State to build a high-speed train linking five of our largest urban areas, and the spending measure that is now before the Senate, particularly today—and we hope to complete it today—will begin to start helping Florida meet that goal.

I am very grateful to our colleagues for including in this Transportation appropriations bill $4.5 million for bullet train planning in the corridor from Orlando to Tampa. Senator GRAHAM and I fought for this funding because we knew that our traffic problems could not be solved by adding more lanes to our highways. And we have an excellent opportunity in this high-traffic corridor between Tampa and Orlando, where you can't build your way out of the problem with new lanes, of creating a model for a new kind of transportation corridor with specialized lanes and a high-speed rail running down its center.

The State of Florida has also committed $4.5 million in planning money to a high-speed rail authority, and with this kind of partnership between the State government and the Federal Government, we can make this high-speed train a reality in that corridor that needs it so desperately. The benefits could be enormous. A high-speed train between Tampa and Orlando could travel more than 120 miles an hour, providing commuters with a safer and faster alternative to their daily battles with the traffic gridlock and the traffic jams.

I commend the Senator from Washington, the chairman of the appropriations subcommittee, and her ranking member, the Senator from Alabama. I am so pleased the committee has provided this important funding, and I am going to continue to work with my colleague from Florida to see that this money is included in the final version of this bill.

Mr. President, I thank you very much for this opportunity to state something that is so important to Florida.

I yield the floor.

The PRESIDING OFFICER (Mrs. CARNAHAN). The Senator from Washington is recognized.

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

AMENDMENT NO. 1030

Mrs. MURRAY. Madam President, now that we have again called up the Transportation bill, I want to take some time to address the issue of Mexican trucks. This issue was discussed yesterday evening by a number of Senators, and I thought it would be valuable to take some time to discuss the provisions in the committee bill and explain to my colleagues why it is so critical that the Senate include these strong safety requirements in the bill we send to conference.

The ratification of NAFTA 7 years ago anticipated a period when trucks from the United States, Canada, and Mexico would have free rein to service clients from across the three countries. This was not really a change in policy as it pertained to Canada, since the United States and Canada had reciprocal trucking agreements in place long before NAFTA was ratified. However, it did require a change when it came to truck traffic between the United States and Mexico.

For several years, the opening up of the border between these two countries was effectively put on hold by the administration due to their concerns over the absence of reasonable safety standards for trucks operating in Mexico. While Mexican trucks have been allowed to operate between Mexico and a defined commercial zone along the border, the safety record of those trucks has been abysmal. The Department of Transportation inspector general, the General Accounting Office, and others have published a number of reports documenting the safety hazards presented by the current crop of Mexican trucks crossing the border.

At a hearing of the Commerce Committee last week, the inspector general testified about instances where trucks have crossed the border literally with no brakes. Officials with the IG's office have visited every border crossing between the United States and Mexico, and they have documented case after case of Mexican trucks entering the United States that were grossly overweight, that had no registration or insurance, and that had drivers with no licenses.

This chart to my left displays the likelihood that trucks will be ordered off the road by U.S. truck inspectors, and I think the numbers speak for themselves. According to the Department of Transportation's most recent figures, Mexican trucks are 50 percent more likely to be ordered off the road for severe safety deficiencies than United States trucks, and Mexican trucks are more than 2½ times more likely to be ordered off the road than Canadian trucks.

Equally troubling is the fact that Mexican trucks have been routinely violating the current restrictions that limit their area of travel to the 20-mile commercial zones. The DOT inspector general found that 52 Mexican trucking firms have operated improperly in over 26 States outside the four southern border States. An additional 200 trucking firms violated the restriction to stay within the commercial zone in the border States.

Mexican trucks have been found to be operating illegally as far away from the Mexican border as New York State in the Northeast and my own State of Washington in the Northwest. The inspector general reported on one shocking case where a Mexican truck was found on its way to Florida to deliver furniture. When the vehicle was pulled over, the driver had no logbook and no license. As I said, there have been experiences such as this in half the States in the continental United States. Given this deplorable safety record, the official position of the U.S. Government since the ratification of NAFTA was that the border could not be open to cross-border trucking because of the safety risks involved.

Two things have caused a change in this policy: First, a new administration has come into power, one that believes the border should be opened. Second, the Mexican Government successfully brought a case before a NAFTA arbitration panel. That panel ruled the U.S. Government must initiate efforts to open the border to cross-border trucking.

This new policy brought about a frenzy of activity at the Department of Transportation so that the border could be opened to cross-border trucking as soon as this autumn. The agency has hastily cobbled together a series of measures intended to give United States citizens a false sense of security that this new influx of Mexican trucks will not present a safety risk. These measures have been reviewed by both the House and Senate Transportation Appropriations Subcommittees and have been found to be woefully inadequate.

When the House debated the Transportation appropriations for fiscal year 2002, its concerns about the inadequacy about the DOT safety measures were so grave that they resulted in an amendment being adopted on the floor of the House that prohibited the Department of Transportation from granting operating authority to any Mexico-domiciled trucking company during fiscal year 2002.

That amendment passed by a 2-to-1 margin, 285–143. Moreover, by the time the Transportation bill left the House, it had been stripped of every penny of the $88 million the administration requested to improve the truck safety inspection capacity at the United States-Mexico border.

The administration's approach is to allow Mexican trucks to come in and to inspect them later. At the other extreme, the House approach is to prevent Mexican trucks from coming in and to refuse to inspect them at all.

What Senator SHELBY and I have done is to write a commonsense compromise that will inspect all Mexican trucks and then let them in. Just as we require Americans to pass a driving test before they get a license, the bipartisan Senate bill before us requires Mexican trucks to pass an inspection before they can operate on our roads.

First, the bill includes $103 million—$15 million more than the President's request—for border truck safety activities.

Second, the bill establishes several enhanced truck safety requirements that are intended to ensure that this new cross-border trucking activity does not pose a safety risk.

The enhanced safety provisions included in the Senate bill were developed based on the recommendations that the committee reviewed from the DOT inspector general, the General Accounting Office, and law enforcement authorities, including the highway patrols of the States along the border.

They will ensure there is an adequate safety regime in place before our borders are opened to cross-border trucking. The provision was approved unanimously by both the Transportation Appropriations Subcommittee and the full Appropriations Committee.

In a moment, I will review the committee's safety recommendations in detail, but first I want to address the issue of compliance with NAFTA.

I have heard it alleged that the provision adopted unanimously by the committee is in violation of the NAFTA. Nothing could be further from the truth. I voted for NAFTA, and I support free trade. My goal is to ensure free trade and public safety progress side by side. But rather than take my opinion or that of another Senator, we have a written decision by an arbitration panel that was charged with settling this very issue. That arbitration panel was established under the NAFTA treaty, and it is that panel's ruling that decides what does and does not violate NAFTA when it comes to cross-border trucking.

I want to read a quote from the findings of the arbitration panel. That quote is printed on this chart. I want to read it to my colleagues:

> The United States may not be required to treat applications from Mexican trucking firms in exactly the same manner as applications from United States or Canadian firms . . . U.S. authorities are responsible for the safe operations of trucks within U.S. territory, whether ownership is United States, Canadian, or Mexican.

The arbitration panel made clear that under NAFTA, the United States is within its rights to impose whatever safety regimen it considers necessary to ensure safety on U.S. highways.

While the Department of Transportation has stated it is seeking to treat U.S., Mexican, and Canadian trucks in the same way, the fact is, we are not required to treat them in the same

way. Where greater safety risks exist, we are entitled under NAFTA to impose stricter safety conditions. That is what the provisions adopted unanimously by the Appropriations Committee do. They establish stricter safety conditions for those Mexican trucks that want to travel anywhere in the United States.

It is a very convenient argument for the administration to claim these safety provisions somehow violate NAFTA. They make that argument for one reason and one reason only: because they want to convince Senators they must choose between safety and free trade. I am not fooled. The Committee on Appropriations and its Subcommittee on Transportation were not fooled, either. I voted for NAFTA, but I also read the arbitration panel's decision that made clear we are within our rights to impose whatever safety requirements are necessary to protect our highways. The safety requirements that the Department of Transportation has proposed are grossly inadequate.

Now, lest anyone thinks this is partisan, I make clear I think the truck safety record under the Clinton administration was not any better. We have a lot to do in terms of moving the safety agenda forward, not just in terms of Mexican trucks but all trucks.

Let me take a few moments to discuss in detail the truck safety provisions that were reported in the committee bill. First, inspectors must be on duty. The provision adopted unanimously by the committee requires Mexican trucks cross the border only at those points where inspectors are actually on duty.

The DOT inspector general found that Federal and State border inspectors were on duty 24 hours a day at only two border crossings. Mexican trucks crossing the border during off hours are not subject to inspection. The committee provision requires that Mexican trucks cross the border only at those inspection stations where inspectors are actually on duty. How can anyone possibly argue that our safety is being protected if these trucks are rolling across the border where no safety inspector is on duty? Yet that is currently the case at certain times of the day at 25 of the 27 border crossings.

The inspector general has compiled data that shows conclusively that there is a direct correlation between inspection staffing levels at the border crossings and the quality of trucks that cross at those border crossings. Put simply, trucks that need to worry about being inspected tend to cross the border at those crossings where an inspector is not on duty. That is a loophole that must be closed.

Second, Mexican truck companies must have thorough compliance reviews. The DOT plans to issue conditional operating authority to Mexican truck companies based on a simple mail-in questionnaire. All that the Mexican truck companies will need to do under their plan is to check a box saying they have compiled with U.S. regulations and their trucks will start rolling across the border. In fact, under the DOT plan, Mexican trucking companies would be allowed to operate for at least a year and a half before they would be subjected to any comprehensive safety audit by the Department of Transportation. Under the committee provision, no Mexican trucking firm will be allowed to operate beyond the commercial zone until inspectors have actually performed a compliance review on that trucking company. This review will look at the conditions of the trucks and the recordkeeping. They will determine whether the company actually has the capacity to comply with U.S. safety regulations.

Once they have begun operating in the United States, Mexican trucking firms will undergo a second compliance review within 18 months. That second review will allow the DOT to determine whether the Mexican trucking firm has complied with U.S. safety standards. It will allow them to review accident and breakdown rates, their drug and alcohol testing results, and whether they have been cited frequently for violations.

Third, compliance reviews of Mexican trucking firms must be performed onsite. Every time a U.S. motor carrier safety inspector performs a compliance review on a U.S. trucking firm, it is done at the trucking firm's facility. Every time a U.S. motor carrier safety inspector performs a compliance review on a Canadian trucking firm, it is done at the Canadian trucking firm's facility. When it comes to Mexico, the Department of Transportation wants to allow compliance reviews to be conducted at the border. This is a farce. A compliance review by definition requires the inspector to carefully review the trucking firm's vehicles, record books, logbooks, wage and hour records, and much, much more. You cannot perform a compliance review at a remote site. It is not even a poor substitute.

At the same time as the DOT claims it wants to provide for equal treatment between U.S. trucking firms, Mexican trucking firms, and Canadian trucking firms, they want to establish a huge loophole where Mexican trucking firms don't have to be subject to inspection. There is a long list of abuses that could result if inspectors never visit a trucking company's facility. For the life of me, I cannot imagine why the DOT wants to allow those potential abuses on the part of Mexican trucking firms while insisting every compliance review in the United States and in Canada is performed onsite.

Fourth, we must verify all documents at the border. The provision that has been reported by the committee requires that the license, registration, operating authority, and insurance of every Mexican truck be verified at the border. This is absolutely essential if we are to be sure that the vehicles crossing the border are being driven by experienced drivers, with safe driving records, and that the vehicles are insured and registered.

It is well understood that, while the condition of a truck is important when it comes to maintaining safety, the capabilities of the driver are far more important when it comes to minimizing the risk of a fatal accident. Our experience in dealing with illegal immigration and illegal drug trafficking across the United States-Mexico border has shown that there is a recurring problem of forged documents among people crossing the border.

We cannot allow individuals with forged documents to drive 18-wheelers anywhere in the United States. It is simply common sense that we make the extra effort to verify the license, insurance, and registration of the trucks when they cross the border.

Fifth, we must require scales and weigh-in-motion machines at the border. The provision passed unanimously by the committee requires all border crossings to be equipped with both scales and weigh-in-motion machines.

At present, vehicles in Mexico are allowed to operate at weights that are far in excess of permissible weights in the United States. There are no weigh stations currently operating in Mexico. None. The reasons for requiring both weigh-in-motion machines and scales at each border crossing are simple: to move trucks rapidly while keeping overweight trucks out of the United States. It would be very time consuming to put every truck on scales as they cross the border. However, weigh-in-motion machines allow our inspectors to pull out of the line only those few trucks that they suspect to be overweight. At present, the Federal Motor Carrier Safety Administration will not allow an enforcement act to be taken against an overweight truck based on the findings of a weigh-in-motion machine, so scales are necessary for the DOT to actually enforce U.S. weight restrictions. There is no point in weighing the vehicles if you are not prepared to take enforcement action against those that are overweight.

Recently, the DOT praised extensively the border safety regime in place at the Otay Mesa border crossing in California. Otay Mesa has both weigh-in-motion machines and scales to conduct enforcement actions on overweight trucks. That is the model that the committee provision would extend to other border crossings between the United States and Mexico.

Sixth, we must require Mexican firms to have U.S. insurance. The provision adopted unanimously by the committee requires Mexican trucking

firms to obtain insurance, and their insurer must be licensed to operate within the United States.

This is the requirement that currently pertains to Canadian trucking firms seeking to operate in the United States. We do not understand why, if the requirement is good enough for the Canadian trucking companies, the DOT thinks it's too onerous for the Mexican trucking companies.

There could be significant hurdles and challenges to collecting insurance claims from Mexican insurers. American motorists who have been injured by Mexican trucks could face serious jurisdictional hurdles to getting compensated for their injuries.

We will also be able to verify the solvency of these insurance companies writing these insurance policies if they are operating in the United States. We will not have that capability when it comes to Mexican insurance companies.

At present, the Mexican trucks crossing the border legally into the commercial zone purchase insurance policies that last only 1 day. These insurance policies are granted by Mexican insurance companies routinely without any knowledge of the condition of the truck.

Do we really want a situation where a Mexican trucking firm heading to Chicago and back has an insurance policy that is only 5 days long with the trucker getting a different policy from a different insurance company every time he crosses the border?

We must make sure that the Mexican trucking companies operating in the U.S. have the kind of insurance that is verifiable, sustainable, solvent, and cooperative when it comes to paying off claims made by U.S. motorists and U.S. companies that have been injuried by Mexican trucks.

Seventh, we must ensure rules are in place before the border is opened. The provision unanimously adopted by the Appropriations Committee requires that critically important safety rules are completed by the DOT before the border can be opened. These rules were not randomly selected. The rules that we require to be published before the border can be opened are targeted at the specific safety concerns surrounding Mexican trucks.

The rules that would be required to be published before the border can be opened include: Rules mandating that foreign trucking companies including Mexican trucking companies be aware of U.S. safety standards; rules establishing minimum training standards for U.S. truck inspectors; rules requiring the development of staffing standards to determine the appropriate number of inspectors at the Mexican border; rules prohibiting foreign motor carriers, including Mexican trucking companies, from leasing their vehicles to another trucking company if they have been subjected to a suspension, restriction, or limitation on their right to operate in the U.S.; and rules permanently disqualifying any foreign motor carrier that is found operating illegally in the United States.

All of these rules are specifically pertinent to the safety challenges presented by Mexican trucks.

All of these rules were called for in the Motor Carrier Safety Improvement Act that was signed into law over a year and a half ago.

But the DOT wants to put the cart before the horse. The DOT wants to allow Mexican trucks across the border first and then develop the pertinent safety standards later.

When the Congress passed the Motor Carrier Safety Improvement Act, we did so with the knowledge that we would be facing a day in the future when Mexican trucks may be allowed free access into the United States. That is why the strong safety requirements were put into that bill.

Now the DOT wants to let the Mexican trucks across the border without implementing these new requirements. The DOT is arguing that it may take a year or two to finalize these regulations and to put these rules into place.

If it requires an extra 12 months so that safety is not undermined by the influx of Mexican trucks, then it will be worth the wait.

Eighth, inspector positions must be filled by trained inspectors. The provision adopted unanimously by the committee fully funds the DOT's request for 80 additional inspectors for the Mexican border.

The committee provision also includes a requirement to ensure the DOT does not fulfill the requirement by simply moving safety inspectors to the border from elsewhere in the country.

We have Federal Motor Carrier Safety Inspectors in my State and every other State, and they are charged with maintaining truck safety in those states. I don't think that any of us want to see all our truck safety inspectors throughout the U.S. move down to the Mexican border just so the DOT can allow trucks to be moving across the border by this fall.

Ninth, our borders must have adequate inspection capacity. The DOT Inspector General found that in 47 percent of the border crossings, Federal and State inspectors had space to inspect only one or two trucks at a time. At more than half of the border crossings, inspectors had only one or two spaces to park out-of-service trucks. That fact severely undermines their ability to order trucks off the road.

It is one thing to say that you have inspectors on duty, and it is a very different thing to say that there is sufficient capacity at the border to do meaningful inspections and, if need be, order trucks off the road.

The provision, reported unanimously by the committee, requires the DOT inspector general to certify that the inspection stations have sufficient capacity to conduct meaningful inspections and the ability and capacity to order trucks off the road if necessary.

Tenth, we must have adequate data systems in place. The provision adopted unanimously by the committee requires the inspector general to certify that the database that is being compiled on Mexican trucking firms and Mexican drivers is sufficiently accurate and accessible to allow U.S. law enforcement authorities to conduct their work.

These databases are key if we are going to be able to monitor the safety performance of Mexican trucking firms and Mexican truck drivers.

The DOT inspector general found significant problems with the accuracy and completeness of the law enforcement databases on Mexico-domiciled trucking companies.

In fact, they found that there were 900 Mexican trucking companies that could not be accounted for between the database on insurance and licensing and a separate database that houses identification numbers.

While it is true that the Mexican Government is starting to compile its own databases, it is widely recognized that there is not nearly enough information in the database to enable U.S. law enforcement to gather any information on the safety record of Mexican trucking firms and Mexican drivers.

The committee provision requires the DOT inspector general to certify that these databases are actually functioning in a way where U.S. law enforcement can do its job.

It is not enough to have the computers operating. There needs to be sufficient information to allow U.S. law enforcement to keep unsafe Mexican trucking firms and unsafe Mexican drivers off our roads.

Eleventh, we must be able to enforce license revocation. When our colleague Jack Danforth was in the Senate and serving as chairman of the Commerce Committee, he made a great many contributions to transportation safety.

One of his greatest contributions was the law requiring a uniform commercial drivers license here in the United States. That requirement came in the wake of numerous horror stories where U.S. truckdrivers had their licenses revoked and then got new licenses in other states so they could continue driving.

Jack Danforth put a stop to all of that. He put a system in place in the United States where we monitor the issuance of commercial drivers licenses in all 50 States, to make sure that multiple licenses aren't being issued to the same driver.

There is no such system in Mexico. In fact, there is hardly any computerized

data on who is getting a commercial driver's license in Mexico. There is almost no data on the driving record history of Mexican drivers within the Mexican system.

The provision unanimously adopted by the committee requires the DOT inspector general to certify that there are mechanisms in place within Mexico to ensure that Mexican drivers with insufficient driving records have their licenses revoked and cannot get a new license through surreptitious means.

The DOT claims that it supports subjecting Mexican drivers and Canadian drivers to the exact same standards as U.S. drivers. Yet there is absolutely no mechanism in place in Mexico to make that into a reality.

No one in Mexico is monitoring the safety record of Mexican drivers to any degree of accuracy. As of today, there is no capability of U.S. law enforcement authorities to tap into a database that is sufficiently comprehensive to give a clear picture of an individual's driving record in Mexico.

It is going to take several months for the Mexicans to compile such a database and, even then, its accuracy is going to be questioned.

None of us wants a catastrophic truck accident in our State and to find out that it was the driver's fourth or fifth accident. If we are serious about subjecting all truckdrivers to the same safety standards, then there needs to be some mechanism in place to ensure that the driving performance of Mexican truckers is being monitored as it is here in the United States.

Twelfth, the California inspection plan. The final provision I would like to discuss is the pending amendment before the Senate. It is sponsored by Senator SHELBY and myself. We laid the amendment down last Friday when the bill was first brought up in the Senate.

We think it is an important measure that strengthens the truck safety provisions in the underlying bill.

During the hearings last week in both the House and Senate authorizing committees, much attention was paid to the inspection system that has been implemented by the State of California to handle the safety deficiencies posed by Mexican trucks. The California system requires every truck seeking to cross the border to be fully inspected at least every 90 days. This requirement is dramatically more stringent than currently exists at the border with Texas, Arizona, or New Mexico.

As a result of this stronger enforcement effort, the percent of Mexican trucks ordered off the road has dropped to a level that is better than that of other border crossings.

The provisions in the bill already reported by the committee require strict new measures to verify the licenses, registration, operating authority, and insurance of all Mexican trucks crossing the border.

This additional amendment will impose the California plan at all border crossings between the U.S. and Mexico.

It is my understanding that the administration supports the imposition of this new inspection regime. I think it strengthens the bill in an important way that will better protect the safety of our constituents.

Finally, it has been alleged that all of the safety measures that have been included in the committee bill will cost more money than has been provided to date.

If the DOT needs more money to ensure the safety of America's highways, then I believe that Secretary Mineta and OMB should come forward with a request for the additional funds.

The appropriations bill reported by the committee already provides $15 million more for the border truck safety activities than was requested by DOT. If the DOT comes forward with a formal request for more resources, the committee will work with the Department to find the necessary resources. It will be money well spent.

For several years, our country has been looking for a way to balance the open trade—called for by NAFTA—with the safety we expect on our highways.

We understand that commerce must move, but we are concerned about the safety of Mexican trucks—especially since they are 50 percent more likely to violate our safety standards.

After a lot of hard work, after listening to the safety experts, the Department of Transportation, the GAO and the industry, we have come up with a plan that allows both goals—free trade and safe roads—to progress side by side.

This bill will not violate NAFTA. The arbitration panel already told us that we can take steps to ensure our safety.

Let me repeat that. The official panel that determines compliance with NAFTA has already told us we can take the safety measures we need. This bill does not violate NAFTA.

This bill won't stop trade across our border, but it will stop unsafe drivers and unsafe trucks from threatening the American public.

Under our bill, when you are driving on the highway and there is an 18-wheeler with a Mexican license plate in front of you, you can feel safe.

You will know that the truck was inspected.

You will know that the company has a good track record.

You will know that an American inspector visited their facility—on site—and examined their records, just as we do with Canadian trucking firms.

You will know that the driver is licensed and insured.

You will know that the truck was weighed and is safe for our roads and bridges.

You will know that we are keeping track of which companies and which drivers are following our laws—and which ones are not.

You will know that if a driver is breaking our laws, we will revoke his license.

You will know that the truck didn't just cross our border unchecked but crossed where there were inspectors on duty, ensuring our safety.

That's a real safety program.

This is a solid compromise. It will allow robust trade while ensuring the safety of our highways.

I appreciate that some Members want to take a different approach. I am here, and I am willing to listen to constructive ideas.

But as a country, we should not move toward weaker safety standards.

And as a Senator I will not help the Senate weaken the standards that ensure the safety of the American public.

We can have free trade and safe highways—and this bill shows us how.

It sets up a real safety program that will keep Americans safe and it fully complies with NAFTA.

I urge my colleagues to support this pro-safety, pro-trade bill.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Madam President, I ask unanimous consent that the Senator from North Dakota, Mr. DORGAN, be immediately recognized after my remarks.

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

Mr. SHELBY. Madam President, I know that we have and will hear a great deal about Mexican trucks during the consideration of the Transportation appropriations bill, and much of the information will seem to be inconsistent or contradictory. In the interests of a meaningful and productive discussion of the issue, I would like to summarize what we do know about Mexican trucks.

According to the Department of Transportation inspector general, during Fiscal Year 2000, the Federal Motor Carrier Safety Administration reports show that Federal and State inspectors performed 46,144 inspections on Mexican trucks at the border and within the commercial zones. For those inspected, the out-of-service rate declined from 44 percent in fiscal year 1997 to 36 percent in fiscal year 2000. By comparison, United States trucks' out-of-service rate for fiscal year 2000 was 24 percent.

Clearly, the data we do have indicates that the out-of-service rate for Mexican trucks in 50 percent higher than our own domestic truck fleet. Accordingly, we need to do more to inspect trucks entering the United States at the Mexican border.

The President's budget request and the committee reported Transportation appropriations bill does do more: the President's budget requested $88 million for inspectors and new border inspection facilities and the committee

reported bill provides a minimum of $103 million for inspectors, safety grants to states, and new border facilities—quite an increase.

In the near term, developing an inspection capability that includes providing inspectors and inspection facilities at the border crossings is central to ensuring compliance with United States safety regulations.

Unfortunately, those capabilities, necessary regulations, forms and facilities are not yet in place to provide an inspection and enforcement regime that can assure Americans that Mexican trucks entering the United States, including the commercial zone, can match the out-of-service rates of the United States trucking fleet, much less the Canadian trucks operating in the United States.

No one should believe that Mexican trucks are inherently any better or any worse than trucks from any other country—the United States or Canada.

But unless a Mexican inspection regime is in place in that country that can give Americans the confidence that trucks from Mexico are statistically as safe as trucks operating in this country, we must provide an inspection and regulatory system that insures that trucks entering from Mexico meet a minimum level of fitness to operate on our highways.

There has been a clamor that somehow providing an inspection and regulatory regime for Mexican trucks entering the United States violates NAFTA. As a Senator who did not support NAFTA, I do not believe that NAFTA should dictate what the United States Congress can and cannot do regarding the safety of vehicles operating on our highways.

In fact, NAFTA itself provides that motor carriers entering a NAFTA country must comply with the safety and operating regulations of that country. Accordingly, requiring that Mexican truck drivers have a valid commercial driver's license or that Mexican-domiciled trucks are safe is clearly within the spirit and the letter of NAFTA.

The NAFTA arbitration panel held:

> The U.S. authorities are responsible for the safe operations of trucks within U.S. territory, whether ownership is United States, Canadian, or Mexican.

It is the duty, I believe, of the U.S. Congress to provide the policy guidance for those U.S. authorities. The committee-reported bill takes the appropriate steps to provide that policy guidance.

Let me briefly describe the Murray-Shelby language that is in the committee-reported bill and the amendment to that language currently before the Senate.

In addition to the minimum of $103 million for inspectors, safety grants to States, and new border facilities, under the committee-reported bill:

We require the Department of Transportation to only allow Mexican trucks to cross the border at inspection facilities where inspectors are present and on duty;

Further, we require the Department of Transportation to allow the full opening of the border only—yes, only—when the inspector general certifies that all of the 80 new inspectors provided under the committee funding recommendation are fully trained as safety specialists capable of conducting compliance reviews;

Further, we require the Department of Transportation to perform a full safety audit of each Mexican trucking firm before any conditional operating certificate is granted and then to perform a full followup compliance review again within 18 months before granting a permanent operating certificate;

Further, we require that all safety audits of Mexican trucking firms take place on-site at each firm's facilities;

We prohibit the full opening of the border until the inspector general certifies that the Federal Motor Carrier Safety Administration has implemented a policy to ensure compliance on the part of Mexican truckers with pertinent hours-of-service rules;

Further, we prohibit the full opening of the border until the Inspector General certifies that the information infrastructure of the Mexican authorities is sufficiently accurate, accessible, and integrated with that of U.S. law enforcement authorities to permit the verification of the status and validity of licenses, vehicle registration, operating authority, and insurance of Mexican-domiciled motor carriers while operating in the United States;

Further, we prohibit the full opening of the border until the Department of Transportation requires checks of Mexican-domiciled trucks by federally funded inspectors for violations of applicable Federal regulations;

Further, we prohibit the full opening of the border until the inspector general certifies that there is adequate capacity to conduct a sufficient number of truck inspections to maintain safety;

Further, we prohibit the full opening of the border until the Department of Transportation equips all Mexican border crossings with weigh-in-motion systems as well as fixed scales for enforcement action;

Further, we prohibit the full opening of the border until the inspector general certifies that there is an accessible database containing sufficiently comprehensive data to allow for safety performance monitoring of all Mexican drivers entering the United States; and

We prohibit the full opening of the border until the inspector general certifies that the Department of Transportation has published certain overdue regulations relating to motor carrier safety.

In addition, the pending Murray-Shelby perfecting amendment improves the inspection requirement in the Mexican truck provisions in the committee-reported bill to require the inspection of all Mexican trucks that do not display a current Commercial Vehicle Safety Alliance—CVSA—inspection decal—and requires renewal of those decals every 90 days.

This is the so-called California standard, and adding it to the underlying inspection and enforcement regime included in the committee-reported bill, we believe, improves the overall inspection process.

According to the Commercial Vehicle Safety Alliance, current data and information on Mexican companies, who intend to travel internationally from Mexico to the United States, is quite limited. This is because:

First, there have been few safety regulatory requirements placed on the industry until very recently;

Second, there are a limited number of personnel trained and continually performing oversight functions; and

Third, the information infrastructure has not been in place to capture and record the results of the current limited oversight being performed by the Mexican Government.

Given the shortcomings in the inspection and regulatory regime for Mexican trucks and the immediacy of the Mexican truck issue, the Murray-Shelby approach is one way to move this issue forward while balancing the need to foster safety on our highways without closing the border to Mexican trucks.

While this is an emotional issue for many, the Murray-Shelby approach is a dispassionate treatment of the core issues related to inspection, border and information infrastructure investment, and providing a rational playing field for international trucking activities. I stand ready, with the Senator from Washington, to work with interested Members and the administration to move this legislation to conference.

In conference, we will continue to work with all interested parties to make sure that the requisite investments and safety protections are in place to further the Nation's interests in a safe, economically viable, and fair international truck inspection system.

Madam President, I yield the floor.

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from Washington.

Mrs. MURRAY. Madam President, I ask unanimous consent that following the remarks of the Senator from North Dakota, the Senator from Colorado be allowed to speak for 10 minutes.

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

The Senator from North Dakota.

Mr. DORGAN. Madam President, this is a very interesting and a very important issue. There are a number of ways

to address this issue. One method is to address it in the manner chosen by my colleagues, Senator MURRAY and Senator SHELBY. Another method would be the approach chosen by the House of Representatives that passed by a nearly 2-to-1 margin, a provision that simply prohibits the use of funds in the next fiscal year to license trucks to go beyond the 20-mile limit that are doing hauls out of Mexico.

Let me describe this issue, if I might, so that we all get an understanding of what is happening. We are trying to plug together two economies with NAFTA, the North American Free Trade Agreement. I did not vote for NAFTA. I did not think it was a good trade agreement. I thought it was terribly negotiated, badly negotiated on our behalf. And I think evidence suggests that has been the case.

We took a trade relationship with Mexico, which had a small surplus for us, and turned it into a very large deficit that is growing and growing and growing. We took a deficit with Canada and doubled it, and then some. So I do not think NAFTA turned out very well for a range of reasons.

We were told, when we passed NAFTA: NAFTA will allow the product of unskilled labor from Mexico to be moved into the United States; and that is essentially what will happen with respect to the trade coming from Mexico. In fact, since NAFTA was passed, what are the most common imports and the largest imports from Mexico to the United States? The product of skilled labor—automobiles, automobile parts, and electronics—exactly the opposite of what was suggested when NAFTA was enacted.

But aside from all of that, aside from the fact that it has taken skilled jobs away from the United States and moved them to Mexico; aside from the fact that it has turned a surplus with Mexico into a huge trade deficit, we are now told by a panel that negotiates these issues of trade compliance that we must allow Mexican long-haul truckers into this country.

We have, since the NAFTA agreement, prohibited Mexican long-haul truckers from going beyond the 20-mile limit established by the previous administration. We are now told that must change, and we must allow access to the United States by Mexican long-haul truckers. Many are concerned about that, myself included.

Let me give you just an example of why one might be concerned.

The San Francisco Chronicle did a piece by sending a reporter to Mexico, who spent 3 days on the road with a Mexican long-haul trucker. I thought it would be interesting to discuss what happened with that Mexican long-haul trucker. It was described in a rather interesting and useful piece in the San Francisco Chronicle.

This was a trucker who went from Mexico City to Tijuana. That is the equivalent of driving from the bottom of Texas to the northern part of North Dakota; it is a very long trip. This driver traveled 3 days, 1,800 miles; and during the 3 days he slept 7 hours. Let me say that again. This person drove 1,800 miles and was awake 21 hours a day. No logbooks. No minimum hours of service. No drug testing. No inspections for safety.

The question is this, for this country: With such a different set of standards as relates to Mexican trucks versus United States trucks, and the Mexican trucking industry versus the United States trucking industry, do you want to drive down an American highway and in your rearview mirror see an 80,000-pound 18-wheeler behind you that may or may not have been inspected, and may or may not have brakes, and may or may not have been driven by somebody driving for 18 hours straight? Is that what you want for you and your family to see in your rearview mirror? Is this just sort of scare nonsense that we talk about? No, not at all.

Look at the difference in standards. We take great care in this country to describe very specific requirements for trucking firms and their drivers in the United States. They must have logbooks to describe how long they have driven and where they have driven. They must have safety inspections. They must take drug tests. They must have safety inspections on the equipment. There are minimum hours of service. There are a whole series of requirements they must meet. Why? Because in this country we decided long ago that if we are going to share our highways—and we must—with this very important part of our transportation system—trucks—then we want to be sure that some 2-door compact car sharing that highway with an 18-wheeler carrying 80,000 pounds—we want to make sure that safety is a preeminent condition in this country. So we established regulations. Some say all regulations are bad. I don't believe that. I think some regulations are critically necessary—for safe food, healthy drinking water, safe highways. On the issue of safe highways, we decided long ago with respect to our trucking industry what kind of requirements they must meet, and we have the inspectors, we have the investigators, we have the entire system in place.

This book is the ''Federal Motor Carrier Safety Regulations,'' January 1, 1999, last revised. This is from the Department of Transportation. This rather large, imposing book is full of regulations. Why? It is to provide for public safety on America's roads. Now if that is what we do in this country, what happens in Mexico? Nothing equivalent to this happens in Mexico. Some say: Well, you know what you are doing. NAFTA was a trade agreement between the United States, Mexico, and Canada, and you are coming to the floor only talking about Mexico. Why not Canada?

The reason is obvious. Canada has a rather similar economy to ours. They have similar trucking regulations and safety requirements to ours, but there is nothing that is remotely similar with respect to Mexico. So we must, it seems to me, be concerned about the lifting of this 20-mile limit of Mexican long-haul trucks coming into this country. President Bush indicates he wants to do that on January 1. I disagree. The authors of the Transportation appropriations bill have a provision in this bill that says to the President: You can only do this under certain circumstances and under certain certifications. I happen to think that is a step in the right direction. I would much prefer, however, that we simply shut off funds for this purpose in the coming fiscal year. I have seen people certify anything—Republican and Democratic administrations. They have certified many things. If we say you must certify with respect to drugs in Mexico, they do it. If we say you must certify that El Salvador, in the 1980s, was responsible for human rights violations, they certify it.

I am worried about anything that requires anybody to certify because I think there are people here who will certify to almost anything, who will sign a blank sheet of paper. We are nowhere near ready to allow Mexican long-haul trucks into this country. We had a hearing in the Commerce Committee last week. I am a member, and I sat there all morning. I inquired of the witnesses. Some of the witnesses were the Secretary of Transportation, the inspector general, the head of the Teamsters Union, and so many others. I inquired of those witnesses, and the one conclusion with which I think everyone came away from that hearing is that there isn't a ghost of a chance of this country being ready to allow Mexican long-haul trucks into this country without compromising basic safety on American roads.

Let me cite some examples. This is the inspector general report of the Department of Transportation. He talks about the capability of inspecting Mexican trucks coming into this country. I think we have 27 border crossings. Only two of those border crossings have full-time inspectors 24 hours a day. So out of all the border crossings that would allow Mexican trucks to come in, only two have inspectors 24 hours a day. At 20 of the crossings, the inspectors who were there—and there are only a few of them—didn't have dedicated phone lines to access any databases so they could validate a simple thing like a commercial driver's license. At 19 of the locations, the inspectors had space to inspect 1 or 2 trucks at a time. At 14 of the locations, inspectors had 1 or 2 spaces to park vehicles placed out of service.

The inspector general talked to us about having to turn Mexican trucks back. He said: You know, we have a problem if we don't have a place to park them. I said: Why can't you turn them around? He said: For example, we have a Mexican truck come to the border and it is inspected—incidentally, 2 percent are inspected, so most of them are never inspected—but we inspect it. I said: Why can't you turn it back? He said: No, we have to park it. I said: Why? He said: Because it had no brakes. So we have an 18-wheel truck, with no brakes, trying to get into the United States, but they can't turn it back to Mexico because it has no brakes. To the extent that they have insurance, they buy 1 day of insurance.

So, look, the testimony by the Secretary of Transportation, the inspector general, and others demonstrates clearly that we are nowhere near being ready to allow Mexican long-haul trucks into this country.

This IG's report is a fascinating document that I suggest all of my colleagues read. Thirty-six percent of the Mexican trucks are turned back for serious safety violations—serious violations—and most of the trucks are not inspected at all. The implication is that we will somehow have the capability on January 1 to have a rigorous inspection and compliance program with respect to these Mexican trucks. There is nothing like that that is capable of being done between now and January 1. That won't be done between now and 2 years from now, in my judgment.

The only way you can possibly do this is if you have enough inspectors at the border and compliance officers to go down and actually make onsite compliance inspections of the Mexican trucking firms. There aren't anywhere near the resources to do that. Even the resources requested by the administration in this year's budget come up short of doing what they say they will or must do in order to be ready for January 1. They talked about the number of inspectors they would need—139—and then the IG said, by the way, that is the minimum number, that it would actually be more than that. The administration requested that number, and they came up 40 inspectors short because they are using the number twice for inspectors and compliance officers.

The point is that none of this adds up. It is fuzzy math, fuzzy policy. It is plain bad policy, in my judgment, to suggest we are anywhere near the time when we should allow Mexican long-haul trucks into this country.

The hearing we held last week persuaded me that we need to take aggressive and bold action. I am going to file an amendment—I do not know at this moment whether I will call it up—I am going to file an amendment this morning that will allow the Senate to vote on the House language.

The House language says simply: There shall be no funding allowed for the processing of applications for these trucks or licenses for these trucks to exceed the 20-mile limit in the coming fiscal year.

Is that going to change anything? No, because there is not a ghost of a chance of anyone being able to comply or to certify that we have the inspectors or the ability to allow these trucks into the country in the first place and still maintain safety on America's roads.

The fact is, even with the 20-mile limit—on this chart the States outlined in red are where Mexican trucks have been seen and Mexican truckdrivers stopped by law enforcement authorities. These are just the ones that have been stopped. Yes, it includes North Dakota.

I am constrained to say, as bad as this trade agreement was which hurts us on the northern end by allowing unfairly subsidized Canadian grain to come into this country, that what we will have now is the perverse circumstance, perhaps, of unsafe Mexican trucks hauling subsidized Canadian grain to American cities. Talk about a hood ornament for foolishness, that is it.

The States in red are where we have already seen Mexican trucks moving into this country, in violation of the law, I might add. The administration's proposal is to on January 1 open it up completely.

The DOT Office of Inspector General mentioned 36 percent of the Mexican trucks that were inspected were placed out of service. In fact, it said something more than that; it said serious safety violations. I mentioned one example of why they could not move the truck back into Mexico. They had to park it because it had no brakes.

A 1998 estimate was that 139 inspectors were needed. That is a conservative number. That number is based on conditions in 1998 and did not account for changes, such as expanded hours of operation and growth in commercial traffic.

They are 40 short of this number, but even that number, the IG says, is short of what is needed. Currently, the only permanent inspection facilities at the United States-Mexico border are the State facilities, two of them in California. Excluding those two crossings, they observed the following conditions: At 20 crossings, inspectors did not have dedicated phone lines. I mentioned that. At 19 crossings, they had the capability to inspect only 1 or 2 trucks.

All of us understand, we are talking about a Presidential veto. God forbid the President should veto this bill. It does not matter to me if he vetoes this bill. What matters to me is that we do good public policy that ensures the safety of the American people. That is all I am interested in.

The first and most important step we should take in the Senate, in my judgment, is to take the House language, put it in the Senate bill, and go to conference, and the House and Senate will have said: We will not allow funds to be used in this fiscal year to allow Mexican trucks to come into this country beyond the 20-mile border because it will jeopardize the safety of American highways.

Senator MURRAY and Senator SHELBY have put a provision in their bill, and if the provision works as it is written, I expect it will do the same as I propose to do with the House language.

My great fear is we have too many people in this town who will certify to almost anything, and an administration that wants to open it up on January 1, very likely, unless we prohibit the expenditure of funds to do so, will find a way to open that border. In my judgment, that will jeopardize safety on American highways.

I will conclude where I started. Some of the best evidence is anecdotal evidence. We have some information about accidents and the condition of Mexican trucks and the fact that there is very little done with respect to logbooks. In fact, Mexico requires logbooks, but they do not enforce it.

It is like when the maquiladora plants hosted American companies that wanted to build manufacturing plants to manufacture south of the border, and they said: Well, gosh, Mexico has very strict environmental laws with respect to polluting the air and water. Sure they do. They just do not enforce them. So what if they have the laws? It is totally irrelevant. You can have all kinds of laws on the books; if you have a blind eye to the enforcement, it is totally irrelevant.

With respect to this issue of logbooks and other things, some say: Mexico requires logbooks. Yes, they sure do; and nobody has them, and nobody cares.

I started with the anecdotal piece about the San Francisco Chronicle, and I will finish with that.

It is not, I am told, out of the ordinary for long-haul trucks in Mexico to be driven by Mexican drivers who are paid $7 a day, driving 15, 20—in this case, nearly 21—hours a day for 3- or 4-day trips.

The San Francisco Chronicle talked about the truckdriver who left Mexico City and drove to Tijuana. He drove 3 days. That driver slept 7 hours in 3 days, making $7 a day, driving a truck that would not have passed inspection in this country with a cracked windshield. No logbook, no drug inspection, no mandatory safety inspection on the vehicle.

Is that really what we want to allow to come into our country at this point? I think not. It has nothing to do with who it is. It has everything to do with whether it is safe.

The answer is, until the country of Mexico not only has regulations and standards that we can count on and

rely on and that are enforced, and enforced rigorously, we ought to decide we will not let safety on America's highways be jeopardized, and the way to do that is, in my judgment, to pass the House prohibition on funding.

As I indicated, I am filing the amendment this morning. I am obviously going to continue to talk to colleagues. I share the same concern and interests that my two colleagues do. I think the language they have written is good language. I just believe in the end we will have people certifying to anything and the administration will find a way to allow these trucks to come in on January 1. That will be a giant step in the wrong direction for safety on America's highways.

We ought not ever engage in trade agreements that would in any way force us or squeeze us to compromise safety in this country. It does not matter whether it is food safety or highway safety, nothing in trade agreements ought to require us to diminish our standards that we have established for people in this country. That is why I am so concerned about this issue.

Madam President, I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Colorado is recognized.

Mr. CAMPBELL. Madam President, after listening to my colleague from North Dakota, I could say ditto and let it go at that because I certainly agree with his comments. I am inclined to tell the Senator from North Dakota, if he offers the amendment mirroring the House language, I would probably support that.

I want to speak today in support of Chairman MURRAY's language in the fiscal year 2002 Transportation appropriations bill, and I want to speak in favor of this language for a couple of minutes.

First and foremost, the safety of every American who travels on our streets and highways must not be compromised by vehicles that are unsafe by American standards, despite trade relations.

All of us in the Senate make our decisions based on a personal frame of reference, and certainly my frame of reference includes the 6 years I drove as a professional driver while I was putting myself through college years ago. In fact, I am still probably the only Member of the Senate who has a commercial driver's license and, in fact, still drives, more as an escape from the tediums of the Senate work than anything else, but I still get out on the road pretty regularly. I speak to drivers and spend a great deal of time at truckstops and places where they frequent, listening to their concerns.

I know the safety requirements that each American driver must adhere to are very complete. I am concerned that without the language provided in this bill and report, Mexican drivers will not be subject to the same standards. I am sure there are some very skilled and talented Mexican drivers, and we have to be very careful to make sure we do not do a blanket indictment on the Mexican trucking industry. My comments are certainly not meant to do that.

The standards between the equipment and the monitoring between drivers in the United States and Mexico, unlike the drivers of the United States and Canada, are worlds apart. This is an enormous safety issue, as my colleagues have already mentioned, and I do not think we should ignore this for a minute.

Mile for mile, American truckdrivers are much safer than drivers of automobiles. The single drivers are averaging about 5,000 miles a week in the trucks and, if they are team drivers, probably 10,000 miles a week. They have to be safe drivers.

Certainly those who have driven or have been around accidents involving trucks know that many of the trucks from Mexico are not in good repair. The average fleet of the American trucking industry, I am told, is 3 to 6 years old. These are figures I quote from the American Trucker's Association. The average Mexican fleet is 15 years old. When averaging 100,000 miles a year, it does not take much math to figure there is a huge difference in upkeep and maintenance on a truck traveling that much more over a period of 15 years. Wear and tear on the truck is huge.

In a truck-auto accident, obviously, the trucker will not get hurt—80,000 pounds versus 3,000 pounds. The law of physics says whoever is in the smaller vehicle will receive the most damage. Passenger vehicles driving alongside a truck face serious safety hazards if the truck is not in good repair. My concerns regard the unsafe trucks that are not being regulated.

American truckers, to be qualified for CDL, have to pass eight written tests, several driving tests, a physical every 2 years, and ongoing training in the company, which is in turn federally regulated. It is very easy to lose their license for any small infraction dealing with alcohol, drugs, or unsafe driving. There is almost zero tolerance allowed to remain a professional driver.

To my knowledge, Mexican drivers are not restricted to hours of service. This has been mentioned before. The U.S. truckdrivers are restricted. Each American truckdriver has specific regulations as to how long he is allowed to drive, how many hours he can be at the wheel, and he has to keep meticulous records in a logbook dealing with every single minute he is behind that wheel. The record is checked on a regular basis, and significant fines are levied to both the drivers and the owners of the vehicles who violate the service regulations.

By the way, I am holding one of the books of regulations, 1,112 pages long. There are seven of these books. This is title 49, section 171–180, and it is one of the sections dealing with transportation. This simply deals with transportation of hazardous materials. All American shippers, all carriers, and all drivers have to comply with the rules. Who in the heck will monitor compliance for the Mexican trucks? I can read English and speak it pretty well, but one must read some of the sections three or four times to understand the nuances of the regulations. I defy anybody to tell me the trucks coming from Mexico will comply with the letter of the law and the regulations as American drivers do.

The Mexican truck drivers are under no safety regulations, no incentive to adhere to our regulations, as I understand it. I raised these concerns as the Senator from North Dakota did when we were discussing the NAFTA treaty several years ago. We simply convinced very few people there were real dangers and of the unintended consequences of both fast track and the NAFTA agreement. Of course, it was shooed in. We are going to visit another agreement very shortly. I hope most of my colleagues in the Senate recognize sometimes in this pellmell rush to increase trade we have to revisit issues because we are not at all supportive at a later date.

The Mexico-based registered trucks are authorized to operate in a 20-mile border, as Senator DORGAN mentioned. This was provided under the original NAFTA agreement. They have been spotted, however, in 30 States, which I think is a clear violation of that trade agreement. Certainly it has not been addressed. Common sense demands the matter be addressed before we allow more uninspected trucks to enter our country.

Opponents of the Murray language point out the outstanding fine the U.S. must pay for violating truck agreements under NAFTA. I would like to know what the penalties have been for the Mexican trucks we have found all over the United States. This isn't an issue of discrimination or adherence to trade agreements, although they would like to reduce it to such, but an issue of safety for every American who travels the roads of America and an issue of fairness. A loaded tractor-trailer operating at highway speed is especially dangerous if the vehicle has worn brakes, bad steering, or any weaknesses in the integrity of the truck. We demand very strict safety guidelines, but clearly rollover risks are more acute when a truck is involved in an accident. A loaded semitruck of 80,000 pounds does not stop like a family sedan, but takes up to 10 times longer to stop.

I refer to an article in Land Line Magazine, and I ask unanimous consent it be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit No. 1.)

Mr. CAMPBELL. This article in Land Line Magazine reports four members of the House Subcommittee on Highways and Transit, headed by subcommittee chairman THOMAS PETRI, and the ranking member, Representative ROBERT BORSKI, recently conducted a fact-finding mission on border inspection stations. The purpose of the mission was to view the station and consider the possibility of opening new ones. The members were impressed the way the inspection stations of California, which have about a 25 percent out-of-service rate for the trucks from Mexico, similar to the ones in the United States. In other words, about one-fourth of the trucks, whether American or Mexican trucks, did not comply with the American safety standards. When it came to Texas, the results were vastly different because Texas doesn't have State facilities for inspecting. Clearly, if a trucker knows he will be stopped at one inspection system, he will go to the area of least resistance.

I refer to a paragraph in that article, quoting Representative BORSKI:

> ''Texas' inspection system is virtually nonexistent . . . Trucks pour over the border there. They may be safe and may be not.''
>
> ''Texas has no infrastructure to look at trucks,'' he added. ''During our visit, we were shown two parking spaces for inspecting trucks two at a time with 4,000 trucks per day at that crossing. The out-of-service rate was staggering. Texas Department of Public Safety Major Coy Clanton told us if they looked at seven or eight trucks, they would take five out of service for significant safety violations. I think the key is that a truck that isn't inspected will be neglected. I think that's the biggest danger.''

I hope, when asked to vote for fast track, that we recognize the danger of simply reducing ourselves to rubber stamps for any administration. I voted against NAFTA, as did my colleague from North Dakota. I recognize that is the law now. We have to abide by the agreement.

However, let me also refer to some of the comments made by Jim Hoffa, the general president of the International Brotherhood of Teamsters, that he provided in a hearing before the Senate Committee on Commerce, Science, and Transportation on July 18:

> . . . the United States is under no legal obligation to implement the findings of the NAFTA panel. Under U.S. law, the health, safety and welfare of the U.S. citizens is paramount and to the extent NAFTA conflicts with any U.S. law dealing with health, environment and motor carrier/worker safety, U.S. law prevails. Even under the terms of NAFTA, the U.S. is entitled to disregard the panel's recommendation, and simply allow Mexico to take equivalent reciprocal measures or negotiate compensation or a new grant of some trade benefits to Mexico. Indeed, the United States has not traditionally allowed foreign countries or international bureaucracies to dictate its domestic policy, particularly where the health and safety of U.S. citizens is concerned . . .

Some would say that Mr. Hoffa, as the president of the Teamsters, may be somewhat of a protectionist. He has every right to be. By some estimates, the United States has lost 800,000 manufacturing jobs since NAFTA was implemented. Certainly the loss of jobs, although secondary to the safety of our people, is important. I think the language of this bill is vital to the health and safety of all of us. I urge my colleagues to support the Murray provisions of this bill.

I challenge the opponents of this position to explain why we should allow 80,000 pound accidents waiting to happen to drive the same roads our families drive.

I yield the floor.

EXHIBIT NO. 1

[From Land Line, July 2001]

CONGRESS FACT-FINDING COMMITTEE VISITS U.S.-MEXICO BORDER INSPECTION STATIONS

(By René Tankersley)

Four members of the House Subcommittee on Highways and Transit recently visited border inspection stations in San Diego, CA, and Laredo, TX, as part of a fact-finding venture to determine the safety of Mexican trucks crossing into the United States.

Subcommitee Chairman Rep. Thomas Petri (R–WI), ranking minority member Rep. Robert A. Borski (D–PA), Rep. Bob Filner (D–CA) and Rep. Tim Holden (D–PA) toured the border inspection stations May 19–20.

Land Line talked with Reps. Petri and Borski about what they saw and how it affected their outlook on the possible opening of the U.S.-Mexico border. Both Petri and Borski seemed thoroughly impressed with California's state-owned inspection station at the border between San Diego and Tijuana, Mexico. The state-operated station inspects trucks and truckdrivers for safety and compliance with state motor vehicle laws.

''California's very comprehensive truck inspection program applies to all trucks, Mexican and American,'' Petri said. ''Trucks must have an inspection sticker, which is renewed every three months at the border station. If inspectors find problems with the equipment, the drivers either fix the problem there or receive an order, and sometimes a fine, to fix the problem and be re-inspected on their next trip to the border station.''

Borski agreed, and added that the out-of-service rate at the California station is average. ''California's inspection station has about a 25 percent out-of-service rate for trucks from Mexico, which is similar to the rate for U.S. trucks,'' Borski said.

The party of four also visited the federal border inspection station in San Diego. Here federal inspectors examine trucks for contraband, both illegal aliens and drugs, using their new laser x-ray machines x-ray the entire truck.

The federal government has about 15 contraband stations in Laredo due to the larger volume of goods coming through this border by truck and rail. The congressional party visited Laredo's newest facility, which inspects and x-rays boxcars and trailer piggyback units.

With the overwhelming workload at the U.S. Customs contraband stations, Borski is concerned with how opening the border will affect the officials there. ''Government officials working down there are overwhelmed already,'' Borski said.

Texas does not have a state facility at the border crossing to inspect trucks for compliance with Texas motor carrier laws.

''Texas' inspection system is virtually nonexistent,'' Borski said. ''Trucks pour over the border there. They may be safe and may be not.''

''Texas has no infrastructure to look at trucks,'' he added. ''During our visit, we were shown two parking spaces for inspecting trucks two at a time with 4,000 trucks per day at that crossing. The out-of-service rate was staggering. Texas Department of Public Safety Major Coy Clanton told us if they looked at seven or eight trucks, they would take five out of service for significant safety violations. I think the key is that a truck that isn't inspected will be neglected. I think that's the biggest danger.''

Petri believes the Bush administration has planned for the needed improvements to the truck inspection system.

''President Bush in his budget provided for $100 million to improve inspections at the U.S.-Mexico border,'' Petri said. ''We think they're in the process of replicating California's inspection station in Texas. It will be like anything else. If people know, the word goes out loud and clear that they are going to be inspected, or going to be fined or sent back, they'll get their equipment up to standard very quickly.''

Borski agreed the California system should be replicated, but is concerned with the length of time it would take to build such a facility.

''They should set up a system like California's facility, or we shouldn't open the border,'' Borski said. ''It will take at least 18 months to build an inspection station.''

''In California the border is narrow, but in Texas there's maybe 15 crossings with virtually no inspection,'' Borski explained. ''I don't think the border should be open in Texas any farther than that 20-mile radius until we get a better inspection system.''

Borski and 30 other representatives are cosponsoring a resolution to urge the president not to open the border until safety inspection concerns are adequately addressed. ''You can be for NAFTA and still insist on trucks being inspected,'' Borski said. ''It's a safety question, not a trade question.''

TWO BILLS WOULD BAR MEXICAN TRUCKS UNTIL THEY ARE SAFE

The Owner-Operator Independent Drivers Association is supporting legislation currently moving through both the U.S. Senate and House targeting truck safety under NAFTA.

House Resolution 152, introduced May 24 by U.S. Rep. James Oberstar (D-MN) and Rep. Jack Quinn (R-NY), would delay granting Mexican trucks authority to operate in the U.S. under NAFTA until a prescribed comprehensive plan to ensure their safety is in place. Thirty-one additional lawmakers are listed as original cosponsors of the Oberstar resolution.

Sen. Byron Dorgan's (D-ND) bill, introduced May 25, would halt cross-border operations until the Mexican trucks can meet safety standards. SB965 is cosponsored by Sen. Harry Reid (D-NV).

''Only about 1 percent of Mexican trucks entering the United States are inspected by the United States at the border, but 36 percent of those that are inspected are turned back for serious safety violations,'' Sen. Dorgan says. ''Mexico does not have the same

safety standards we have in the United States, ''he said as he introduced the bill. ''There are no minimum safety standards for trucks or equipment, no limit on the hours a driver can stay on the road, no drug testing. These trucks will put people on America's highways at serious risk. The American people don't want to drive down the highway and find they are alongside a severely overloaded truck with someone in the driver seat who may have been on the road for 20 hours or more.''

Dorgan said ample evidence from California, Nevada and other states documents a significant number of Mexican trucks are regularly turned back at the U.S. Mexico border for serious safety violations, even under the current rules.

''Every day, every hour, these unsafe trucks are coming across our border, and that will only increase if the Administration plans are allowed to go forward,'' he said. Even the Department of Transportation acknowledges its enforcement program, which is seriously under-staffed, cannot assure the safety of Mexican trucks entering the United States.

''The serious shortcomings of trucks from Mexico is a problem that too many lawmakers are ingnoring.'' said OOIDA President Jim Johnston. ''There is a great deal of opposition and concern among many people across the country for the current plan to open the border at the end of this year without appropriate safety measures in place.''

OOIDA maintains that, while the Federal Motor Carrier Safety Administration has proposed several rules it claims will allow verification of Mexican carrier compliance with U.S. safety rules, the proposals only touch upon a fraction of the issues raised by the opening of the border. OOIDA points out other issues that will demand increased government supervision will be in the areas of Customs and Immigration, and compliance with all federal and state licensing, registration, permitting, environmental and user fee and tax requirements as every U.S. truck is required to do. Also left unanswered is how to process a Mexican truck or driver in violation of NAFTA trade rules or our safety standards.

''American truckdrivers must comply with enormous numbers of safety rules and regulations to operate legally on our highways,'' OOIDA's Johnston says. ''These include a stringent physical examination and drug and alcohol testing of drivers, truck weight limits, and hours-of-service rules. Mexico does not impose the same rules on their trucks and drivers. It makes no sense, is reckless, and is completely unfair to create exceptions to these rules for Mexican carriers. That's what we will be effectively doing if we open the border before Mexico imposes equivalent rules and we are prepared to ensure their carrier's compliance with them.''

OFFICIAL NAFTA PLAN NEARING COMPLETION: DEMOCRATIC SENATORS ASK BUSH TO HOLD OFF ON MEXICAN TRUCKS

The Federal Motor Carrier Safety Administration says the official North American Free Trade Agreement implementation plan is now nearing completion. FMCSA spokesman David Longo expects it to be available in mid-June. Meanwhile, more Washington lawmakers are voicing concerns about cross-border trucking. Fearing a compromise of safe roads, 10 Democratic senators have made the latest news, asking that the plan to allow Mexican trucks full access to U.S. highways be reconsidered.

In a letter sent June 11, the senators assured the president they are supporters of NAFTA, but said that granting access to U.S. roads could ''seriously jeopardize highway safety, road conditions and environmental quality.

A NAFTA arbitration panel ruled in February that the United States was violating the treaty by not opening the border per provisions of the treaty, and the Bush administration launched a plan to comply. The Bush administration and transportation officials currently are establishing rules for cross-border trucking and want them finished in time to let the trucks operate in the United States before the end of the year. The public has until July 2 to comment on the proposal that would require all Mexican trucks to apply for permission to operate in the United States. A safety audit would be conducted within 18 months, but the senators are concerned about the interim.

The letter was signed by Sens. John Kerry (D–MA), Max Baucus (D–MT), Jeff Bingaman (D–NM), Tom Harkin (D–IA), Tom Daschle (D–SD), Ron Wyden (D–OR), Ted Kennedy (D–MA), Evan Bayh (D–IN), Joseph Lieberman (D–CT) and Richard Durbin (D–IL).

Mr. SHELBY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. MURRAY). Without objection, it is so ordered.

Mrs. BOXER. Madam President, I rise in support of the Murray amendment that is pending, as well as the underlying bill. I think Senator MURRAY deserves to be commended because she has taken on what is a huge safety issue for the people of our country, and she has done it in a way that has been open and transparent and she has listened.

I think with the additional amendment that she has at the desk right now—which really, in a sense, adopts a procedure we are using in California to inspect trucks to give them a decal so we know they are safe—adds immeasurably to her language that is already in the underlying bill.

I think the subject of NAFTA trucks is a very big issue because it isn't a theoretical issue anymore. It is a question of whether these trucks are safe. The Commerce Committee just held a hearing on the coming of the NAFTA trucks through the Mexican border.

I am a member of the Commerce Committee, and I will tell you right now, from a lot of hearings, I am relieved that the problem I am looking at is actually not as bad as I thought. In this case, I was far from relieved. It is much more worrisome, after having heard the testimony of Cabinet Secretary Mineta and the inspector general of the Department of Transportation.

The issue of the safety of what I call the NAFTA trucks is not about free trade, nor is it about protectionism.

I know that Senator MURRAY, who is shepherding this bill through and who is now presiding over the Chamber, is a tremendous advocate of free trade. I think back. I can't truly think of a time when she didn't come down on that side. She is taking the leadership on the safety question. That is really what it is. That is the bottom line.

Why should the Senator from California be concerned about this border truck issue? Clearly, my State has about 23 percent of all the NAFTA truck traffic. If it turns out that the trucks coming in are not safe, it is going to have a devastating effect on the people of California. That is something that is of great concern to me.

In 1999, there were 4.5 million commercial motor vehicles crossing at the California-Mexico border. It is estimated that most of these crosses were made by 80,000 trucks. The opening of the border is expected to increase the number of NAFTA trucks. For example, we have 190 applications awaiting full access to our highways at the DOT. Unless our safety standards are improved and—this is really the big word—''enforced,'' the result will be that Californians, whether driving to work, or a soccer mom driving her kids, or whoever happens to be in that motor vehicle, will be next to a truck that may not meet our standards or that may have a driver who is exhausted. I will explain why that is apt to be the case.

If I went along with the Bush administration, I would be putting those people at risk.

There is nothing more sacred to an elected official than protecting the health and safety of the people he or she represents.

This issue is very important to me. I want to show you a chart, which I will summarize. It will be very hard for the Presiding Officer to identify it from there. I will explain why the issue of NAFTA trucks is so important.

When former Congressman Mineta, now Secretary Mineta, was before the Commerce Committee, he said: Don't worry, Senator. We are going to enforce our own laws on the Mexican trucks and on the NAFTA trucks as they come through.

Then the logical question is, How many of these trucks have been inspected to date by the Federal Government? The answer is 2 percent of all the trucks that are coming in are being inspected.

Then you say: All right. In those inspections, how many of those trucks are passing the safety inspections?

The answer is 23 percent.

Let me go through that again.

The DOT is only inspecting 2 percent of the NAFTA trucks that are coming in across the Mexican border. Out of that, 23 percent failed inspection. It could be assumed that is the average that failed the inspection. Imagine how many trucks we would catch if we inspected 100 percent. How many people

are in danger because we are not inspecting 100 percent? Therefore, those trucks are on the road.

Secretary Mineta says: Don't worry, be happy. We are going to put the American law into place on these inspections. Yet we don't have the inspectors. Oh, they will have them by January, they say.

I don't believe it. It isn't going to happen. As a matter of fact, I asked: What would happen if California then said in January we are tired of spending millions of dollars on our own inspections, and we are going to allow the Federal Government to inspect?

The inspector general said: We would be in big trouble.

Talk about an unfunded mandate, I think California is spending $30 million or $35 million on an inspection regime that is so good, by the way, that Senator MURRAY takes the decal plan. That is the amendment that is pending. But even with that, how many are we inspecting in California? Also, about 2 percent. We are only inspecting 2 percent of the trucks in California. Everyone says California is doing the best.

It is a harrowing issue for all of us. Those trucks are going to wind up all over the country—in Illinois and on the east coast. They are already showing up there, by the way. They are breaking the law. They are only supposed to go 20 miles from the border. But they are breaking through, and they are showing up.

How about this for one question—it was actually Senator ALLEN who asked the question of the inspector general: Why don't we just have those trucks turn around and go back to Mexico when they don't pass the inspection?

Do you know what the inspector general said? Because they have no brakes. They have no brakes.

Let me tell you why we have a problem. We have not checked these trucks as they come in. We are inspecting 2 percent. We can't get ready to inspect all the trucks by January 1.

Now I have a better chart to show you. It is the same thing but a little bit bigger. This is much better.

Here is our problem. In the United States, a truckdriver is allowed to drive up to 10 consecutive hours, work up to 15 consecutive hours with a mandatory 8 hours of rest, and cannot drive more than 70 hours during each 8-day period.

Some people think that schedule is too harsh. There are issues in our own country about driving up to 10 hours consecutively, working up to 15 consecutive hours with the mandatory 8 hours of rest, and not driving more than 70 hours during each 8-day period. There are some in our country, including a lot of the safety experts, who say that we are too weak; that our drivers are too tired; and that there are too many accidents. Yet we are about to allow Mexican trucks in because we can't enforce any of this at the border when they have none of these restrictions.

Let me repeat. There are no restrictions on Mexican drivers in terms of how many hours they have to work and on how many consecutive hours. There is no requirement of rest and no restrictions.

If you are only inspecting 2 percent of the trucks at the border, you apply this, and you find someone who has been driving, say, for 20 hours straight, there is really nothing you can do if that individual just gets right through the border.

We have random drug tests for our drivers. In Mexico, they do not have random drug tests.

Medical conditions and qualifications: Absolutely, in the United States, if you have certain medical conditions, you cannot get your license. In Mexico, there are no such qualifications.

The driving age for interstate driving in America is 21. In Mexico, it is 18.

You are going to have an 18-year-old driving big-rig trucks and not getting any rest, who was never subjected to a random drug test, who might have a medical condition, and who is never disqualified. And Secretary Mineta says: Don't worry, be happy; We will catch them at the border. But we do not because we do not have enough inspectors. That is why Senator MURRAY's language in the bill is so important because she is going to say: Look, we are not putting an arbitrary date on you, but you are not going to do this. You are not going to have this situation until you are ready to inspect all of these vehicles.

Let's look at the next chart.

Let's compare truck safety regulations. In the United States, there are comprehensive standards for components such as antilock brakes, underride guards, night visibility, and front brakes.

In Mexico, it is not as strong a test; there are less vigorous tests. For example, front brakes are not required. The maximum weight for a truck in the United States is 80,000 pounds; in Mexico it is 135,000 pounds.

For any of you who know the issue of what happens when these heavy trucks are on our roads in terms of what happens to our roads, we even have troubles today because people are saying our trucks are too heavy. In Mexico, it is a 135,000-pound limit.

Hazardous material rules: In America: strict standards, training, licensure, and an inspection regime. In Mexico it is very lax; there are fewer identified chemicals and substances and fewer licensure requirements.

Roadside inspections—you see those stops where trucks have to pull to the side and get inspected—we have them in the United States. They do not have them in Mexico.

Why is it important we show these differences? Because people say: We do not have problems with Canada. The thing is, in Canada they have regulations like ours. So inspecting all those trucks is not the same problem. When you have free trade between countries that have different rules and regulations as to the safety of the trucks, the safety of the drivers, it is a different situation.

So the reason we have shown all this to you—and I will again show you the first chart—is because we have drivers coming in our country in these NAFTA trucks who may be driving—how many hours consecutively in one case?—up to 20 hours without a rest. They were not subjected to a random drug test in their country. They slip through the border because we are only inspecting 2 percent of the vehicles. And they could have a medical problem from which, if they had it in this country, they would have been disqualified. They could be 18 years old.

I ask unanimous consent to have printed in the RECORD an article that appeared in the San Francisco Chronicle.

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

[From the San Francisco Chronicle, Mar. 4, 2001]

MEXICO'S TRUCKS ON HORIZON: LONG-DISTANCE HAULERS ARE HEADED INTO U.S. ONCE BUSH OPENS BORDERS

[By Robert Collier]

ALTAR DESERT, MEXICO.—Editor's Note: This week, the Bush administration is required by NAFTA to announce that Mexican long-haul trucks will be allowed onto U.S. highways—where they have long been banned over concerns about safety—rather than stopping at the border. The Chronicle sent a team to get the inside story before the trucks start to roll.

It was sometime way after midnight in the middle of nowhere, and a giddy Manuel Marquez was at the wheel of 20 tons of hurtling, U.S.-bound merchandise.

The lights of oncoming trucks flared into a blur as they whooshed past on the narrow, two-lane highway, mere inches from the left mirror of his truck. Also gone in a blur were Marquez's past two days, a nearly Olympic ordeal of driving with barely a few hours of sleep.

''Ayy, Mexico!'' Marquez exclaimed as he slammed on the brakes around a hilly curve, steering around another truck that had stopped in the middle of the lane, its hood up and its driver nonchalantly smoking a cigarette. ''We have so much talent to share with the Americans—and so much craziness.''

Several hours ahead in the desert darkness was the border, the end of Marzquez's 1,800-mile run. At Tijuana, he would deliver his cargo, wait for another load, then head back south.

But soon, Marquez and other Mexican truckers will be able to cross the border instead of turning around. Their feats of long-distance stamina—and, critics fear, endangerment of public safety—are coming to a California freeway near you.

Later this week, the Bush administration is expected to announce that it will open

America's highways to Mexican long-haul trucks, thus ending a long fight by U.S. truckers and highway safety advocates to keep them out.

Under limitations imposed by the United States since 1982, Mexican vehicles are allowed passage only within a narrow border commercial zone, where they must transfer their cargo to U.S.-based long-haul trucks and drivers.

The lifting of the ban—ordered last month by an arbitration panel of the North American Free Trade Agreement—has been at the center of one of the most high-decibel issues in the U.S.-Mexico trade relationship.

Will the end of the ban endanger American motorists by bringing thousands of potentially unsafe Mexican trucks to U.S. roads? Or will it reduce the costs of cross-border trade and end U.S. protectionism with no increase in accidents?

Two weeks ago, as the controversy grew, Marquez's employer, Transportes Castores, allowed a Chronicle reporter and photographer to join him on a typical run from Mexico City to the border.

The three-day, 1,800-mile journey offered a window into a part of Mexico that few Americans ever see—the life of Mexican truckers, a resourceful, long-suffering breed who, from all indications, do not deserve their pariah status north of the border.

But critics of the border opening would also find proof of their concerns about safety:

—American inspectors at the border are badly undermanned and will be hard-pressed to inspect more than a fraction of the incoming Mexican trucks.

California—which has a much more rigorous truck inspection program than Arizona, New Mexico or Texas, the other border states—gave full inspections to only 2 percent of the 920,000 short-haul trucks allowed to enter from Mexico last year.

Critics say the four states will be overwhelmed by the influx of Mexican long-haul trucks, which are expected to nearly double the current volume of truck traffic at the border.

—Most long-distance Mexican trucks are relatively modern, but maintenance is erratic.

Marquez's truck, for example, was a sleek, 6-month-old, Mexican-made Kenworth, equal to most trucks north of the border. But his windshield was cracked—a safety violation that would earn him a ticket in the United States but had been ignored by his company since it occurred two months ago.

A recent report by the U.S. Transportation Department said 35 percent of Mexican trucks that entered the United States last year were ordered off the road by inspectors for safety violations such as faulty brakes and lights.

—Mexico's domestic truck-safety regulation is extremely lax. Mexico has no functioning truck weigh stations, and Marquez said federal police appear to have abandoned a program of random highway inspections that was inaugurated with much fanfare last fall.

—Almost all Mexican long-haul drivers are forced to work dangerously long hours.

Marquez was a skillful driver, with lightning reflexes honed by road conditions that would make U.S. highways seem like cruise-control paradise. But he was often steering through a thick fog of exhaustion.

In Mexico, no logbooks—required in the United States to keep track of hours and itinerary—are kept. Marquez slept a total of only seven hours during his three-day trip.

''We're just like American trucks, I'm sure,'' Marquez said with a grin. ''We're neither saints nor devils. But we're good drivers, that's for sure, or we'd all be dead.''

Although no reliable statistics exist for the Bay Area's trade with Mexico, it is estimated that the region's exports and imports with Mexico total $6 billion annually. About 90 percent of that amount moves by truck, in ten of thousands of round trips to and from the border.

Under the decades-old border restrictions, long-haul trucks from either side must transfer their loads to short-haul ''drayage'' truckers, who cross the border and transfer the cargo again to long-haul domestic trucks. The complicated arrangement is costly and time-consuming, making imported goods more expensive for U.S. consumers.

Industry analysts say that after the ban is lifted, most of the two nations' trade will be done by Mexican drivers, who come much cheaper than American truckers because they earn only about one-third the salary and typically drive about 20 hours per day.

Although Mexican truckers would have to obey the U.S. legal limit of 10 hours consecutive driving when in the United States, safety experts worry that northbound drivers will be so sleep-deprived by the time they cross the border that the American limit will be meaningless. Mexican drivers would not, however, be bound by U.S. labor laws, such as the minimum wage.

''Are you going to be able to stay awake?'' Marcos Munoz, vice president of Transportes Castores jokingly asked a Chronicle reporter before the trip. ''Do you want some pingas?''

The word is slang for uppers, the stimulant pills that are commonly used by Mexican truckers. Marquez, however, needed only a few cups of coffee to stay awake through three straight 21-hour days at the wheel.

Talking with his passengers, chatting on the CB radio with friends, and listening to tapes of 1950s and 1960s ranchera and bolero music, he showed few outward signs of fatigue.

But the 46-year-old Marquez, who has been a trucker for 25 years, admitted that the burden occasionlly is too much.

''Don't kid yourself,'' he said late the third night. ''Sometimes, you get so tired, so worn, your head just falls.''

U.S. highway safety groups predict an increase in accidents after the border is opened.

''Even now, there aren't enough safety inspectors available for all crossing points,'' said David Golden, a top official of the National Association of Independent Insurers, the main insurance-industry lobby.

''So we need to make sure that when you're going down Interstate 5 with an 80,000-pound Mexican truck in your rearview mirror and you have to jam on your brakes, that truck doesn't come through your window.''

Golden said the Bush administration should delay the opening to Mexican trucks until border facilities are upgraded.

California highway safety advocates concur, saying the California Highway Patrol—which carries out the state's truck inspections—needs to be given more inspectors and larger facilities to check incoming trucks' brakes, lights and other safety functions.

Marquez's trip started at his company's freight yard in Tlalnepantla, an industrial suburb of Mexico City. There, his truck was loaded with a typical variety of cargo—electronic components and handicrafts bound for Los Angeles, and chemicals, printing equipment and industrial parts for Tijuana.

At the compound's gateway was a shrine with statues of the Virgin Mary and Jesus. As he drove past, Marquez crossed himself, then crossed himself again before the small Virgin on his dashboard.

''Just in case, you know,'' he said. ''The devil is always on the loose on these roads.''

In fact, Mexican truckers have to brave a wise variety of dangers.

As he drove through the high plateaus of central Mexico, Marquez pointed out where he was hijacked a year ago—held up at gunpoint by robbers who pulled alongside him in another truck. His trailer full of canned tuna—easy to fence, he said—was stolen, along with all his personal belongings.

What's worse, some thieves wear uniforms.

On this trip, the truck had to pass 14 roadblocks, at which police and army soldiers searched the cargo for narcotics. Each time, Marquez stood on tiptoes to watch over their shoulders. He said, ''You have to have quick eyes, or they'll take things out of the packages.''

Twice, police inspectors asked for bribes—''something for the coffee,'' they said. Each time, he refused and got away with it.

''You're good luck for me,'' he told a Chronicle reporter. ''They ask for money but then see an American and back off. Normally, I have to pay a lot.''

Although the Mexican government has pushed hard to end the border restrictions, the Mexican trucking industry is far from united behind that position. Large trucking companies such as Transportes Castores back the border opening, while small and medium-size ones oppose it.

''We're ready for the United States, and we'll be driving to Los Angeles and San Francisco,'' said Munoz, the company's vice president.

''Our trucks are modern and can pass the U.S. inspections. Only about 10 companies here could meet the U.S. standards.''

The border opening has been roundly opposed by CANACAR, the Mexican national trucking industry association, which says it will result in U.S. firms taking over Mexico's trucking industry.

''The opening will allow giant U.S. truck firms to buy large Mexican firms and crush smaller ones,'' said Miguel Quintanilla, CANACAR's president. ''We're at a disadvantage, and those who benefit will be the multinationals.''

Quintanilla said U.S. firms will lower their current costs by replacing their American drivers with Mexicans, yet will use the huge American advantages—superior warehouse and inventory-tracking technology, superior access to financing and huge economies of scale—to drive Mexican companies out of business.

Already, some U.S. trucking giants such as M.S. Carriers, Yellow Corp. and Consolidated Freightways Corp. have invested heavily in Mexico.

''The opening of the border will bring about the consolidation of much of the trucking industry on both sides of the border,'' said the leading U.S. academic expert on NAFTA trucking issues, James Giermanski, a professor at Belmont Abbey College in Raleigh, N.C.

The largest U.S. firms will pair with large Mexican firms and will dominate U.S.-Mexico traffic, he said.

But Giermanski added that the increase in long-haul cross-border traffic will be slower than either critics or advocates expect, because of language difficulties, Mexico's inadequate insurance coverage and Mexico's time-consuming system of customs brokers.

''All the scare stories you've heard are just ridiculous,'' he said. ''The process will take a long time.''

In California, many truckers fear for their jobs. However, Teamsters union officials say they are trying to persuade their members that Marquez and his comrades are not the enemy.

''There will be a very vehement reaction by our members if the border is opened,'' said Chuck Mack, president of Teamsters Joint Council 7, which has 55,000 members in the Bay Area.

''But we're trying to diminish the animosity that by focusing on the overall problem—how (the opening) will help multinational corporations to exploit drivers on both sides of the border.''

Mexican drivers, however, are likely to welcome the multinationals' increased efficiency, which will enable them to earn more by wasting less time waiting for loading and paperwork.

For example, in Mexico City, Marquez had to wait more than four hours for stevedores to load his truck and for clerks to prepare the load's documents—a task that would take perhaps an hour for most U.S. trucking firms.

For drivers, time is money. Marquez's firm pays drivers a percentage of gross freight charges, minus some expenses. His three-day trip would net him about $300. His average monthly income is about $1,400—decent money in Mexico, but by no means middle class.

Most Mexican truckers are represented by a union, but it is nearly always ineffectual—what Transportes Castores executives candidly described as a ''company union.'' A few days before this trip, Transportes Castores fired 20 drivers when they protested delays in reimbursement of fuel costs.

But Marquez didn't much like talking about his problems. He preferred to discuss his only child, a 22-year-old daughter who is in her first year of undergraduate medical school in Mexico City.

Along with paternal pride was sadness.

''Don't congratulate me,'' he said. ''My wife is the one who raised her. I'm gone most of the time. You have to have a very strong marriage, because this job is hell on a wife.

''The money is OK, and I really like being out on the open road, but the loneliness . . .'' He left the thought unfinished, and turned up the volume on his cassette deck.

It was playing Pedro Infante, the famous bolero balladeer, and Marquez began to sing.

''The moon of my nights has hidden itself.

''On little heavenly virgin, I am your son.

''Give me your consolation,

''Today, when I'm suffering out in the world.''

Despite the melancholy tone, Marquez soon became jovial and energetic. He smiled widely and encouraged his passengers to sing along. Forgoing his normal caution, he accelerated aggressively on the curves.

His voice rose, filling the cabin, drowning out the hiss of the pavement below and the rush of the wind that was blowing him inexorably toward the border.

HOW NAFTA ENDED THE BAN ON MEXICO'S TRUCKS

The North American Free Trade Agreement, which went into effect in January 1994, stipulated that the longtime U.S. restrictions on Mexican trucks be lifted.

Under NAFTA, by December 1995, Mexican trucks would be allowed to deliver loads all over the four U.S. border states—California, Arizona, New Mexico and Texas—and to pick up loads for their return trip to Mexico. U.S. trucking firms would get similar rights to travel in Mexico. And by January 2000, Mexican trucks would be allowed throughout the United States.

However, bowing to pressure from the Teamsters union and the insurance industry, President Clinton blocked implementation of the NAFTA provisions. The Mexican government retaliated by imposing a similar ban on U.S. trucks.

As a result, the longtime status quo continues: Trucks from either side must transfer their loads to short-haul ''drayage'' truckers, who cross the border and transfer the cargo again to long-haul domestic trucks.

The complicated arrangement is time-consuming and expensive. Mexico estimates its losses at $2 billion annually; U.S. shippers say they have incurred similar costs.

In 1998, Mexico filed a formal complaint under NAFTA, saying the U.S. ban violated the trade pact and was mere protectionism. The convoluted complaint process lasted nearly six years, until a three-person arbitration panel finally ruled Feb. 6 that the United States must lift its ban by March 8 or allow Mexico to levy punitive tariffs on U.S. exports.

COMPARING TRUCKING REGULATIONS

The planned border opening to Mexican trucks will pose a big challenge to U.S. inspectors, who will check to be sure that trucks from Mexico abide by stricter U.S. truck-safety regulations. Here are some of the differences:

Hours-of-service limits for drivers

In U.S.: Yes. Ten hours' consecutive driving, up to 15 consecutive hours on duty, 8 hours' consecutive rest, maximum of 70 hours' driving in eight-day period.

In Mexico: No.

Driver's age

In U.S.: 21 is minimum for interstate trucking.

In Mexico: 18.

Random drug test

In U.S.: Yes, for all drivers.

In Mexico: No.

Automatic disqualification for certain medical conditions

In U.S.: Yes.

In Mexico: No.

Logbooks

In U.S.: Yes. Standaridized logbooks with date graphs are required and part of inspection criteria.

In Mexico: a new law requiring logbooks is not enforced, and virtually no truckers use them.

Maximum weight limit (in pounds)

In U.S.: 80,000.

In Mexico: 135,000.

Roadside inspections

In U.S.: Yes.

In Mexico: An inspection program began last year but has been discontinued.

Out-of-service rules for safety deficiencies

In U.S.: Yes.

In Mexico: Not currently. Program to be phased in over two years.

Hazardous materials regulations

In U.S.: A strict standards, training, licensure and inspection regime.

In Mexico: Much laxer program with far fewer identified chemicals and substances, and fewer licensure requirements.

Vehicle safety standards

In U.S.: Comprehensive standards for components such as antilock brakes, underride guards, night visibility of vehicle.

In Mexico: Newly enacted standards for vehicle inspections are voluntary for the first year and less rigorous than U.S. rules.

(Mr. DURBIN assumed the chair.)

Mrs. BOXER. It goes through the story of a driver who came across the border and who was completely exhausted. The article says:

It was sometime way after midnight in the middle of nowhere, and a giddy [truck driver] was at the wheel of 20 tons of hurtling, U.S.-bound merchandise.

The lights of oncoming trucks flared into a blur as they whooshed past on the narrow, two-lane highway, mere inches from the left mirror of his truck. Also gone in a blur were [the driver's] past two days, a nearly Olympic ordeal of driving with barely a few hours of sleep.

It is a harrowing story. The title of it is ''Mexico's Trucks on Horizon, Long-distance haulers are headed into U.S. once Bush opens borders.''

What the Murray language does in this bill is make sure, before this driver gets through the checkpoint, we can test him, we can talk to him, and we can tell him to get a rest. We can inspect his truck and see whether it meets the standards. That is why it is so important.

Quoting from the article:

A recent report by the U.S. Transportation Department said 35 percent of Mexican trucks that entered the United States last year were ordered off the road. . . .

I was told 25 percent, but it looks like it is 35 percent of the trucks were ordered off the road.

Now remember, we are only inspecting a couple percent, but out of that 35 percent were ordered off the road.

In Mexico, no logbooks are required. They are required in the United States. The driver has to keep track of his hours and itinerary.

It says this driver slept a total of 7 hours during his 3-day trip.

I know that young people have good instincts, but I would say, if somebody sleeps for 7 hours on a 3-day trip, I do not want them driving next to a family in Washington State or Illinois or California or anywhere on our highways. It is a disaster waiting to happen.

The Murray amendment is very important—the one pending—and the underlying language in the bill to make sure there is not a premature rush to say open the borders, everyone is coming in, until we have done certain important things. And those things are outlined in the Murray bill. I am going to go through what they are.

The Federal Motor Carrier Safety Administration must perform a full safety compliance review of the Mexican truck company, and it must give the Mexican truck company a satisfactory rating. And now with the added decal, we know those trucks will be inspected every 90 days. Federal and State inspectors must verify electronically the status and validity of the license of each driver of a Mexican truck crossing the border. It goes on.

We are going to make sure, before we open up this border completely—and right now what we are doing is we are allowing those trucks to drive just 20 miles from the border—before we open them up completely, they will be safe.

They talk about, in this article, the fact that these drivers are taking stimulant pills. In this particular case, the driver said he did not do that; he just needed a few cups of coffee to stay awake.

Actually, before this reporter went on this long-haul trip with the driver—

[The] vice president of Transportes Castores jokingly asked a Chronicle reporter . . . ''Do you want some pingas?''

''Pingas'' is slang for ''uppers.'' So they did not even hide the fact that their drivers are using these pills.

Then the driver is quoted—this is really an incredible story; that is why I put it in the Record—as saying: ''Don't kid yourself.'' He said this late on the third night. ''Sometimes you get so tired, so worn, your head just falls.'' ''Your head just falls.''

So here the driver is coming in because of a free trade agreement, and the President of the United States, George Bush, has said he is picking a January 1 start date for them to have complete access to our highways. And if it was not for the Murray language, I will tell you, I think I would—there is an expression of throwing yourself in front of a truck—I would not go that far, but I would certainly use every legislative tool I had to stop that from happening because we know how dangerous it is.

The driver says—he has a religious statue in his truck— ''Just in case, you know. The devil is always on the loose on these roads.''

They talk about the wide variety of dangers that these drivers face.

So I would just have to say, in conclusion, that we have a very important set of standards that we have developed in our country for both drivers and for the trucks they drive. Therefore, when we allow a whole other set of trucks and a whole other set of drivers into our Nation, where, in that country, they have nowhere near our standards for the drivers and the trucks, we have to make sure that we can, in fact, check those trucks and check those drivers to make sure that we are not putting our citizens at risk.

People who are for 100-percent free trade always say: Cheap goods, cheap goods for our people. And in many cases, it is true. But I will tell you, if you start losing a life on the road, and more lives than 1 or 2 or 10 or 100 or 1,000, it does not matter if you have a cheap T-shirt or a cheap appliance, or anything, if you cannot live long enough to enjoy it.

So to those free trade advocates who absolutely come to this Chamber—and there is nothing they will see that will take them off their blind path of free trade—let me just simply say to them: You better imagine what could happen if we have a series of accidents where trucks do not have brakes, where drivers are exhausted and they are falling asleep at the wheel, where the trucks weigh 135,000 pounds, swaying on our freeways. This is crazy. In the name of free trade and George Bush's decision that January 1 is the magic date—not on my watch, Mr. President. Twenty-three percent of those trucks come into California. Not on my watch.

Now, the House took more drastic action— I would go so far as to support that—which simply says we are cutting off the money until we believe we are ready for this influx of trucks. Good for them over there. They are right. This is that dangerous. Once we have our regime in place, once we have these trucks inspected, once these drivers live by our rules, once we have enough enforcement, once we are ginned up at the border to do this right, I will be the first one here saying: good work, let's go.

But my colleagues ought to listen to the IG and his comments about how ill-prepared we are as of this date to accept this kind of influx.

So until we can guarantee the safety of these trucks and the condition of these drivers, until we can make those promises to our people, then I say that free access beyond that 20-mile border should not be granted. And until the Murray language is really carried out, I am going to do everything I can to make sure we do not allow in these kinds of truckdrivers who can barely keep their heads up. I am optimistic that our friends in Mexico will eventually adopt more rigorous standards. I am confident we will eventually be able to have drivers who are, in fact, not exhausted and not popping pills trying to keep awake. Eventually, it will happen. It will be good.

I am happy to yield to my friend if he has a question.

(Mr. EDWARDS assumed the chair.)

Mr. DURBIN. Mr. President, I followed the Senator's statement. I am glad she made this a part of the RECORD. I hope she believes, as I do, that the chair of this important Appropriations Subcommittee, Senator MURRAY, has included very valuable language in this legislation which will establish some standards once and for all in terms of Mexican trucks coming across the border into the United States.

I would like to ask the Senator from California the following question. Recently, the Ambassador of Mexico came to my office and we talked about the truck issue. I said to him: Will your country, Mexico, agree that whatever trucks you send across the borders and whatever truckdrivers you send across the borders, they will meet the same standards of safety and competence as American trucks and American drivers? He said: Yes, we will agree to that standard.

I ask the Senator from California, based on the experience in California, whether that has happened, whether or not she has found in the inspection that the drivers and the trucks meet the standard of competency and safety that we require of American trucks and American truckdrivers.

Mrs. BOXER. Unfortunately, I say to my friend, it has been a disaster. Although we have inspected approximately 2 percent of the trucks coming across, out of those, 35 percent have failed. They have failed the inspection, which means that either the driver doesn't meet our standards—he may be 18 years old or may have a medical condition—or the truck itself fails—maybe it is 135,000 pounds or more than the 80,000 pounds.

Prior to my friend walking in, I said I strongly support what Senator MURRAY is doing. I would even go further. I am glad her amendment takes us further. I commend her for what she has done. In terms of what the gentlemen told you in your office, if they have made that change, it is not a fact in evidence up until this point.

Mr. DURBIN. I also ask the Senator from California this, if she will further yield for a question. What the Senator is seeking, as I understand it, is at least the enforcement that Senator MURRAY has included in this Transportation appropriation bill, which includes, if I am not mistaken—and I stand to be corrected if I am—that we would in fact go into Mexico to the trucking firms, see these trucking firms, inspect their trucks in Mexico, understand the standards they are using for hiring drivers and the like; secondly, that all of the trucks coming in from Mexico would be subject to inspection in the United States.

It is my understanding, from Senator MURRAY's bill, that of the 27 points of entry in the United States, there are only 2 currently inspecting trucks on a 24-hour basis—2 out of 27. So we have a system where, frankly, many thousands of trucks come in from Mexico without the most basic inspection in terms of safety.

I ask the Senator from California if she believes this would move us toward our goal of having safer trucks and truckdrivers coming in from Mexico.

Mrs. BOXER. There is no question. Under the Murray language, she is very clear to state that the Federal Motor Carrier Administration must perform a full safety compliance review of the Mexican truck company, and it must give the Mexican truck company a satisfactory rating before granting conditional or permanent authority outside the commercial zone—meaning that 20-mile zone—and the review must take place onsite at the Mexican truck company's facility. That is absolutely accurate.

Again, the best of all worlds would be—and it would be terrific—if in Mexico they upgraded their laws to conform with American laws. We cannot force that, but I say as a friend of Mexico—a good friend—that is what they ought to do because then their people would be safer and we would not have to have all of this enforcement activity. But until they have brought their laws up to our level in terms of the trucks and drivers, we must enforce.

What I like about the Murray amendment—and I understand Senator SHELBY had a hand in this amendment, and I thank him from the bottom of my heart because 23 percent of that traffic comes right into my State. Without this amendment—and just setting an arbitrary date is a frightening thought—all these trucks would be coming in and we can only inspect 2 or 3 percent of them. God knows, we all fear what could happen in our States—a devastating accident with trucks that don't have brakes, drivers who have fallen asleep at the wheel, et cetera.

Mr. DURBIN. I thank the Senator for taking the floor and bringing this to our attention. We all encourage a free market economy and bargaining, but we don't want to bargain health and safety. We draw a line there. We hold other countries to the same standards to which we hold American trucking companies and American truckdrivers. Senators MURRAY and SHELBY have, I think, included language that moves us toward that goal.

I thank the Senator from California.

Mrs. BOXER. Mr. President, I thank Senator DURBIN for entering into this colloquy, and, again, I thank Senators MURRAY and SHELBY, and also Senator DORGAN, who has been working hard on the Commerce Committee. I also thank Senator FRITZ HOLLINGS, who, at my request in the Commerce Committee, did hold a hearing on this issue of NAFTA trucks. It was an eye-opener for us all. When you hear an inspector general talk about how a lot of these trucks don't have any brakes and they are trying to get into our country, that is a very frightening thought.

In conclusion, for those people who are free trade advocates—and my record on trade is I am for fair trade, which leads me to sometimes support trade agreements and sometimes not to. But for those who say ''free trade at any price,'' let me tell you this is too high a price to pay. If you want to deal a blow to free trade, work against the Murray-Shelby amendment. If you work against that language in this bill, and we have a situation where this President can open up this border and we start to have a series of tragic accidents, I will tell you, that will be the biggest setback for free trade. You really want to advance free and fair trade and support this decal language in the amendment pending and support the language in the underlying bill.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. FITZGERALD. I thank the Chair.

Mr. President, I rise to speak today about two amendments that I have filed and will call up later. I recognize now we are dealing with an amendment concerning the trucks from Mexico. I wish to speak about a different issue, and that is something that is tucked into the Senate appropriations bill that deals with aviation in the Greater Chicago area.

I have been working with my colleague, Senator DURBIN, almost since the day I came to the Senate, to find a resolution to the air traffic problems in the Chicago area. Senator DURBIN has included language in the appropriations bill, as it was reported from the Transportation Appropriations Subcommittee, that addresses aviation transportation in the Chicago area.

This is the language that appears in this fiscal year 2002 Transportation appropriations bill concerning the Chicago-area aviation: Section 315 says:

> The Secretary of Transportation shall, in cooperation with the Federal Aviation Administrator, encourage a locally developed and executed plan between the State of Illinois, the City of Chicago, and affected communities for the purpose of modernizing O'Hare International Airport, addressing traffic congestion along the Northwest Corridor including western airport access, and moving forward with a third Chicago-area airport. If such a plan cannot be developed and executed by said parties, the Secretary and the Administrator shall work with Congress to enact a Federal solution to address the aviation capacity crisis in the Chicago area.

In Chicago, aviation is the No. 1 issue. In fact, throughout northern Illinois, that is what my constituents are talking about. O'Hare Airport, which is one of the finest airports in the world, has been at capacity since 1969, and in recent years the traffic congestion has gotten worse than ever. I attribute a lot of that to a decision Congress made 2 years ago to lift the delay controls at LaGuardia and Chicago O'Hare Airports. After they lifted the delay controls which had been in effect since 1969, we started to see delays at O'Hare and LaGuardia go up exponentially.

As a result of those delays, now many people are trapped waiting on the tarmac at O'Hare and LaGuardia for their planes to take off. In fact, when I returned to Washington on Sunday evening, I was trapped on a United Airlines plane on the tarmac at O'Hare for at least 2 hours. I did not get into Washington until close to midnight.

This is becoming the norm that people experience as they travel through O'Hare, particularly in the summer months. Often, as we know, those airplanes are very uncomfortable, particularly in the hot weather, while you are waiting on the tarmac at O'Hare.

Last night, Senator DURBIN's office and my office had a softball game on the Mall. I am much chagrined to report that Senator DURBIN's office beat us by one run. I think the score was 9–8. But if we had been able to take one of the 22- or 23-year-old interns off Senator DURBIN's team and substitute that star athlete with Senator DURBIN, as my team was required to have me play, my team might have been more competitive. But Senator DURBIN spent, I believe, 3 hours on the tarmac at O'Hare yesterday and was unable to make that game. This is how it is when you travel through O'Hare.

I compliment Senator DURBIN on being active in trying to resolve the problems. Clearly, we are both interested in finding a solution, though we may have a different perspective on the solution.

One of the amendments I will later offer will add language to this section 315 that encourages any Federal, State, or local solution that comes out of this process to consider using the Rockford Airport.

Rockford is, I believe, the second largest community in the State of Illinois. It is on the Northwest Tollway, northwest of the city of Chicago. The Northwest Tollway runs from the Chicago loop out to O'Hare Airport and then it goes beyond, out to Rockford Airport.

Rockford Airport, which I visited a few weeks ago, is right now not being used, even though it is a wonderful facility with annual capacity for 237,000 operations a year. The airport has two magnificent runways: one 10,000 feet, another 8,200 feet. Right now the airport is being used for cargo operations. It is a hub for United Parcel Service, and they have been doing very well right there.

There is no reason the Rockford Airport should not be used to alleviate air traffic congestion in Chicago. Many of the solutions that others have proposed—expanding or modernizing O'Hare, tearing it up, rebuilding it so it can handle more flights, or building a third airport—those may all someday come to fruition, but all of those solutions will take years, if they ever happen at all, and they will cost hundreds of millions, even billions, many billions of dollars.

Meanwhile, just outside O'Hare, we have a fabulous airport that is already built, that does not require the expenditure of any money to get it used to alleviate air traffic congestion at O'Hare. The airport is being used sometimes to land planes from Midway or O'Hare when there is bad weather in the area and those planes have to land.

This chart is a schematic of the Greater Rockford Airport. We can see there are two runways that are already built, a 10,000-foot runway and an 8,200-foot runway. They also have plans for a future runway someday. Their passenger terminal is capable of handling 500,000 passengers per year. Their runways are state of the art. They have even, I am told, landed the Concorde at Rockford Airport. As far as I know, this airport is able to land any plane flying today.

It is superior in that respect—at least its runways are—to Chicago's Midway Airport, which was the busiest airport in the world before O'Hare was built in the late 1950s and early 1960s. The runways at Midway are only about 6,000 feet, and it makes it very difficult to have long-haul operations out of Midway.

I am going to offer language to section 315 that would encourage the use of Rockford. This is the wise thing to do for aviation consumers in the Chicago area and especially for the taxpayers, but it will not cost any money.

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

Mr. FITZGERALD. I yield to the Senator.

Mr. DURBIN. Would the Senator object to my being shown as a cosponsor to the amendment?

Mr. FITZGERALD. I agree to that, Mr. President.

Mr. DURBIN. I make that unanimous consent request.

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

Mr. DURBIN. If the Senator will further yield for a question, would the Senator not agree that when it comes to this Rockford Airport—we may have disagreements on O'Hare; we may have disagreements about other airports; but we are in agreement that Rockford has an extraordinary facility currently not utilized by any commercial air carrier. Senator FITZGERALD has contacted airlines and I have contacted them as well.

My understanding is one of the major airlines in our country visited Rockford this week. We all believe this is a resource that should be available, no matter what we do in Chicago with O'Hare or even in Peotone. We are 5 to 10 years away from seeing any significant change. In the meantime, Rockford is a resource that should be examined and utilized to try to reduce congestion and delays at O'Hare and to provide quality air service to the people living in and around the Rockford area.

Mr. FITZGERALD. I thank my colleague from Illinois. I thank Senator DURBIN for joining as an original cosponsor of this amendment and also for working with me. This is absolutely one of the bright spots on the aviation picture in Illinois today, one of the issues on which we hope to agree. It is one of the wonders of the world, in my judgment, that Rockford is not being used right now when it is so close to O'Hare. It is an easy answer, in my judgment, to alleviating traffic congestion at O'Hare.

I wish to point out a few things. In addition, there are 740,000 people living and working within 25 miles of Rockford Airport. Beyond that, there are 2.2 million people living within a 45-minute drive of Rockford Airport. There are probably not that many large cities in this country that would have that many people within a 45-minute drive of their airport.

Another point I have not made is that over 400,000 airline passengers a year depart from Rockford's market service area via bus to access the air transportation system at Chicago's O'Hare International Airport. Both American and United Airlines, which control almost all the operations at O'Hare, run several passenger shuttle buses to the Rockford Airport every day and funnel from there 400,000 passengers a year into their hub operation at O'Hare. That further congests O'Hare. In addition, I am told 800,000 people a year drive their cars from the Rockford area to get to O'Hare. There are 1.2 million people coming from the Rockford Airport—not using the Rockford Airport but coming out of Rockford to further congest O'Hare. It makes common sense we make greater use of the Rockford Airport.

I see Senator GRAMM is on the floor. I told him I would be happy to allow him to speak for a few minutes. With the approval of the Chair, I would like to come back and continue my discussion of Chicago aviation after Senator GRAMM has had an opportunity to speak.

With that, I yield the floor.

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

The Senator from Texas.

Mr. MCCAIN. Could I ask for 2 minutes on this issue?

Mr. GRAMM. I am happy to yield.

Mr. MCCAIN. Mr. President, we now will be addressing the issue of Mexican carriers. It is going to be, I assure the managers, a subject of extended debate. We believe also that we will have sufficient votes to sustain a Presidential veto if it comes to that.

The Senator from Texas and I will be speaking on the substance of various amendments we will have. We expect, unfortunately, extended discussion on this issue.

I wish to discuss the lack of negotiation on this issue. The Senator from Washington and the Senator from Alabama have refused to sit down and talk to us about this issue. I am deeply disappointed in that. I have done a lot of business on the floor of the Senate recently on some very difficult issues. On each of those occasions we have at least had a dialog in negotiations to see if we could not find common ground. Unfortunately, the managers of the bill have not allowed such a discussion or debate.

I say to the Senator from Washington, I worked closely with her on an issue very important to her and her State because of a tragedy that took place on pipeline safety. No, I didn't always agree with the Senator from Washington, but we sat down and we worked together at hearings before the committee. I tell the Senator from Washington, I am very disappointed neither she nor her staff would sit down and discuss this issue with us so we could try to attempt to find common ground. I don't think we need a confrontation on this issue. I don't think the differences between the so-called Murray language and what the Senator from Texas and I are doing are that far apart. Now we have had to get the White House involved, the threat of a Presidential veto, and extended debate on this issue.

I ask again the managers of the bill: Could we please have a discussion and at least find common ground on this issue? So far, there has been an adamant refusal to enter into a discussion. I must say, I am very disappointed, especially on an issue of this importance, at least in my view, to the people of my State as well as the people of this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Let me give an outline of where we are and how we got here. I will be happy to yield the floor and let the distinguished subcommittee chairman speak.

The House of Representatives, following a policy of the Clinton administration, voted to deny the President the ability to implement NAFTA. I remind my colleagues that we entered into an agreement with Mexico and Canada to form the North American Free Trade Agreement and to form the largest free trade area in the world. Part of that agreement was to have free trade not just in goods but in services. Part of that agreement is we set a timetable during which we would allow trucks to cross the border within a certain distance for border-type trade and then we would set up a phase-in process whereby trucks could go back and forth across the border between Mexico and Canada, Mexico and the United States, the same way they do between the United States and Canada.

The deadline for that agreement to be fully implemented was on the verge of passing when George Bush became President. He made it clear in the campaign and he made it clear when he became President that he felt obligated to live up to the agreements we had made with Mexico and Canada in NAFTA. Those agreements gave us the ability to set safety standards with regard to Mexican trucks that basically

were similar to what we have with Canadian trucks and our own trucks. It did not give us the ability to have discriminatory standards.

The Teamsters Union had consistently opposed the implementation of this agreement. They opposed it, and President Clinton refused to begin the phase-in process, refused to start the inspection process, and now we are down to the moment of truth as to whether we are going to live up to the agreement we made in NAFTA.

I remind my colleagues, as tempting as it is for our own advantage, at least our perceived political advantage, to go back on the commitment we made to NAFTA—first of all, in doing so we are discriminating against our Mexican neighbor because we are treating them differently than we are treating our Canadian neighbors.

Secondly, all over the world, legislative bodies are debating whether or not to go back on agreements they have made with the United States. One of reasons I feel so strongly about this issue, I believe the credibility of the American nation is on the line as to whether we will live up to the agreement we have made.

Now, there is no question about the fact that the White House, after having an absolute prohibition on the implementation of the treaty in the House, the White House was delighted to see a similar action not taken in the Appropriations Committee. In that case, it was the lesser of what they perceived to be the two evils.

The problem is, when we look at the amendment currently in this bill, there are several provisions that clearly violate NAFTA, several of them violate GATT, and all of them represent a procedure whereby we treat Mexico very differently than we treat Canada.

Let me give three examples of provisions in the bill that clearly violate NAFTA.

The first is a provision in the bill that requires that Mexican trucks be insured by American insurers—not just insurers who are licensed in the United States but insurers who are domiciled in the United States. That is a clear violation of NAFTA and a clear violation of GATT because it basically denies national treatment standards to which we agreed.

The PRESIDING OFFICER. Under the previous order, the Senate is scheduled to stand in recess at 12:30.

Mr. GRAMM. I ask unanimous consent I might have 5 additional minutes.

Mrs. MURRAY. Mr. President, how much time does the Senator from Texas require at this time?

Mr. GRAMM. I have asked for 5 additional minutes.

Mrs. MURRAY. Mr. President, I would like 2 minutes to respond when the Senator from Texas concludes. Does the Senator from Alaska wish to make a statement?

Mr. STEVENS. Not during the lunch hour, no.

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

Mr. GRAMM. Let me review the three areas that are clear violations of NAFTA in this provision before us. The first is a provision requiring companies to buy American insurance. It is one thing to say they have to have insurance licensed in the United States. That would conform with NAFTA. But to say they have to buy insurance from companies domiciled in the United States is a clear violation of NAFTA, it is a clear violation of GATT, and it violates the national treatment standards that we have set out in trade. This is critically important to America because all over the world we have American business interests that would be jeopardized if other countries engaged in similar activities against America.

Another provision which clearly singles out Mexican truckers, where American truckers are not affected by a similar provision and neither are Canadian truckers, is a punitive provision that says if you are subject to suspension or restriction or limitations, you can't lease trucks to anybody else. No such requirement exists in American law. No such requirement exists with regard to Canadian trucks. But there is such a limitation in this amendment, and that limitation clearly violates NAFTA by denying Mexican economic interests the same protection of the law that American economic interests and Canadian economic interests have.

Another provision of the law which is totally different from the way we treat American trucks and the way we treat Canadian trucks is that if a foreign carrier is in violation, a foreign carrier can be permanently banned from doing business in the United States. Where is a similar provision with regard to Canadian trucks and American trucks?

Let me summarize, since I am running out of time, by making the following points: No. 1, I am for safety. I have more Mexican trucks operating in my State than any other person in the Senate, other than Senator HUTCHISON, who represents the same State I do. I am concerned about safety, but I do not believe we can sustain in world public opinion a provision that discriminates against our neighbors in Mexico, a provision that treats Canadians under one standard and Mexicans under another. If we want temporary measures whereby we can get Mexican trucks up to standard, that is something with which I can live. But permanent provisions where we are treating Mexico different than Canada, that is something with which I cannot live.

I think it is important that we try to work out a compromise. But I can assure you, given that the administration believes this issue is critical to the credibility of the United States in negotiating trade agreements and enforcing our trade agreements around the world, Senator MCCAIN and I and Senator LOTT intend to fight to preserve the President's position.

Some suggestion has been made that we just would do a cloture on the amendment of Senator MURRAY. I remind my colleagues, the amendment is amendable. If it were clotured, we would have 30 hours of debate on cloture, and there would then be three other cloture votes on this bill. I do not think that is a road we want to go down.

What is the solution? The solution is to have strong safety standards, but you have to apply the same safety standards to Canadian trucks that you do to Mexican trucks. We do not have second-class citizens in America, and we are not going to have second-class trading partners. We cannot set one standard for Mexicans and one standard for Canadians in a free trade agreement that involves all three countries.

So Senator MCCAIN and I are for safety, but we are not for protectionism. We are not for provisions that make it impossible for the President to provide leadership to comply with NAFTA, and we are willing to fight to preserve the President's ability to live up to our trade agreements.

I hope something can be worked out. I am not sure where the votes are. What I see happening is that protectionism is being couched in the cloak of safety. We are willing to have every legitimate safety provision for Mexican trucks that we have for Canadian trucks and for American trucks. We are willing to have a transition period where we have more intensive inspection. But in the end, in a free trade agreement involving three countries, we have to treat all three countries the same. What we cannot live with is discrimination against our trading partner to the south.

I appreciate the Chair's indulgence.

The PRESIDING OFFICER. The time of the Senator has expired. The Senator from Washington has 2 minutes.

Mrs. MURRAY. Mr. President, I heard the comments of the Senators from Arizona and Texas. I want to make it very clear, I have never been against discussion. We put this bill out on the floor last Friday. It has been out here for 3 days. I have continually said I am happy to look at any language any Member brings me on any item of discussion under transportation. What I am against is weakening any of the safety provisions we have included in the committee bill.

The proposal that was given to me by the Senator from Arizona considerably weakens and actually guts many of the safety provisions that Senator SHELBY and I put into the underlying bill. That simply is not a path we are going to take on the Senate floor. Our provisions were adopted unanimously in the Appropriations Committee. I am not

interested in going into a back room and negotiating a sellout of the committee or of the safety provisions that I believe are extremely important. That is simply a nonstarter for me as manager of this bill.

I do remind all Senators they can offer amendments and this Senator is happy to consider them as the rules allow. As far as the NAFTA provisions are concerned, I will remind all of our colleagues once again, the underlying bill is not a violation of NAFTA. That is very clear. I set that out in my remarks this morning, and I am to go through that again this afternoon.

Mr. President, I ask unanimous consent that at 2:15, when the Senate reconvenes, the Senator from Illinois be allowed 20 minutes to discuss his issue that he would like to present to us and then Senator BILL NELSON from Florida be recognized.

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

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15.

Thereupon, at 12:38 p.m., the Senate recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CLINTON).

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002—Continued

The PRESIDING OFFICER. Under the previous order, the Senator from Illinois was to be recognized for 20 minutes.

The Senator from New Mexico.

Mr. DOMENICI. Madam President, I ask unanimous consent I be permitted to proceed now for 5 minutes, and then return to the regular order.

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

Mr. DOMENICI. Madam President, it isn't that this subject matter should be dealt with briefly, but I think I can express my concerns in 5 minutes. I hope others are as concerned as I about this issue.

Senator MURRAY is here on the floor. She is the chairman of the Subcommittee on Transportation. She has worked very hard to accommodate this bill through language with reference to Mexico and Mexican trucking and busing between our borders under NAFTA. She has worked very hard to get something much better than that which was passed in the House and she kept things from passing in our subcommittee that would be much worse than the arrangement we now have in the bill with her amendment.

I would like to say that the United States should be quite pleased today that we have a new relationship growing between the Republic of Mexico and the United States. It is obvious everywhere you go in Mexico with everyone you talk to, and with everyone you talk to in the border States, that the arrival of President Fox has brought a whole new attitude between these two great countries.

For instance, in the 29 years or so that I have been here, there have been four Presidents of Mexico, but not a single one was willing to say that the economic problems of Mexico are not America's problems, and we have to solve our own. President Fox is the first President to say we had better improve the permit system for people coming from his country to work here because he believes they should do this in a legal manner instead of a manner that leaves many Mexicans here in positions of hiding out while they hold jobs and they can't return home—some wonderful ideas about what should happen on our border in terms of cleaning up the border which has grown topsy-turvy. Law enforcement can now trust Mexican law enforcement for the first time in modern times. The litany goes on.

I, for one, hope the Senators from both sides of the aisle will find a way to sit down and draft a provision on the busing and trucking access to the United States pursuant to the NAFTA arrangements. There are some who have said their trucks aren't safe enough, that they don't have the right kind of insurance—and a rather major litany.

I suggest we had better be careful that we are not couching these things in a way so as to avoid what it really is. It appears to me it is borderline discrimination against Mexican enterprise. There has to be a better way to solve it than we have solved it in this Transportation bill, but in a way that will let Mexico and Mexico's leaders say we are equal partners with the United States, and that we are going to be treated the same way as Canada. Canada, America, and Mexico are the three partners. I believe to do otherwise is to say to the Mexican people and the new President: We don't care about you; we don't even care if we discriminate against you; we have a hot issue, and we are going to pass something; and maybe in a few years we can work something out with you, Mr. President of Mexico, as a NAFTA partner of the United States.

I believe the time is now, on this bill. The President has said he will veto the bill with the Murray language in it. That is official. We ought to sit down and work out something for them so it won't be vetoed.

There are great American transportation issues and problems for every Senator and for every State. We ought to get the bill passed. The way to get it passed is not to send it to the President with language he already said he will veto and offend Mexico unjustifiably. What we are doing is unjustifiable. Let's get it resolved.

There is a simple proposition around. Let's come up with a California solution. I am pretty familiar with the various solutions. Let us in the Senate say we stand ready to help.

I hope we can do this and pass the bill in due course—the full bill—and put some legislation in it that will protect Mexico against discrimination in trucking and busing and allow them to grow and prosper, but at the same time offer as much assurance as we can that their vehicles are going to be safe, and include whatever other requirements we need to ensure they are treated like trucks coming from Canada.

Mr. President, I stand in strong support of permitting Mexican motor carriers full access to the United States in a safe, fair, and timely manner.

The North American Free Trade Agreement went into effect in January 1994. The agreement calls on each country to apply national treatment to services of each of the trading partners. NAFTA required that Mexican trucks have full access to the United States by January 1, 2001.

Rather than prepare ourselves to meet this obligation, we foolishly prohibited our southern partner's trucks beyond 20 miles from the border.

An arbitration panel ruled that the United States violated NAFTA, and today we face the possibility of trade sanctions in excess of $1 billion per year of noncompliance.

Some hope to completely bar Mexican domiciled motor carriers, assuming that because they are Mexican, then they are necessarily unsafe.

I applaud Senator MURRAY's attempt to craft a balance to ensure that Mexican trucks are safe, while meeting our national obligation.

As a Senator from a border state, I am deeply concerned about the safety of Mexican trucks. However, I do not believe that we should use safety as an excuse to inappropriately discriminate against Mexico.

As such, I have some fundamental concerns about the language of Senator MURRAY's proposal.

Principally, I am troubled that it seems to harbor a deep mistrust of Mexico.

The United States and Mexico both agree that Mexico must comply with U.S. laws, and that it is the United States' right to enforce those laws. Why then, must we impose additional and unreasonable requirements before permitting Mexican motor carriers access?

NAFTA requires that each member country give national treatment to the other member countries. That means that Mexico and Canada must abide by U.S. safety standards when in the U.S.

Canada has been doing so for some time, and Mexico is prepared and eagerly awaits the opportunity to do so.

However, the current language contains a host of provisions requiring the DOT Inspector General to review the accuracy of Mexico's regulations and information.

These requirements are not only wholly offensive and paternalistic, but fall far outside the purview of the IG.

Furthermore, the Department of Transportation inspects Canadian or U.S. motor carriers' facilities only when there is evidence of impropriety or a record of safety violations. Yet, Senator MURRAY's provisions would require that DOT inspect every Mexican carrier's facilities before any permission is granted.

In short, this is discrimination, plain and simple.

The Administration recognized that the current Senate language is discriminatory and would violate NAFTA, and even issued a veto threat if such language is retained.

I understand that many are concerned about the safety of Mexican trucks, particularly since some statistics show that they have greater out of service rates than U.S. trucks. I favor inspecting trucks to advance legitimate safety concerns, and recognize that a direct correlation exists between the condition of Mexican commercial trucks entering the U.S. and the level of inspection resources at the border.

California is widely regarded as having the best inspection practices. As such, the out of service rate for Mexican trucks in California is commensurate to the rate for U.S. trucks.

Even the International Brotherhood of Teamsters support the California inspection system. In a letter to President Bush, Mr. James Hoffa stated, ''Currently, California provides a model of what a proper border inspection program can achieve.''

If we all agree that California's inspection system works efficiently, then perhaps we should model the Federal inspection program after it, and refrain from treating our southern NAFTA partner with such distrust.

Mexico has not indicated that it is unwilling to abide by our laws. In fact, Mexico has stated that it will subject its trucks to inspections more intense and more frequent than our own.

The issue is whether Mexican trucks on U.S. roads meet U.S. safety standards. Inspecting trucks should be the focus of an inspection program, rather than inspecting facilities in Mexico without just cause.

Mr. President, I stand in strong opposition to language that would discriminate against our southern partners and support proposals that would ensure the safety of U.S. highways in a fair and timely manner.

I am confident that an equitable solution may be reached that will ensure safe roads and meet obligations under NAFTA, and diffuse the threat of veto.

I yield the floor and thank the Presiding Officer for yielding me 5 minutes, and also the Senators who yielded me their time.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. FITZGERALD. I thank the Chair and appreciate the Senator from Washington giving me the time to speak on a matter of great importance to the city of Chicago, and actually it is probably of some interest to the Presiding Officer, as she grew up in the city of Park Ridge which is right next to O'Hare International Airport.

I hate to say it, but since the Presiding Officer grew up in Illinois we have had problems at O'Hare. O'Hare has been at capacity since 1969. In fact, it was in that year that the FAA first put delay controls in at O'Hare Airport. Unadvisedly, I think 2 years ago, Congress lifted the delay controls at O'Hare and LaGuardia, and delays went up exponentially. That has kind of renewed and intensified the crisis we have in aviation in this country.

Madam President, I have filed an amendment I will discuss later that I am continuing to work on with my colleague from Illinois, Senator DURBIN. I hope we will be able to work out some arrangements, but my amendment would restore a Chicago supplemental airport to the National Plan for Integrated Airport Systems around the country, the so-called NPIAS list. For 10 years, Chicago had a supplemental airport on the NPIAS list. It was taken off in 1997 by the FAA. I think it is time we put the Chicago supplemental airport back on that nationwide plan for airports. There are several reasons that I say that.

I want to first point out exactly where we have our airports in Illinois for those who are following this debate. I show you a map of the Chicago area. We have O'Hare International Airport on 7,000 acres on the northwest side of the city of Chicago. It is also bounded by the cities of Park Ridge, Des Plaines, Elk Grove, Wood Dale, and Bensenville. We also have Midway Airport that prior to O'Hare's opening in the late 1950s, early 1960s, was the world's busiest airport, if you can believe it. I think President Kennedy appeared at O'Hare's grand opening in 1963 and by 1969 O'Hare was at capacity.

But if you look at where these airports are located, you see that in order to get more capacity to expand these airports we are confronted with a lot of problems. Midway Airport is right in the middle of a congested area within the city limits of Chicago. In fact, I have never heard the mayor of the city of Chicago suggest expanding Midway to have longer runways. The runways are only 6,000 feet at Midway, so it is very difficult to do a long-haul flight out of that airport.

Recently, Southwest Airlines, and also ATA, have been doing very well at Midway. Midway is almost back to where it was in terms of capacity before O'Hare was built. It is pretty much full right now. Then, of course, we have O'Hare. O'Hare has seven runways.

I will show you a map of those seven runways. This is a blowup of O'Hare Airport. All of this land in the interior shown on the map is filled with runways. In fact, O'Hare has more runways, as far as I know, than any other airport in the country. It has seven runways. It does about 908,000 flights a year.

But when you get into expanding O'Hare, you are met with some real logistical challenges. There is the Tri-State Tollway on the eastern boundary of O'Hare. You have the Northwest Tollway on the northern boundary of O'Hare, and you have Irving Park Road to the south, and you have York Road—Route 83—to the west.

So a lot of people have been saying to me: Why don't we just put down more runways at O'Hare? Many people think—and, in fact, some encourage the perception—that putting in new runways at O'Hare would be as simple as laying new sidewalks. But the fact is, it is very difficult to figure out how you get more capacity at O'Hare.

I show you on this map the existing configuration of the runways at O'Hare. This 7,000-acre field goes way back. The planning was started in the 1940s. It came on line in the late 1950s. I gather that the airport has had this runway configuration for many years—at least 30 years, maybe more. But there are seven runways at O'Hare. One of them is one of the largest runways in the country.

I believe this runway—14R–32L—is one of the longest runways in this country, about 14,000 feet. The problem with these seven runways, though, is that they are not really laid out properly. In fact, in an optimal configuration that would be done today in a new airport, they would lay these runways out in a parallel fashion so they do not intercept. If you have a plane landing on this runway shown on the map, for example, then another plane cannot be taking off on that runway.

So O'Hare's problem isn't that it does not have enough runways but that they are not laid out right. In fact, Atlanta's Hartsfield Airport, which only has four runways—they are trying to build more now—handles more flights now than O'Hare does, even though it only has four runways. That is because those runways are laid out in a parallel fashion, and you can have simultaneous departures and landings on those different parallel runways.

In any case, Mayor Daley has recently proposed getting more capacity out of O'Hare essentially by tearing all of this up and rebuilding it. In fact, I think the mayor proposes tearing up three runways and building four new ones. One of these runways—I think this runway, the 14,500-foot runway—

they would just tear up and demolish it. They would lay new runways all in a parallel fashion. But the problem is, this project gets very expensive, and it would take a very long period of time.

This is a diagram of Mayor Daley's proposed modernization of O'Hare, which really amounts to a tearing up and rebuilding of the airport. He would eliminate this runway and this runway I show you on the map, and he would lay parallel runways. He would leave this runway shown here in place. You would essentially have six parallel runways here, and then two parallel in this direction shown here. Essentially, it is kind of like a quad-four runway system. I think mainly these four parallel runways would be the ones that would be used.

In addition, the mayor would add a western access to the airport. The Presiding Officer would be very interested to know that when she grew up in Illinois, it was much easier to get to O'Hare than it is today. In fact, back in the 1950s and 1960s, there were just cornfields out in that direction. The Northwest Tollway was built in the late 1950s during the Eisenhower administration in 1958, and the development started occurring much later.

But now it is very difficult to get into O'Hare because there is not enough access. In fact, coming from my home in Inverness, which is only 12 miles to the northwest, sometimes it takes an hour to go those 12 miles east on the Northwest Tollway because of congestion.

So recognizing that congestion is a problem, the mayor would propose creating a western access to the airport with another major expressway coming into the west to relieve some of the bottleneck that enters now at the airport on the east.

Also, he would add a new terminal. I think basically what they have now is the main terminals, which he would redo under a program called the World Gateway Program that would cost $4 billion, or actually $3.8 billion, to be exact. They would give United terminals 1 and 2, and American terminals 3 and 4. My understanding of it is that most of the other airlines would be stuck at a desk out here on the west side of the airport.

These are the various elements that would have to be done in order to accomplish Mayor Daley's expansion plan. They would close the 3 existing runways, construct 4 new runways, make an extension of 4 runways, construction of the west terminal, construction of western airport access, acquisition of 433 acres, acquisition of 303 homes, and acquisition of 240 rental units. The costs of this proposal have been all over the map. I think the mayor initially disclosed about $6 billion. But that was pretty much just for tearing up and rebuilding the runways. He did not include the $4 billion he is spending now on the World Gateway Program. That brings it up, even by the mayor's cost estimates, to about a $10 billion reconstruction project.

The fact is, when you add in the cost of all the ancillary projects, including road building projects, you would probably have to expand the Northwest Tollway and the expressway to accommodate more people. In fact, you can barely get into the airport right now, as I have said. Imagine what it would be like trying to get into the airport after twice as many people are being urged to go into the airport. So it would be a very costly project—probably somewhere in the $15 billion range, possibly up toward $20 billion. The Chicago Tribune has had estimates ranging from $6.3 billion to $18.9 billion.

My thought is this: I believe we have an aviation crisis in Chicago because we lack capacity. We have far greater demand than we have capacity. O'Hare has capacity for about 908,000 flights a year. Mayor Daley's proposal of spending about $15 billion, and lasting at least 15 years following the approval process, would get us up to 1.6 million operations a year. I favor, instead of going forward with that proposal, building a supplemental Chicago airport. The reason I favor that is because it would bring far more capacity, far more quickly, at far less cost.

This is a chart that shows what would be involved in expanding O'Hare vis-a-vis what would be involved in building a third airport in the Chicago area. The cost could range from $13 billion to $26 billion for the O'Hare expansion. The estimated cost of the third airport, which would have six parallel runways and handle 1.6 million operations a year, would be only $5 billion to $6 billion—the same as Denver International Airport. Mayor Daley proposes adding 700,000 flights, or operations, a year for the money he proposes spending. For a third of the cost, you could get 1.6 million more operations a year.

In contrast to the 15-years-plus it would take the city of Chicago to tear up and rebuild O'Hare—and God only knows what the delays would be like while they were tearing up and rebuilding O'Hare—the State has estimated it could have the first phase of a third airport done in 3 to 5 years following the approval. That would only be with one or two runways to begin with; ultimate build-out would be six runways. There is great community support for the third airport. There is significant community opposition around the expansion of O'Hare.

Also, competition. Surprise, surprise, but United and American oppose a third airport. Well, United and American have at least 75 percent of the operations. In fact, United and American oppose a third airport because they, right now, have 76 percent of the hub gates at Chicago's O'Hare Airport.

If you look around the country, you will see that we have a tendency around the whole United States toward having a local air carrier that has a dominant position at a regional hub airport. If you look at Atlanta's Hartsfield, you have Delta with 62 percent of the hub gates. At Dallas-Fort Worth, you have American Airlines and Delta together controlling 84 percent of the gates. In Denver, a brand new airport, United is already up to 57 percent of the gates. At Washington/Dulles, United is up to 65 percent of the gates.

So, surprise, United and American oppose a third airport. The reason for that is they would not control the third airport in Chicago. There would be new entrants that would be allowed to come in and compete with them. It seems to me that we should not let that detour us because we are not representing the shareholders of the big six air carriers in the Senate. We need to be worried about aviation consumers. Over the last 20 years—in fact, since deregulation of the aviation industry in the late 1970s—operations in aviation have gone up 80 percent in this country. Yet we haven't built a single new major airport, except for the Denver Airport, which was simply a replacement for the old Stapleton International Airport, which got shut down.

As you look around the country, big airlines that have a dominant position in their market fight like the dickens to prevent another airport from being built because that would allow new entrants to come into their territory, and it would force them to lower costs and improve services or they lose new business to the new entrants.

Because United and American don't want new competitors coming into their marketplace where they have a duopoly should not deter anybody. What I think would be best for consumers in the Chicago area is if we did have another major hub airport and we had other carriers coming into compete with United and American. They are both good airlines. They have wonderful employees and thousands of wonderful pilots, mechanics, and stewardesses; but I believe the consumers in the Chicago area would benefit by having new choices. I think there are possibilities, such as getting a wonderful new startup airline such as a Jet Blue, or even a Southwest Airways, which is competing at Midway Airport in Chicago, but might someday enjoy having the opportunity to run longer haul flights out of the Chicago area and compete more head-on with United and American at O'Hare. To get one of those fine airlines in the new airport would be great for the Chicago area, and it would help decongest O'Hare for the rest of the Nation.

Now, in the few moments I still have, I want to make one final point. In this regard, I want to associate myself with

my colleague from Illinois in the other Chamber, JESSE JACKSON, Jr. For many years he has been a strong proponent of a third Chicago area airport. It is the south suburbs and the southern limits of the city of Chicago that he represents in Congress. He makes the point that we should not want all economic activity in our State concentrated in one 7,000-acre site.

That is perhaps why I disagree with Mayor Daley, the mayor of the city of Chicago. He has a different constituency than I. As mayor of the city of Chicago, he wants to keep as much economic development as possible in the city of Chicago, and Chicago is a mighty fine city, and I hope it remains always strong.

Looking at this issue as a Senator with statewide responsibilities and concern for the whole State, I want other parts of Illinois to have jobs, economic development, and an economic engine, too. I want the Rockford area to have their airport used, I want jobs for the people in the south suburbs, and I want some convenience for the 2 million-plus people who live in the south suburbs who have to drive 2 hours or more to get to O'Hare on those crowded expressways.

Yesterday, there was a good column in the Chicago Tribune by a new columnist for the Chicago Tribune. Her name is Dawn Turner Trice. She analogized this issue actually to the G8 economic summit that was just concluded in Europe whereby the big G8 countries were talking about sharing the wealth with the rest of the world, forgiving some of the debts that Third World nations have, turning loans into grants, outright grants to help some of the developing countries.

She said: Why aren't we looking at this airport issue the same way in the State of Illinois? Why do we allow such a great concentration of wealth in one tiny 7,000-acre site and not worry about it anywhere else? She is absolutely right on that and, in addition, those wealthy communities around the airport have said enough is enough. Their quality of life is now negatively impacted by the continual cramming of everything into O'Hare. The idea of dramatically increasing the number of flights at O'Hare beyond what they are now presents a real dilemma to the Chicago area. People do not know how they can get there now. They cannot imagine what O'Hare would be like if the airport was expanded further.

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

Mr. FITZGERALD. Madam President, I thank you for this time, and I thank you for the opportunity to address this issue. I hope to be working with Senator DURBIN and my other colleagues to solve the aviation crisis in the country, beginning in Chicago.

The PRESIDING OFFICER. Under the previous order, the Senator from Florida is recognized.

AMENDMENT NO. 1030

Mr. NELSON of Florida. Madam President, I rise in support of the Murray-Shelby version of the question of Mexican trucks on American highways that is in the Department of Transportation appropriations bill.

I support free trade, but free trade does not mean sacrificing the safety of Americans on our highways.

If you will just look at the comparison of safety standards for American trucks and Mexican trucks, the hours of service that a driver can perform are unlimited under Mexican standards.

There are no random drug tests.

A medical condition that will disqualify in America does not necessarily do so in Mexico.

The age for drivers of these trucks established in America is 21 and only 18 in Mexico.

The maximum weight on our highways in America is 80,000 pounds. In Mexico, it is 135,000 pounds.

As to vehicle safety standards, such as antilock brakes, in Mexico they do not even have to have brakes on the front wheels.

And then as to the question of cargo, carrying of hazardous materials, we have very strict standards in this country. In Mexico, they are very lax. There are fewer identified chemicals and fewer licensure requirements.

If ever there has been a case where the commonsense standards, the desires, and the wants of the American people are quite apparent, it is the Americans who get behind the wheel and drive on our highways and on the interstates and encounter huge trucks. How many times have we had, as a driver of a smaller vehicle, a concern about the safety of that big truck that was in front of us or passing around us or that was cutting from one lane to another in front of us.

We have in the interest of free trade in America a proposal to severely lower the standards of trucks coming from Mexico that we, as the consuming American public, as the driving American public, will have to encounter.

This is not even speaking on the question of the environment. I have been speaking only on the question of safety. On the question of the environment and emission standards, we clearly have in the various States different emission standards. In Mexico, those are much less.

I simply ask the question, Do we want to drive on our highways and encounter trucks with a driver who could be driving with no sleep; that because there was not a random drug test, that driver may be on drugs; he may have a medical condition that impairs his safety; he is less than 21 years of age; he is driving a truck of 135,000 pounds instead of 80,000 pounds; he does not have antilock brakes—indeed, no brakes on the front wheels; and that truck is carrying significant hazardous materials, not even to speak of the fact he is spewing all kinds of pollutants in that acrid smoke we all detest when we are behind a big truck.

The case is quite compelling. I would even be for a more stringent standard than the Senator from Washington has inserted into this bill, but her compromise, along with Senator SHELBY, is a good start in protecting the American people on their highways.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Missouri is recognized for 15 minutes.

Mr. BOND. I thank the Chair. I thank the managers of this bill, the Chair, Senator MURRAY, and Senator SHELBY for an outstanding bill. It is my pleasure to serve on the committee with them and to support this bill.

Senator MURRAY has been willing to accommodate many of the very important priorities submitted by the Bush administration, including $325 million for the U.S. Coast Guard Deep Water Systems Program, full funding of the President's request for Coast Guard retired pay and Reserve training, and certainly, as far as my State of Missouri, which is a very transportation-dependent State, we are very grateful for the recognition in our State of the needs in transportation, whether it be transit, buses in the metropolitan areas, transportation for the elderly and the disabled in rural areas, light rail, or a critical road project in southwest Missouri on U.S. Highway 71.

These are all things that are extremely important, and we are, indeed, grateful for the careful attention the Chair and the ranking member have provided to the needs of all of us in this body.

I have, however, raised a question at the subcommittee and full committee level at the request of the Secretary of Transportation. I raise this issue of the Mexican truck treatment. As we all know, in 1994, the North American Free Trade Agreement went into effect following congressional approval the previous year. I was here in 1993 and voted for this critically important trade agreement. Though I recognize not all of my colleagues were here, and some who were here did not support the agreement, the simple fact remains that NAFTA did pass. It is now the law of the land. The result is we, as Members of this body, have the responsibility to uphold the law and assure we take no deliberate action to violate it.

Unfortunately, we have received a Statement of Administration Policy, dated July 19, which, No. 1, commends the work that Senator MURRAY and Senator SHELBY, the Chair and ranking member, have done to address these many critical issues. They say the administration is pleased the Senate committee has provided necessary funding and staff to address critical motor safety issues. It repeats that the

administration is committed to strengthening the safety enforcement regime to ensure all commercial vehicles operating on U.S. roads and highways meet the same rigorous safety standards. However, the Statement of Administration Policy goes on to say, the advice from the administration is that the Senate committee has adopted provisions that could cause the United States to violate commitments under NAFTA. Unless changes are made to the Senate bill, the President's senior advisers will recommend the President veto the bill.

That is the situation in which we find ourselves. This is too good a bill to be lost. We want to work together to make sure we do not lose the benefits of this bill or violate our agreements under NAFTA. We know for a fact that the NAFTA international tribunal has already issued a decree we violated obligations and are subject to sanctions ranging from $1 billion to $2 billion per year for continued violations. These sanctions could certainly lead to multiple problems, particularly in manufacturing, which has already seen three-quarters of a million jobs lost since 2000. The real fear in terms of trade is that if the sanctions continue with alternative suppliers being found from the European Union or elsewhere, the job losses could become permanent.

To set the context for the Senate bill, our colleagues on the other side of the Capitol took a very stringent view that would prohibit the use of any funds in the appropriations bill pending to process applications by Mexico domiciled motor carriers for conditional or permanent authority to operate beyond the commercial zone adjacent to the border. In other words, the House-passed language, as amended on the floor, effectively closes our borders to trade with Mexico while providing no money to address any of the concerns noted by those supporting the amendment. That is to assure safety for all trucks on the highway.

This action not only constitutes a direct violation of NAFTA, but it does not do anything to address the safety issues associated with the status quo on the United States-Mexico border.

A few moments ago we heard questions raised about the weight of trucks in Mexico, their brake systems, and other things. Let me go back to point out that under NAFTA and under the administration's policy, the inspection regulations would require that the trucks coming in from Mexico meet our standards. Whether it is weight, whether it is brakes, all of the safety standards that we impose on our trucks, that we impose on Canadian trucks, would be imposed on Mexican trucks.

As I mentioned earlier, the provision in this bill, headed by the Chair, Senator MURRAY, and Senator SHELBY, made very significant improvements in the legislation and added the money necessary to protect others who travel on the highways. That has to be our first responsibility. Everybody wants to make sure our highways and roads are as safe as possible. We are going to do that. What we need to do is figure out how to do that.

I raise a concern that some of the provisions in this bill could effectively close our border to Mexican trucks. I am very pleased to say we are expecting very shortly to be able to meet with the administration to find out precisely the kind of language changes that are needed. I trust and I believe the leaders of this committee, the Chair and the ranking member, will be able to work to find solutions to the language problems and the practical problems that cause the administration to believe this is a NAFTA violation. We do need to maintain our standing in the international community and make a good-faith effort to live up to our trading obligations. Certainly the obligation to open our borders to other countries that want to bring goods into our country in exchange for opening their borders to allow us to take goods into their countries is very important.

Whether or not my colleagues supported NAFTA at its inception, there should be no question that we should not do something in this body or in conjunction with the other body that would cause us to be in the position of breaking our agreements. That, I am afraid, is the major problem. We cannot and must not violate our agreements. The practical impact of the provisions, unless we can work out a change before it is sent to the President, would be a veto of the whole bill. Senator MURRAY and Senator SHELBY have worked too long and hard to get this bill together to lose it. Our agricultural exports, our manufacturing exports, the jobs for our farmers, the jobs for our workers, require we do this job properly.

If you have, as I have, listened to the congressional debate on letting Mexican trucks travel U.S. roads, you might think the United States is an unequipped, underdeveloped country. I pointed out that NAFTA permits us to require the same safety standards for trucks on highways. We have had more than 7 years to prepare for the inspection of trucks to ensure they meet U.S. safety standards as required by the North American Free Trade Agreement and as repeatedly requested by Mexico. Yet it appears the Teamsters Union and others with straight faces tell us that the world's wealthiest and most advanced nation does not have the resources to perform this relatively modest chore. That is the heart of their argument—U.S. inadequacy—and we should be ashamed of it, just as we should be ashamed of other arguments being made: we cannot inspect trucks coming across the border, not 7 million trucks; at maximum 180,000, or 300,000 trucks might be the most.

We have the right and the obligation to inspect these trucks. We should be ashamed of saying that we cannot inspect them. We have a lot of evidence already of trucks traveling on our highways. A Mexican trucking fleet has long been allowed to traverse this country en route to Canada with no notable safety hazard resulting. Only if the Mexican trucks want to stop to deliver goods throughout the United States do we want to bar them. Maybe it is a question of whose jobs are being impeded.

Mexican trucking firms can already travel throughout the United States so long as the firms are U.S. owned and no serious issues have been raised about that. Only if the Mexicans own the companies do we prohibit their trucks. Something to do with competition maybe. That raises questions.

Older Mexican drayage trucks, those long allowed to make short hauls in the 20-mile ''commercial zones'' on either side of the border, are as safe as similar U.S. trucks. As the American Trucking Association has noted, the Mexican vehicles are taken out of service for safety reasons at rates that are virtually identical to those at drayage operations at ports and intermodal facilities all across the United States.

If we need more proof, we only need to look to California, the only State that inspects every Mexican vehicle crossing its border. The out-of-service rate for Mexican trucks there is virtually the same as that for U.S. trucks. The president of the Teamsters, Mr. James Hoffa, calls California's program, which we propose for the rest of the border, ''a model of what a proper inspection program can achieve.''

What it has achieved is to show that we can, indeed, inspect Mexican trucks. California does it in two modern facilities, built mostly with Federal funds, with inspectors chiefly paid with Federal dollars, and those vehicles are as safe as U.S. trucks. How, then, can critics make the claims about dangerous Mexican trucks?

First, they mix apples and oranges, comparing older drayage trucks, which have a higher out-of-service rate in both our nations, with all U.S. trucks. Thus, when critics say the out-of-service rate for trucks at the border is 36 percent, or half-again higher than the 24 percent for all U.S. trucks, they are engaging in a little statistical sleight of hand. This, I find, is misleading.

In addition, there is a contention that under the administration's plan it would take 18 months to take any unsafe Mexican trucks off the road. But that is how long it would take to go into Mexico and audit Mexican firms' paperwork, maintenance records, drivers' logs and the like, not to inspect their trucks.

What we are seeking funds for in this bill, and what the administration has sought, is money for roadside truck inspections.

Similarly, as I said, many House Members signed a Teamster-generated letter that under NAFTA, 7 million Mexican trucks would be riding American highways, while only 180 Mexican firms have applied, and there are only about a total of 300,000 commercial trucks in all of Mexico.

The chief danger in this debate is not Mexican trucks but U.S. protectionism, which is already costing businesses and consumers dearly. About 75 percent of United States-Mexico trade, or about $195 billion of goods moves by truck with cargoes transferred from long-haul trucks to drayage trucks at the border and back to long-haul trucks for nationwide delivery. It is a senseless and expensive system that must be ended—not for the least reason that it keeps the older, more dangerous drayage trucks targeted by critics on the road.

As one who comes from an agricultural State, and 75 percent of our exports go into Mexico by truck, we depend upon trucking because 12.5 percent of the American agricultural exports go to Mexico. That gives us a trade surplus in agriculture of over $1 billion.

If we put these barriers up to Mexican trucks as Secretary Mineta, the Secretary of Transportation has noted, Mexico could impose compensatory tariffs of $1 billion on U.S. goods. Many U.S. workers and companies would feel the pain if Mexico were to exercise this right.

Perhaps more costly, however, would be the damage to our U.S. drive to get other nations to keep their borders open and to keep their trade commitments. As the world's largest exporter, we have the most at stake in this issue. Our case will be impossible if we violate our own word. I think it is past time. I hope we can very shortly work out something that the President has suggested, the Teamsters endorse, many on this floor have endorsed, and that is adopting the California model for all border States to provide the funds for facilities and inspectors, to make sure our highways are safe. That is No. 1. Every American has a right to demand that we ensure the safety standards for all the trucks on our highways.

I encourage all my colleagues to work with the Chair and the ranking member to ensure safety on America's highways while opening our borders to foreign trade, to assure compliance with our treaties, and to avoid a veto.

People in my State want to trade with Mexico just as the people in the rest of the country want to trade with Mexico. We can achieve safe highways while maintaining open borders and avoiding trade sanctions by applying universal inspections and standards across the board. We can get the job done. I look forward to working with the Chair of the Committee, Senator MURRAY, and Ranking Member SHELBY in the coming hours and days in an effort to see that we can attain these very reasonable goals for all Americans.

I yield the floor.

The PRESIDING OFFICER (Mr. CARPER). The time of the Senator has expired. Who seeks time? The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I hope to clear the air somewhat with respect to comments made by my distinguished colleague from Arizona. I serve with him on the Appropriations Committee. We both voted to report out this particular Transportation appropriations bill with the Murray amendment. We reported it out unanimously.

The reason we did that is because the Senator from Washington, Mrs. MURRAY, and the Senator from Alabama, Mr. SHELBY, in a bipartisan manner, went about this particular task in a very deliberate, studied way. In other words, they went to the Department of Transportation and they went to the Motor Carrier Safety Improvement Act of 1999.

For example, the particular provisions I heard Senator GRAMM of Texas point out, there are two of them, relative to the leasing issue and the disqualification of vehicles operating illegally. They are both suspended upon implementation of the motor carrier provisions of NAFTA. That says ''upon implementation.'' What the Senator from Texas was talking about as an extreme, terrible thing and everything else, is actually required. These provisions are required under the Motor Carrier Safety Improvement Act of 1999 that passed this Senate by 99 votes. Of course, I voted for it. The Senator from Texas and the Senator from Arizona voted for it, also.

It is talking of two particular provisions where, if you are found in violation, for example, you cannot then go lease your equipment for some other person to come in and do the job. That is provided for in this Motor Carrier Safety Improvement Act of 1999. I have it here in my hand, should there be any question.

Otherwise, the Senator from Texas was correct in a sense about leasing and domicile. When we drew up this provision, we checked with the Transportation Safety Department. In fact, I thought I was correcting Secretary Mineta in our hearing last week when he attested to the fact it never should be required that it be domiciled. And I said: Mr. Secretary, we got that from your Department.

Now the Department of Transportation says: Not quite. What they really meant was license in the sense of domesticating, having an individual in some State to be subject to service. In other words, if there is an accident and some aggrieved party wants to serve the particular—let's say Mexican truck—they have to have the State and an office and an individual to be served, subject to service that we all know about in the practice of law.

That could be corrected, as the Senator from Washington said, by amendment. True it is that, yes, Vicente Fox, the new President of Mexico, has given us hope with NAFTA. There is no doubt we have NAFTA. I opposed it as vigorously as anyone, but now we have to see that it works.

In all candor, this is the first chance I have seen that we can make it work under the new President, particularly with his Foreign Minister, Jorge Castaneda, who has taught up here in the United States. He has worked on this and I have talked to him about safety. Mexico does not really want to get embroiled in this. They are mostly interested in immigration and industry and economic expansion and everything else, and they don't want to cross wires with the United States on the matter of the Motor Carrier Safety Improvement Act Of 1999.

He said that to me several times. I understand that. Neither do we, because this is a reciprocal thing. If we required something up here in the United States that was untoward or discriminatory, they would require the same thing of us down in Mexico.

We are working this treaty out. These provisions under the Murray amendment are all in conformance with NAFTA—and are required by the U.S. motor carrier act. I can tell you that right now.

Senator MURRAY and Senator SHELBY should be commended for their thoughtful process. The President said we are going to license, and the trucks can come over January 1st. The confrontational Sabo amendment in the House said there will be no money to process applications and the trucks would not be eligible to come over. It said we are going to save money by cutting funding off for the fiscal year 2002. That doesn't get us anywhere. If we take up Representative SABO'S legislative proposal, it will be another year and a half before we can address the issue. Nothing would happen until October of next year.

Everybody wants to move along on this particular score. Jimmy Hoffa testified at the hearing for this Murray amendment. We asked him about these particular amendments because we wanted to be sure it was deliberate and nondiscriminatory in the sense that it was required of the U.S. motor carrier act. That is the way it has been provided.

The Senator from New Mexico, Mr. DOMENICI, was correct in saying that we have every bit of hope and we are all working. But to say that it looks

like partial discrimination and that we were trying to get some tricky kind of things on behalf of the Teamsters, or that these requirements cannot be complied with—it is totally out of whole cloth. I have never seen anybody work harder and give better leadership than the Senator from Washington with this Murray amendment. It is the Murray-Shelby amendment. It is bipartisan. It should remain so. All of this running around, I don't want to talk, or you don't want to talk, or whatever—that is nonsense. Put up the amendment so we can vote on the amendment and move on.

I think the Senator from Washington ought to be commended for the very studied way in which she has gone about this particular amendment and these requirements. Certainly once that gate is opened and the trucks are coming over, then they are coming over in some 27 particular spots, and we have to provide checkpoints and personnel, training, and everything else ourselves. So it is not just the Mexicans preparing themselves and so forth by January 1st, but us, too.

We don't make January 1st the drop-dead date under the Murray amendment. We say all of these things cannot be licensed; the border cannot be opened until A, B, C, or D in the Murray amendment are complied with. That is the studied, deliberate way to go about regulating at this particular point on the appropriations bill. It is important that it be done that way rather than overall on the House side.

We are not looking for the President to veto it. President Bush is smart. He is not going to veto safety. There is nothing in this particular measure that would require a veto. Let's get on with legislation in the particular appropriations bill.

I vetoed, like the distinguished Presiding Officer, for 4 years as the Governor. You wake up, and you want to read that veto message very clearly so it can not only be sustained legally but in the public domain. I can tell you that neither legally nor in the public domain the veto of the Murray amendment will be sustained. Nobody is trying to say we are going to stick it to you and we hope you veto it. None of that is in here. It unfortunately has gotten way off track.

I am not a party or even a member of the Subcommittee on Transportation in the Appropriations Committee, but I have watched how it was done. Yes, our committee, the Committee of Commerce, Science, and Transportation, had a hearing with Secretary Mineta. Those kinds of things were pointed out. I could go on at length about the hearings we had.

For example, the Comptroller General said:

> Strong enforcement will be needed for the minority of carriers that are egregious offenders and a risk to public safety. The Motor Carrier Safety Improvement Act of 1999, section 219, provides fines and disqualification sanctions for Mexican carriers operating without authority or beyond the authority in the United States. These fines range from $10,000 to $25,000. However, the act's provision has not been implemented, and this provision will expire when NAFTA's cross border trucking provisions are implemented.

These are the kinds of things we had before us at the hearing of Commerce, Science, and Transportation with Secretary Mineta. It was an excellent hearing.

We are ready to move on. I am convinced that we could report out a similar authorization bill this afternoon, if the committee met, similar to the Murray amendment. It would be right there, because we made our suggestions as to changes.

I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we be in a period of morning business, with Senators allowed to speak for up to 5 minutes each, until the hour of 3:40 p.m. today.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. DASCHLE. Mr. President, I know there is a discussion going on off the floor with regard to coming to some resolution on the issue of Mexican trucking. I hope we can find a way to resolve this procedurally.

I applaud Senators MURRAY and SHELBY and others who reached the compromise that is now part of the bill, and I hope, whether we reach another agreement or whether we can't reach agreement and simply have votes, we can do that. I think we have made reasonably good progress before the August recess on appropriations.

I have had some discussions with the Republican leader, as well as with our caucus and my leadership. We have discussed just what remains to be done prior to the time we leave. I think it is fair to say we are way behind the curve with regard to where we should be on the appropriations front. We have only completed three appropriations bills so far. I hope at the very least we can complete our work on at least two more—Transportation and HUD/VA. I have indicated to Senator LOTT that would be my desire. I have indicated to my caucus that there is no question that we ought to be able to do those two. Senator BYRD, the chairman of the Appropriations Committee, shares my view.

So my expectation and my determination is that we complete our work on those two bills. We also have two emergency issues to deal with. First is the Agriculture supplemental authorization. It has already passed in the House. I am told that the Agriculture Committee is intending to vote on it tomorrow. It would be my expectation to take it up shortly after the committee action in an effort to get it through the floor and into conference in time to bring it back prior to the time we leave. That, too, is a very necessary piece of legislation, first, because of the relief it provides to millions of producers across this country—producers that are not only incorporated into the farm bill itself, but many other producers that do not have farm programs per se. If we do not act before the August recess, we will lose the budget authority that is dedicated under the budget resolution to agriculture and disaster assistance. It would then be taken out of next year's authorization.

We can't afford to lose the $5.5 billion authorization. But that is exactly what we face if we are not able to act. So I don't think we have any alternative, any recourse, except to ensure that the work is complete before we leave for the August recess.

Finally, the Export Administration Act is also in peril. The act expires during the August recess. The administration has indicated this is a high priority for them. It is a high priority for our caucus, but I think, on a bipartisan basis, Senators on both sides of the aisle have indicated a strong desire not to allow this legislation to expire in August. So it is my expectation that it, too, must be dealt with prior to the time we leave.

In addition, our Republican colleagues have expressed a strong interest in confirming additional nominees, and I have every expectation that we will be doing that as well. In the past 2 weeks, the Senate has now confirmed 77 nominees. I intend to move as many additional nominees to the floor prior to the recess as we can. I have discussed the matter with each of our Chairs, and they have volunteered extensive cooperation in bringing additional nominees to the Executive Calendar so we can move on them once the work has been done. To my knowledge, except for those nominees for whom there is a Republican hold, there are few, if any, nominees who have been on the calendar more than a couple of days. I do believe we owe every Senator the right to examine the nominees and

to ensure that they are prepared to support them. But I will press for consideration and ultimately confirmation of those nominees prior to the time we leave.

All of us have August recess plans, but we have to accomplish these four essential items, in addition to the nominations that I want to be able to move forward and confirm before we take a vacation. I think we have a fundamental duty not only to build on what we have been able to do in the appropriations process, but also to deal with the many other additional requirements that are pending before the Senate prior to the time we leave.

So just to sum up, it is my hope, even though we are not making a lot of progress today so far on the Transportation bill, that we can complete it. I see the distinguished Chair of the subcommittee on HUD/VA on the floor. She has indicated that she knows of no significant legislative impediments to consideration of her appropriations bill. So at least those two bills will need to be addressed prior to the time we leave. And then, of course, as I said, there is the Agriculture authorization supplemental. I can't imagine that anybody would want to hold it up or want to delay its implementation. As I have noted, the House has already acted. It would be our hope and expectation that we cannot only act but that we can work out our differences with the House in time to assure that this bill is sent to the President before we leave. If we fail to do that, of course, we then fail to allocate the $5.5 billion committed to emergency agricultural spending in the budget.

The Export Administration Act, of course, is also something we need to consider. I see the Chair of the Banking Committee, whose jurisdiction it is, and he has indicated as well his desire to cooperate and move forward in a bipartisan way to ensure that we attain that goal.

So we have a lot of work to do in 2 weeks. I expect we are going to stay in late Tuesday, Wednesday, and Thursday nights. I think it is important for us to make full use of this week, and we will be doing so. If I am required to file cloture on Transportation by the end of the day, I will do so. I am withholding that at this point because I hope that some accommodation can be reached on a vote on whatever amendments may be offered on Mexican trucking. But we have to get on with our work. We simply can't afford these long delays throughout the week.

IN MEMORY OF OFFICERS GIBSON AND CHESTNUT

Mr. DASCHLE. Mr. President, in about 1 minute we will be observing a moment of silence in memory of Officers Gibson and Chestnut.

As my colleagues will recall, it was 3 years ago to the minute these unfortunate and tragic deaths occurred. I ask at the appropriate time, which is now, that we observe a moment of silence.

(The Senate observed a moment of silence.)

Mr. DASCHLE. Mr. President, I appreciate my colleagues' and everyone's attention. If I may say for a moment, I remember this day 3 years ago as if it occurred just yesterday. I did not know Officers Gibson and Chestnut personally, but I knew them, and as we all recognize, we take for granted all too often the tremendous service provided to us by our police and by those who guard our security each and every day.

The loss of life under circumstances such as this is all the more tragic when you appreciate their dedication to public service, their commitment to our good health and security, and the recognition that their families still grieve their loss.

I know I speak on behalf of the entire Senate in wishing the families of Detective Gibson and Officer Chestnut our very best and most heartfelt wishes and recognition, once again, of their tremendous dedication to public service and their commitment to us and to all those who survive and continue to work each and every day, in keeping with the spirit and dedication that they so ably demonstrated.

Mr. LEAHY. Will the distinguished leader yield?

Mr. DASCHLE. I will be happy to yield.

Mr. LEAHY. Mr. President, I associate myself with the words of our distinguished leader. I came over to the Senate for the express purpose of this moment.

Like the distinguished leader, I recall this tragedy. I had just arrived in Vermont on that day, and I recall when the police officers in the airport said: Senator, have you heard what happened? Any of us who has served in law enforcement has a sense of what goes through everybody's mind.

I thought of Officer Chestnut who just a few days before as I was going through the door stopped me and said my wife had just gone through. We were at some event up here. I do not even remember now what the event was. He said: I sent your wife on up. He said as a joke: You must be late because you are behind her. That is a family thing.

Detective Gibson traveled with different groups I had been with when we had hearings outside Washington and had gone with Senators on different events. A lot of times we were around when there would be dignitaries up here, and he would recognize the different Senators. It was always the same thing: He would see us or a family member: Here, come on through; and he would take care of us.

It can sometimes be very easy to take for granted the law enforcement around the Capitol. There is a significant law enforcement presence. It is, as the distinguished leader said, like family. We see them and are with them, and yet when something such as this happens, you realize they are the line of defense between us and that tiny, tiny, tiny fraction of people in this country who would do injury, not to us individually but to really the symbols of our Government.

I thank the distinguished leader for his words. I know they are words that will be joined by Senators on both sides of the aisle.

Mr. SARBANES. Will the distinguished Senator yield?

Mr. DASCHLE. I will be happy to yield.

Mr. SARBANES. Mr. President, I thank the leader for offering this moment of silence in honor of Detective Gibson and Officer Chestnut and the sacrifice they made. It represents the sacrifice so many men and women make each day in the Capitol so that the Nation's business is transacted.

I know both their families, of course, and I know how much the loss impacted them, how deeply they felt it. It is very fitting and appropriate that we should just bring our business to a halt, pause, and remember their tremendous contribution, their tremendous sacrifice, and that of many others who work here each and every day. I thank the leader for doing this.

Mr. DASCHLE. I thank the Senator.

Ms. MIKULSKI. Mr. President, I personally associate myself with the leader's remarks and that of my two colleagues. I also knew Officer Chestnut. He was a Prince George's County guy. In fact, he was days from retirement. He would probably be fishing on the Chesapeake Bay now with his grandchildren.

As we remark and express our gratitude for the men and women who protect us every day, we also have to think about their spouses, and we need to think about their children. They would not be here without their love and support. This is why, as we honor those who protect us, we also remember the families who support them so they can do so.

I thank the leader for pausing, and God bless the souls of those men, and God bless the men and women who protect us and their families.

Mr. DASCHLE. I yield to the Senator from Vermont.

Mr. JEFFORDS. Mr. President, I had occasion with four distinguished Senators to travel through Vermont. We had Detective Gibson and Officer Chestnut travel with us to ensure our security. They were wonderful and most efficient. In fact, it is not easy to maneuver four Senators around and keep track of them and their spouses and keep them on schedule.

We got to feeling closer to them under those circumstances. They were two wonderful men. I feel a certain sadness of the memories connected with

that. They were truly wonderful, and their families, of course, we all got to know after this tragedy. They are fantastic people.

I echo the comments of the Senators from Maryland in making sure we watch out for them.

Mr. DASCHLE. I thank the Senator from Vermont.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. JOHNSON). Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate extend the period of morning business until 5 o'clock, with Senators allowed to speak for up to 10 minutes each.

Mr. MCCAIN. I object. I would like to speak on the bill.

The PRESIDING OFFICER. The objection is heard.

Mr. MCCAIN. I withdraw my objection.

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

The Senator from Maryland.

Mr. SARBANES. Mr. President, parliamentary inquiry: Is the Senate now in morning business?

The PRESIDING OFFICER. The Senate is in morning business.

TRIBUTE TO KATHARINE GRAHAM

Mr. SARBANES. Mr. President, I rise today to pay tribute to a wonderful American, an absolute giant in the field of journalism, and someone who broke through barriers for women all across this country, Washington Post publisher Katharine Meyer Graham.

There is little that has not been said over the last few days about Kay Graham and the remarkable life she led as a citizen of the Nation's Capital and the world. Although she was born into a well-off family and attended exclusive schools, Kay Graham did not retreat into a world of privilege and leisure. After graduating from the University of Chicago in 1938, she worked as a reporter for the San Francisco News. Not able to stay away from Washington for long, she returned the following year and took a job in the editorial and circulation departments of the Washington Post.

Kay Graham then began the next phase of her life, marrying Philip Graham who had clerked in the Supreme Court. Soon after their marriage, Phil Graham joined the Army Air Corps and Katherine followed him to military posts in South Dakota and Pennsylvania. A devoted wife and mother, she dedicated the next 20 years to her family as she brought up her four children: Lally, Donald, William, and Stephen.

Tragedy thrust Kay Graham into a role she never envisioned for herself. After the death of her husband in August of 1963, she took over the helm of the Washington Post and then proceeded to build the company into one of the finest news organizations and businesses in our country. When she took over as president of the Post, it was still a relatively small organization consisting of the newspaper, Newsweek magazine, and two television stations. It was Kay Graham and her associates who built the company into the publishing giant it is today. By emphasizing both scrupulous news reporting and attention to the bottom line, she was able to attract advertisers, investors, and readers alike, all while adhering to the highest journalistic standards. Kay Graham built the Washington Post into a Fortune 500 company and she was the first woman to lead a Fortune 500 enterprise.

Despite, or perhaps because of, her dedication to the family business, Kay Graham was willing to risk it all in pursuit of a news story that needed to be told. Many have spoken of the courageous editorial decisions she made when the Washington Post published the Pentagon Papers, and later when it led the investigation into the Watergate break-in. In both cases, Kay Graham bravely stood up to pressure and, indeed, intimidation from the highest levels of Government, risking in a sense her livelihood to ensure that the public learned the truth.

It is sometimes now difficult, being beyond that period, to appreciate the import and significance of those decisions. But at the time, her decision to pursue those critical stories was filled with peril, and she set an example for the country by coming through that difficult period like the true champion she was.

Kay Graham was an irreplaceable participant in the Washington community and on the world stage. She formed close friendships with political leaders on both sides of the aisle, with business leaders, with world dignitaries. Many of us had the privilege, on occasion, to discuss complicated and complex policy issues with Kay Graham, and we deeply appreciated her keen intellect and her thoughtful insights into the problems of the day. And throughout her life, she maintained a grace and sense of humor that endeared her to all that had the privilege of knowing Katherine Graham. She will be missed, not only as a reporter of the news but also as someone who truly contributed to the dialog of world affairs.

In 1991, she stepped down as chief executive of the Washington Post, and in 1993 resigned her position as chair. Yet even ''in retirement'' she remained an active member of the Post's board of directors, chairing its executive committee and maintaining an office at the Washington Post until her death last week. She also found time during this period to write her memoirs, an exceedingly moving story entitled ''Personal History,'' which won the Pulitzer prize for biography in 1998.

The achievements of Kay Graham were tremendous and her dedicated service to the Washington Post, to our Capital City, and to our Nation, are great indeed. She will be sorely missed by all of us. She kept us informed, led our community, shared her wisdom, and was our friend.

I extend my deepest sympathies to her family and her many devoted colleagues at the Washington Post.

Mr. President, I have an editorial which appeared in the Baltimore Sun about Kay Graham entitled ''Industry Titan, Publishers courage and judgment made one newspaper great, others stronger.'' It is a wonderful tribute, as it is from a peer. I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. SARBANES. Mr. President, I close with this thought. It is indicative of her wonderful accomplishments with respect to the Washington Post that one can say, as I say now with confidence, that the Post will continue to be a great newspaper. Kay Graham institutionalized the Washington Post as a great organ for truth and for responsible journalism. As one thinks back on her legacy, perhaps one of its most significant aspects is that we can look forward in the expectation that the newspaper she built will continue to be one of the world's great newspapers because of the standards she established and the legacy she has left.

I yield the floor.

EXHIBIT 1

[From the Baltimore Sun, July 18, 2001]

KATHARINE M. GRAHAM

Industry titan: Publisher's courage and judgment made one newspaper great, others stronger

U.S. newspapers are better and stronger because of what Katharine M. Graham did at the Washington Post. Her death at 84 deprives the industry of a giant.

The core of her achievement was in three gut-wrenching, high-risk decisions made from 1971 to 1975.

In the first, she agreed over legal advice that the Post would print the Pentagon Papers, prepared from government documents detailing U.S. involvement in the Vietnam War, after the New York Times was enjoined from doing so. Other papers followed, and the precedent of prior censorship was undone.

The second was to support dogged investigative reporting of the burglary of the burglary of the Democratic National Committee, in behalf of President Richard Nixon,

as it turned out, during the 1972 election campaign. What the Post, courts and Congress learned forced Mr. Nixon's resignation.

The third, in 1975, was to respond to sabotage of presses by striking pressmen with a determination to publish with nonunion pressmen and defeat such tactics.

The decision were connected. Without the first, she might not have stuck with the second, or without that triumph, the third.

Katharine Meyer, born in 1917, never intended such a role in national life. Her financier father bought the failing newspaper in 1933. She married a brilliant young lawyer, Philip Graham, whom her father made associate publisher, later publisher.

His progressive mental illness and suicide in 1963 propelled her timidly into his shoes if only to save the newspaper for the family. The rest is not merely history; it is her 1997 Pulitzer Prize-winning memoir, Personal History.

As publisher and chief executive until turning power over to her son, Donald, in 1991, Mrs. Graham built a media empire. At its heart was a newspaper that penetrated its market as no other and that grew into one of the world's best.

Mrs. Graham was a power in Washington, and a force in publishing—positive in both spheres—until her death following a fall in Sun Valley, Idaho. Her good works survive her.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I intend to speak on the pending Murray amendment. I ask unanimous consent to take as much time as I might consume.

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

DEPARTMENT OF TRANSPORTATION APPROPRIATIONS

MCCAIN-GRAMM ALTERNATIVES

Mr. MCCAIN. Mr. President, we just concluded a meeting with several Members who were involved in this matter, including the distinguished minority whip, Senator REID. I thank Senator SHELBY, who was responsible for this meeting. I think it was helpful. Representatives of the administration were there. I think at least we were able to establish lines of communication and dialog on this important issue.

Before I discuss the proposed McCain-Gramm substitute that we may be proposing, depending on the status of negotiations, I wish to emphasize the importance of this issue. Here we are on an appropriations bill—an appropriations bill—a piece of legislation that profoundly affects, in my view and perhaps far more important the view of the administration, profoundly affects a solemn trade agreement entered into between three nations: United States, Mexico, and Canada. Here we are debating a provision on an appropriations bill that is supposed to pay for the transportation needs of this country.

I say again to my colleagues, this is the wrong way to do business. So, therefore, because of the deep concerns that I, Senator GRAMM, Senator BOND, Senator DOMENICI, and many others have, we have to do what we can to see that this appropriations bill does not have language in it which, as I say, in my view and that of the administration and objective observers, is in violation of the North American Free Trade Agreement. That is why we here have been tied up now for a couple of days and will continue to be so, unless we can come to some agreement that will satisfy the concerns we have that we would be violating the trade agreement.

I remind my colleagues again, a panel already has declared the United States is in violation of NAFTA because of our failure to allow carrier crossings.

We could be subject to sanctions to the tune of billions of dollars imposed by the Mexican Government. I hasten to add the Mexican Government has not threatened us, but we could be liable for that.

I hope our negotiations can continue. I hope that the advice of the senior advisers to the President recommending a veto of the bill in its present form will not happen. There are much needed transportation projects in this appropriations bill, and, in my own view, some that are not needed. But I will not go into that at this particular time.

The fact is that we need to negotiate. The areas of disagreement are not that great, but they are significant.

There are 22 provisions in this legislation which cumulatively would ensure that it would be impossible to implement the carrier truck crossings for 2 or maybe as much as 3 years. I hope we can get this worked out. As I say, our differences are not that great.

Unlike the House provisions, this legislation provides significant funding to enable the Department of Transportation to hire and train more safety inspectors and to build more inspection facilities at the southern border. I strongly commend the committee for this action.

However, as I previously explained, I have concerns over a number of requirements included in the bill that if enacted without modifications, could effectively prevent the opening of the border indefinitely. My concerns are shared by other colleagues and the administration.

The administration estimates the Senate provisions under section 343 would result in a further delay in opening the border for another 2 years or more. This would be a direct violation of NAFTA. It effectively provides a blanket prohibition from allowing any Mexican motor carrier from operating beyond the commercial zones. This view is shared by a number of us, as well as the President's senior advisors, who have clearly indicated they will recommend the President veto this if it includes either the House-passed or pending Senate language.

I recognize that at first glance, many of the requirements in section 343 appear reasonable. However, I am informed by DOT officials that it simply cannot fulfill all 22 requirements imposed by section 343 in the near term. To quote from the Statement of Administration Policy, transmitted to the Senate last Thursday.

The Senate Committee has adopted provisions that could cause the United States to violate our commitments under NAFTA. Unless changes are made to the Senate bill, the President's senior advisors will recommend that the President veto the bill.

There may be debate back and forth as to whether these provisions in section 343 of the bill are in compliance with NAFTA. The fact is that the senior advisers to the President of the United States have determined that it places us out of compliance. Therefore, that discussion becomes somewhat academic, if the President is going to veto the bill.

I would like to discuss the provisions of concern, and explain how our amendment proposes to address those concerns while seeking to retain the underlying intent of the provisions, at least in the context of safety. It is very important to point out that like the committee's approach, our amendment goes much further than the DOT had planned to go based on its May 2001, Federal Register notice of proposed rulemaking on how it would address cross border safety. But our approach would not prevent the border opening indefinitely.

First, section 343 requires the Federal Motor Carrier Safety Administration to conduct a full safety compliance review before granting conditional operating authority and again before granting permanent authority and to assign a safety rating to the carrier. The reviews must be conducted onsite in Mexico.

The problem with that requirement is that a compliance review assesses carrier performance while operating in the United States. It is conducted when a carrier's performance indicates a problem—that it is at risk. As a technical matter, a full fledged compliance review of a Mexican carrier would be meaningless since that carrier won't have been operating in this country and won't have the type of performance data that is audited during a compliance review. If DOT is forced to conduct what would largely be a meaningless compliance review, every carrier will receive a satisfactory rating because there will be no records or data from which to find violations of the Federal Motor Carrier Safety Regulations.

Further, DOT estimates it would cost $40 million if it is required to perform a compliance review of every carrier seeking operating authority and another $10 million to perform such a review onsite. Therefore, the Senate bill

would need an additional $50 million if DOT is to carry out this largely meaningless mandate.

A workable alternative, however, would be to require a safety review, as included in our amendment. It is far more prescriptive than the type of review mentioned in the May 2001, notice of proposed rulemaking regarding implementation of NAFTA's cross border provisions. It would provide for a review of available performance data and safety management programs, including drug and alcohol testing; drivers' qualifications; drivers' house-of-service records; vehicle inspection records, proof of insurance, and other information necessary to determine the carrier's preparedness to comply with Federal motor carrier safety rules and regulations. If warranted by safety considerations or the availability of safety performance data, the review should be conducted onsite.

I believe a safety review would go a long way in addressing the safety considerations and would likely provide the verification of data the managers of the bill are seeking. Frankly, it requires substantial analysis that is not imposed upon United States or Canadian carriers, who only need to complete an application available online and transmit it to DOT along with $300. I am very hopeful the Mexican Government will be willing to accept the type of approach described in our amendment, even though it would treat Mexican carriers substantially different than United States or Canadian carriers.

Second, the administration has raised concerns with the proposed requirement that each and every time a truck crosses the border, it must electronically verify the driver's commercial driver's license, CDL. The DOT has expressed considerable concern that such a requirement would significantly impede the flow of traffic and commerce at the border. Backups can already exceed more than 4 hours at some crossings in Texas. DOT has estimated such backups would increase immensely. The idling vehicles would obviously have an enormous impact on the environment. DOT also estimates the cost of electronic verification at all 27 crossings at $14.6 million.

It is important to note, we do not verify every license of every Canadian driver that crosses the northern border. I believe it would be discriminatory to check every single Mexican driver's license when we do not check other operators in this country. I believe it sends a signal we do not want to send and strongly caution all of my colleagues on this proposal.

As an alternative, our amendment would require that each truck that will be operating beyond the commercial zones to be inspected prior to operating in this country and that during such an inspection, the inspector would verify the driver's CDL. Each vehicle must display a valid Commercial Vehicle Safety Alliance, CVSA, decal obtained as a result of a level I or level V North American Standard Inspection. It is important to note that vehicles must be reinspected every 90 days to be valid.

Let me point out the Senator from Washington has offered an amendment to also require vehicle inspections. I suspect she developed the amendment after hearing last week that our amendment would include this important safety feature.

In further regard to verifying a driver's CDL, our amendment calls for DOT to institute a policy for random electronic or other verification of the license of drivers crossing at the border. This would be far less discriminatory, and would not have as great an impact on crossing delays.

Let me also point out that the record of Mexican drivers is better than that of either Canadian or United States drivers. Based on the available data provided by DOT, the out of service rate for Mexican drivers is 6 percent; it is 8 percent for United States drivers; and 9.5 percent for Canadian drivers. If the managers of this bill are concerned about drivers, perhaps they need to first focus on where the greatest safety problem appears to exist.

Third, section 343 would require all border crossings be equipped with both weigh-in-motion, WIM, systems and fixed scales and that every commercial truck crossing the southern border must be weighed. This requirement raises significant cost, space, and time considerations. DOT contends it would result in extensive construction and could postpone the border opening until 2003.

Weight enforcement has historically been a state enforcement responsibility, which is one of the reasons weigh stations are located throughout every state.

In the border States, for example, each State already has numerous weigh stations. California has 62 fixed scales and 10 weigh-in-motion systems. Arizona has 20 fixed scales and 5 weigh-in-motion systems. New Mexico has 12 fixed scales and 2 weigh-in-motion systems. Texas has 47 fixed scales and 2 weigh-in-motion systems.

The estimates cost of standard weigh-in-motion installation for a 4-lane configuration is $715,000. And while such systems help determine whether a truck should be weighed, a citation cannot be issued off the reading of weigh-in-motion equipment. FHWA further estimates the cost of installing fixed scales approximately $2 to $3 million each.

I note such a requirement is not imposed on trucks entering the United States from Canada. Moreover, this mandate simply is not the best use of limited resources. One crossing only had 198 trucks cross last year. I question the logic of requiring both a fixed-scale and weight-in-motion system at such a location. At a minimum, shouldn't we first be concerned about those locations with the greatest volume of traffic?

Our amendment would require each crossing to have a means of weighing a carrier and for DOT to initiate a study to determine which crossings should also be equipped with weight-in-motion systems that would enable State inspectors to verify the weight of each vehicle. It would not shift weight enforcement responsibilities from the States to the Federal Government, nor would it mandate that all 17 crossings have equipment that may not be needed.

Fourth, section 343 restricts a carrier's insurance provider to be based in the United States. While I am not opposed to requiring proof of valid insurance and for the insurance provider to be licensed in the United States, limiting providers to only those based in the United States would prevent a number of large providers from providing insurance, including Lloyds of London which covers many Canadian carriers. I am informed this could also raise issues with regard to NAFTA and WTO obligations. Therefore, our amendment would strike the proposed requirement for an insurance provider to be based in the United States.

Fifth, section 343 would prevent compliance with our NAFTA obligations until the Federal Motor Carrier Safety Administration completes six rulemakings or policy implementations required under the Motor Carrier Safety Improvement Act of 1999. Clearly, an agency should be held accountable to fulfill the obligations imposed on it. The Federal Motor Carrier Safety Administration is no exception.

Perhaps if the previous administration had ever nominated an Administrator to provide leadership over this agency, the rulemakings would have been carried out in a more timely manner. After all, the driving force behind its creation was the overwhelming evidence that motor carrier safety was in dire need of leadership. Yet President Bush's nomination of Joe Clapp to be Administrator of the Federal Motor Carrier Safety Administration last week marks the first time we will have had the opportunity to consider and confirm an administrator for this critical post.

Perhaps if the Senate would confirm the pending nominee to head the Department of Transportation's General Counsel's Office, the Department would be better equipped to complete these and other pending rulemakings. It is ironic to me that the proponents of section 343 are critizincig the current administration for the lack of action by the former, while at the same time holding up the current confirmation process.

Our amendment proposes to require DOT to issue several policies that we believe can readily be issued before the end of the year, including a policy requiring motor carrier safety inspectors to be on duty during all operating hours at all southern border crossings used by commercial vehicles; a policy to establish standards to help determine the appropriate number of Federal and State motor carrier inspectors for the southern border; and a policy to prohibit foreign motor carriers from operating in the United States that are found to have operated here illegally.

Our amendment further instructs the Department to complete the remaining three rulemakings listed in section 343. If the Department is unable to do so, which may be the case since there are holds on the pending nominee responsible for the rulemakings, it is to transmit to the Congress, within 30 days after the date of enactment of this act, a notice in writing that it will not be able to complete any of the rulemakings prior to the opening of the border that explains why it will not be able to complete the rulemaking, and the precise date it expects to complete the rulemaking. I am concerned that as much as DOT may want to finish these rulemakings, given the lack of a general counsel and other staffing considerations as a result of the transition, they simply might not be able to do so. Our ability to fulfill our NAFTA obligations should not be delayed by congressional ''holds.''

Sixth, section 343 requires the DOT inspector general to certify in writing that eight conditions have been met prior to permitting the President to open the border. Unfortunately, a number of the directives are, in my judgment, inappropriate requirements for an inspector general. I do not believe it would be appropriate for the IG to be required to certify certain actions of the Mexican Government. Nor do I think it would be appreciated if someone from the Mexican Government were making pronouncements about our practices, all contingent upon compliance with our NAFTA obligations.

Moreover, both the DOT Secretary and the DOT Inspector General believe these provisions call for inappropriate operational management by the inspector general. These proposed functions go beyond the scope of authorized activities in the Inspector General Act. Implementation of the NAFTA cross-border trucking provisions should not be conditioned on actions by the Inspector General.

We have the greatest respect for the work of the Office of the Inspector General. Therefore, our amendment would instead direct the inspector general to report on the number of Federal motor carrier safety inspectors hired, trained as safety specialists, and prepared to be on duty during hours of operation at the southern border by January 1, 2002; and to provide periodic reports on several other border-related issues. These would include reporting on, No. 1, the adequacy of the number of Federal and State inspectors at the United States-Mexican border; No. 2, the Federal Motor Carrier Safety Administration's enforcement of hours-of-service rules; No. 3, whether United States and Mexican enforcement databases are sufficiently integrated and accessible to ensure that licenses, vehicle registrations, and insurance information can be verified at border crossing or by mobile enforcement units; and No. 4, the level of capacity at each southern border crossing used by commercial vehicles to conduct a sufficient number of vehicle safety inspections and to accommodate vehicles placed out-of-service as a result of the inspections.

We believe these reports would be very useful to the Secretary and the Congress as we all work to ensure that adequate safety enforcement efforts by the States and Federal Government are being carried out as we fulfill our NAFTA commitments.

Finally, section 343 would define the term ''Mexican Motor carrier'' as a ''Mexico-domiciled motor carrier operating beyond the United States municipalities and commercial zones on the United States-Mexico border.'' Based on this definition, nearly the entire section would only be applicable to carriers that had been operating illegally in this country and a few that have authority. I am confident this is not the Appropriation Committee's intent and note there was an effort to strike the definition with a technical amendment on Friday.

However, striking that definition might then impose many of the requirements on those carriers that will only be operating in the commercial zones, as well as on United States and Canadian vehicles. The focus of this provision was to have been aimed at the long-haul carriers. The definition must be modified to clarify the intent. The provision should only apply to those motor carriers domiciled in Mexico that seek authority to operate beyond municipalities and commercial zones on the United States-Mexico border and only to those vehicles that will be operating beyond the municipalities and commercial zones.

We must allow Department of Transportation sufficient flexibility to effectively administer its motor carrier safety enforcement responsibilities. The language in section 343 does not meet that standard. I urge my colleagues to support modifications to section 343. Without changes, we can look forward to a veto of this bill. I would not suggest the managers take the risk that we would not have the votes to sustain the President's first veto.

Mr. President, I again thank Senator REID, Senator SHELBY, and others for beginning a dialog on this very important issue. During the meeting a suggestion was made that all of the provisions be dropped from the appropriations bill—which I think would be entirely appropriate because they are legislating on an appropriations bill—and the Senate and House go to conference with the onerous and unacceptable House provision in it. That is perfectly acceptable to me because there is nothing I can do as a Member of this body to affect what the other body does.

But as long as we have these provisions, the 22 provisions which cumulatively, in the view of the senior advisers to the President, make NAFTA unable to be implemented for at least 2 or 3 years, then we shall have to continue the parliamentary process.

So I think there are a number of options available, including dropping the entire language, which is what a senior Member has proposed, which I agree with, and let it go to conference with the other body, or accept specific amendments. Another amendment the Senator from Texas, Mr. GRAMM, has is to make sure Mexico is treated, in whatever implementation of NAFTA is accomplished, on an equal basis with the United States and Canada. I think that would be a very important amendment because we can't send a signal that we are somehow discriminating against one of the signatories of the North American Free Trade Agreement.

So I hope we can get this worked out. I hope my colleagues will understand, in our desire to complete this legislation, the importance of this issue to all Americans, but particularly those of us from border States, because we are the ones who have been most impacted by the North American Free Trade Agreement. We will be the most impacted on the border with implementation of that agreement, so we look with concern to the legislation before this body.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. GRAHAM. Mr. President, I understand we are in morning business.

The PRESIDING OFFICER. That is correct.

Mr. GRAHAM. I ask for 15 minutes.

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

SPECIAL TRIBUTE TO KATHARINE GRAHAM

Mr. GRAHAM. Mr. President, 1 week ago today Katharine Graham died. Yesterday, she was buried next to her husband, my half brother, Philip Graham.

I have known Katharine for all but 3 years of my life. She married Phil in 1940, after what might be called a whirlwind courtship. After the honeymoon she came and, for the first time, visited her new in-laws. I was 3 years old at the time.

Mr. President, I was not a good boy at the age of 3. Some would suggest that there has not been much improvement in the intervening years. But my first encounter with Kay, as recorded in her memoirs, was as she sat at the desk writing her thank-you notes for her wedding. I toddled up and, I regret to say, spat upon Kay. She went to my mother and asked what was the significance of this behavior. My mother said, ''Don't worry, he does that to lots of people.'' Despite that inauspicious beginning, this became a wonderful relationship that added much to my knowledge, to my values, to my appreciation and joy of life.

I was one of many thousands who had the opportunity to know Katharine Graham and be influenced by her exceptional personality. There have been many statements made about Kay in the last week, describing her range of accomplishments. I want to talk about Kay as a journalist and teacher. She understood the role of journalism in American life—to provide people the knowledge they would require to be empowered to be effective citizens in a democracy.

It is not the purpose of journalism to tell people how to think, or to select what information should be available to them. Rather, it is the purpose of journalism to provide the readers the full range of information from which they can make their own judgments.

Kay also led by example. The standards she set and lived by were themselves an important part of her role as journalist and teacher.

She liked politicians. Those who attended or observed yesterday's funeral service saw the number of people from this institution, current and past, and from other political segments of our society, who were there to honor her and to represent the friendships they had established.

She understood, in a way that my brother Phil probably did not, that politicians and journalists have different responsibilities in our democracy. Though they do not have to be adversaries, each side must be careful not to compromise their particular responsibility in an effort to be excessively deferential or even excessively friendly with the other side of that delicate occasion.

I think if Kay were here, she might agree that there are some particular aspects of her life which she has shared with people in our profession of politics. She might even admit that those aspects provide lessons from which we can and should learn.

The first is the lesson of compromise. Midway through her remarkable career as publisher of the Washington Post, Kay wrote about the importance of compromise in our democracy. This was at a time when some were saying that compromise was a sign of weakness, and that to give in to the other side, to not demand absolute concurrence with your stated beliefs, was a sign of weakness. As Kay so properly observed, that is a distortion of democracy. Democracy is a government of the people. By necessity, it requires all the people, representing all of their different backgrounds, values, perspectives and aspirations, to find a common ground upon which we can then move forward. Compromise is not a sign of weakness, it is a sign of the strength of our unique form of government.

Kay believed in this in her personal behavior. If you had been fortunate to have dinner at her table, there were a number of rules her guests were expected to follow. One of those rules was that you did not engage in a series of one-on-one conversations with the person who might be seated to your left or to your right, but rather the whole table was encouraged to bring the conversation to the center so that everyone would share what was being said, and by that sharing, the level of the conversation would be elevated and the value would be enhanced. Kay was a strong believer in encouraging effective participatory discussions, which would lead to those compromises and, in turn, lead to policies that would enhance our society.

Kay also was a person of great self-confidence. I believe one of the great attributes of a human being, particularly a human being who lives in the public arena, is non-arrogant self-confidence, which I would define as meaning that you have a set of core values, that you are not a person who waits for the next wind to come and fill your sail, but that you also understand your own limitations and are open to new information, to new perspectives on the information you already have. If such a person can be convinced over time that a previous position deserves to be modified based on new information, that person is prepared to do so.

Kay had many times in her life when she was challenged to exercise that principle of non-arrogant self-confidence. Probably the most stressful period in her life, and the period of her life that has received great recognition now in her passing, was the time that surrounded the Vietnam war through the Watergate era.

At one point, when things were particularly tense and it appeared as if the Washington Post alone—and she alone as the leader of the Washington Post—were under unusual duress, she asked of her colleagues at the Post: If we're so sure we're right, where is everybody else? Why aren't there some other people, some other newspapers that are prepared to pick up this same cause? That question could have led to a decision to abandon the cause because of its loneliness. Instead, she saw it as a challenge and recognized an even greater necessity to proceed.

We in politics from time to time may find ourselves as the only one or a member of a very small minority on a particular point of view. We must have enough self-confidence in our judgment and values that we are prepared to persist, and frequently, by so persisting, we will alter the opinion of others. At the very least, in the examination of history, we may have the experience of having our positions validated.

A third quality that Kay represented and which I suggest is a valuable quality for those in the profession of politics is a commitment to lifelong growth. There is a tendency in any area of human endeavor, but I think it is a particularly persistent one in politics, for people to reach a certain level of achievement and accomplishment, then say ''this is the position I will hold for the rest of my life.'' Often, as people become more powerful in political positions, they also become narrower in terms of their own sense of the challenge of constant growth.

The Greeks recognized this over 2,000 years ago. One of the ways they tried to overcome this tendency was to require that all of the citizens of Greece periodically leave behind their trappings of power, prestige, and wealth and take on all of the tasks the Greek Republic required. It might be a menial task of working in the sewer plant of Athens, or it might be as commander of the Athenian Navy. The belief was that any well, liberally educated Greek citizen was capable of performing any task that would be assigned to them.

In many ways, Kay lived a life that had that Athenian sense of what a liberated, educated Athenian could do and how they might live their life in order to constantly challenge the perimeters that others would like to put around them.

She lived, in essence, over her 84 years two lives. Her first life for approximately 40 years was as a young girl born to privilege, a wife, a mother, a person content to live in comfort, to live in the background, to eat at the women's table, to live in a woman's world.

For the next 40 years, she was a woman, through tragedy, called upon to suddenly take on enormous responsibility. She had to learn, and learn fast, about the business and about journalism. She had to learn about the intersection of journalism and politics. She learned about the reality of the role of women in all of these worlds, and she mastered them greatly.

In her seventies she learned about herself. She committed to write her memoirs with the idea that they would give to her children and grandchildren

and future generations an insight on her, her family, her husband, her mother and father, those things that had influenced her life. She decided to do this without the assistance of a ghostwriter or someone who would put her words on paper. Rather, she took up pen and yellow paper and for 7 years wrote her memoirs.

At the conclusion, she had accomplished her objective of having placed for all time her life on paper. She also saw some results which were probably unexpected. She changed the way that many women looked at themselves and looked at their possibilities.

Yesterday, at the funeral, a woman in a wheelchair told me about how much Kay Graham's life had meant to her when she was unexpectedly handicapped. She thought she had lost the opportunity to challenge herself or reach for her potential. Through Kay's example, she gained a renewed confidence her own potential.

Kay's memoirs also changed the way in which we think about the writing of autobiographies. It is not a book of histrionics. It is not a book meant to make people necessarily feel good or to placate and to soften events in the past. It is written with a directness of one friend talking to another with great candor. And it also was a lesson of what is possible.

At the age of 80, after 80 years of living, including 7 years of writing, Kay's memoirs won the Pulitzer Prize. What an enormous statement about a life which at every stage is one of growth and unwillingness to accept limitations.

I believe these examples of the lessons of compromise, of self-confidence, and of constant life growth are just part of the legacy that Katharine Graham has given to our society. I believe in these she speaks particularly to those in our profession of politics. Their proper learning and absorption will be of great value to us.

These are examples I will be honored to attempt to emulate. My only regret is that she will not be here to critique my performance.

Mr. HATCH. Mr. President, I would like to join my colleagues today in paying tribute to a great woman, Katharine Meyer Graham, whose untimely passing saddens those of us who had the pleasure, indeed the privilege, of knowing her. Her courage, determination and style are an inspiration to all of us in public service.

There are far too many cynics in this town, and unfortunately, there is far too much to be cynical about. But, at the end of the day, it is people like Kay Graham who have inspired and mentored a new generation of idealism, of American youths who strive to be the very best in all their chosen fields of endeavor. And that is the true story behind her unflagging support of two young, obscure, city-desk reporters who broke a story that changed our Nation forever.

There is much I will miss about Kay Graham. I could talk for hours about her many outstanding accomplishments, as a wife, a mother, and a publisher. But she was also a true and loyal friend to many, an incredible force for good. Kay was one of the most powerful women in our world, but what I remember most about her is that she was genuinely a nice person.

And so, today, let us pay tribute to Kay Graham's greatness and goodness, in public and in private. I hope the world will also learn a little more about her kindness, her humility, and the sense of charity that never left her.

Mr. President, one of the most touching tributes I can recall vividly describes the cycle of life and our profound transition. It likens our passage to the journey of a magnificent sailing ship, gliding through deep blue water, growing smaller and smaller as the sea meets the sky. And when the ship fades silently from sight, just as we think she is gone, we are reassured to know that on the opposite shore . . . she awaits.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the morning hour be extended for 45 minutes, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

TRANSPORTATION APPROPRIATIONS

Mr. DASCHLE. Mr. President, we have been in a quorum call now for several hours. As I understand it, there are still negotiations ongoing with regard to the trucking amendment. In order to accommodate further discussion, I would like to ensure that other Senators know I will be filing cloture tonight, and it will be very important during this negotiation period for other Senators to come to the floor to offer their amendments.

I expect there will be additional rollcall votes later on tonight. We know of two amendments that will be offered. We will expect rollcall votes on those amendments sometime after 6:30 this evening. Beyond that, there may be other amendments as well. But we will have additional votes tonight.

Senators ought to come to the floor. As I say, I reluctantly will file cloture with the hope that perhaps it could be vitiated if we can reach some agreement. But barring that, we will expect a cloture vote on Thursday. We would expect, as well, that Senators who have amendments that may not be germane postcloture can come to the floor, offer them, have them debated, and certainly have a vote on them as well.

So tomorrow we will be devoting time to amendments. If amendments are not offered, it would be my expectation that we would take up at least one, if not more, of the controversial nominations that might require some debate time. But we will address that in greater detail at a later moment.

At this point, I encourage Senators to come to the floor because we are entertaining amendments. We expect to offer a couple. As I said, we will have rollcall votes later on this evening.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mrs. MURRAY. Mr. President, what is the pending business?

The PRESIDING OFFICER (Mr. AKAKA). We are in a period of morning business.

Mrs. MURRAY. Mr. President, I yield to the Senator from Oregon.

Mr. WYDEN. Mr. President, I thank Senator MURRAY. I commend her for the excellent job she has done on this bill. This is an extremely important measure. She has done a first-rate job handling it. We appreciate it in the Pacific Northwest and across this country.

I want to take a few minutes tonight to discuss the situation that the flying public is facing as they look at using our airlines and our system of aviation this summer. Unfortunately, so many Americans are going to face long and tedious hours stranded in overcrowded airports. In many instances, they are not even going to have the basic courtesy of straight information about their flights, cancellations, and important details that are so essential to them when they make their plans.

It seems to me the central aviation problem today is that there are no consequences for this flagrant mistreatment of passengers. There really is no accountability. While this problem is extremely complicated, clearly demand exceeds supply in this country. We need more runways. We need better air traffic control. But you do not have to pour more concrete to start telling passengers the truth about their travel options in the United States.

Again and again we find that passengers are kept in the dark. They are not told when a flight is overbooked. For example, I have no problem with the airline selling a ticket to a passenger on an overbooked flight, but I think the passenger has a right to know that flight is overbooked. The inspector general found repeatedly that the airlines would know hours ahead of time that a flight was going to be significantly delayed by 2 or 3 hours. Yet the airlines would not go out and change the departure board.

It seems to me what we ought to require, in an area that is extremely complicated, is that passengers at least have a right to know what their travel options are. Senator REID and Senator MCCAIN and I have been working together very closely for several years now. A bill has cleared the Senate Commerce Committee under the leadership of Chairman HOLLINGS and Senator MCCAIN. Under normal circumstances I would offer a measure that would ensure passengers have these basic rights as they fly this summer in what proves to be a pretty exasperating travel season for millions of Americans. But, frankly, I do not like to legislate on an appropriations bill.

I think Chairman HOLLINGS and Senator MCCAIN and Senator REID, our bipartisan group that has worked in this area, has put together a very good bill. It has passed the Senate Commerce Committee unanimously.

Suffice it to say, the chair of the Senate Transportation Committee has enough headaches in handling this legislation right now as to not put yet another challenge on the bill. But I will tell you my patience with respect to this matter is growing pretty thin.

Senator MCCAIN and I introduced the first bipartisan passenger rights legislation back in 1999. The airlines then said there really was no problem. They said this was just an anecdotal situation and there really was not a problem.

Then, as the evidence began to pour in that this problem was systemwide, they said the answer is a voluntary approach. Just keep the U.S. Congress out of it and everything is going to be fine. The inspector general came forward and did an analysis of the voluntary approach and saw that was not working particularly well. Then the airlines said it was the FAA's fault, the Federal Aviation Administration.

The fact is, it has been a bottomless pit of excuses with respect to this question of improving passenger service in this country. Now the airlines have basically said that if passengers want any rights, they should basically go to court to try to get them. They will have a voluntary program, but if the passengers want any rights they should go out and try to find somebody in the trial bar to get interested in a lawsuit.

Suffice it to say, this country needs a straightforward, enforceable package of rights to protect the passenger.

I want to make it clear, I am not calling for a constitutional right to a fluffy pillow on your airplane flight or a legal right to a jumbo bag of peanuts. But I do think you ought to have a right to basic information such as when your flight is chronically delayed.

One of the areas the inspector general has felt most strongly about is a situation that would require airlines to inform a prospective passenger when a flight is going to be 2 or 3 hours late and has a track record of being that late 30 or 40 percent of the time.

I also think disclosing that information to the flying public would inject a bit of competition into the system because, if consumers could have that kind of information, then they might choose another flight, say, that was only late 10 percent of the time or they might choose another travel option altogether. You could begin to hold the airlines accountable. You could begin to have some consequences for this shoddy service to which the passengers are so often subjected.

The passenger bill of rights is really about the public's right to know. It is about giving passengers information. I was told early on that somehow giving passengers these rights was going to jack up the bills of consumers. It seems to me it only can be a force for holding costs down because when you give passengers information about their options, that helps to make the system more competitive and serves as a force to drive prices down.

I hope we will not have to wait much longer to get an enforceable set of passengers' rights in place.

I do not quarrel in the least with the airlines' argument that we need more funding for runways and air traffic control and infrastructure. The airlines are absolutely right. Today, demand exceeds supply with respect to American aviation, but I will tell my colleagues and the Senate that all the concrete in the world is not going to do it if the airlines are not required to give the passengers basic information about their flight options that is now in their possession. I am continually struck how it can be that this industry, which has performed such technological miracles in so many other areas, cannot devote just a tiny bit of that talent and ingenuity to making sure that passengers are kept well informed.

It seems to me it is a basic sort of proposition of industry in this country that you try to treat the customer properly, that you tell someone what their options are. But essentially aviation is one of the few industries—perhaps the only one—where you consistently can't get the product for which you contracted. If the local movie house doesn't have enough people for the 3 o'clock showing, the local movie house doesn't go out and cancel the 3 o'clock showing. It has been found again and again that is what airlines do when they don't think they have sufficient people on a particular flight.

I am not going to offer the passenger bill of rights as an amendment on Senator MURRAY's appropriations bill, but I wanted to come to the floor and say this is an area where I think the Senate is ready to go with the good work of Senator REID and Senator MCCAIN, and particularly Senator HOLLINGS, who pulled together a bipartisan bill in the Senate Commerce Committee.

I think we are on our way to passing legislation that could make a real difference. Given the fact that it will take some time to get that new infrastructure which is needed in place—it is going to take time to get additional runways and improvements in air traffic control and other basic purposes—that is all the more reason to pass a passengers' rights bill now so that passengers, as we are building the additional infrastructure, can know what their travel options are and know how to plan what is best for them and their families.

I again thank Senator MURRAY for the excellent job she has done on this bill. I see Senator SHELBY and others are here as well. Senator SHELBY was very involved in passing and supporting passenger rights as well. I thank him for that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, as the majority leader announced, we are moving towards an amendment that will be voted on shortly. I understand the Senator from New Jersey would like to speak for 12 minutes. I yield to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. TORRICELLI. Mr. President, I thank the Senator from Washington for yielding the time.

I rise in opposition to efforts by Senator GRAMM and Senator MCCAIN to strike the Murray language regarding access by Mexican motor carriers to United States highways. In fact, while I commend Senator MURRAY for her efforts to reach compromise with regard to access to United States highways by Mexican truck companies—I am indeed even opposed to her compromise—I believe that any compromise is going to result in danger to American motorists and believe the better course is for the Senate to follow the leadership of the House of Representatives and ban these trucks unless and until we are certain that American motorists can be safe.

Senator DORGAN and I have prepared such an amendment and are considering offering it. Obviously, that can only be done if, indeed, we begin by defeating Senator MCCAIN's efforts.

While serving in the House of Representatives, I opposed the NAFTA treaty. I believed then, as I believe now, that for all of the advantages of integrating the economies of North America, NAFTA was a missed opportunity. It was a missed opportunity to establish regulatory environmental and labor requirements that would protect both our natural environment and also our human resources. Now we are about to make the same mistake again at an enormous price.

I do not believe NAFTA or any international law imposes on the United States an obligation to lower or ignore safety standards for our citizens in the name of free trade. I believe in free trade. I have often voted for free trade. I believe its economic advantages to our Nation are overwhelming. But our first obligation is always to protect the health and well-being of American citizens.

If there is a question as to whether allowing Mexican trucks immediate and unlimited access will endanger American citizens, one need look no further than developments along our southern border in the last decade.

Since the enactment of NAFTA, the number of Mexican commercial trucks crossing between our countries has increased by 324 percent. There are over 4.5 million commercial truck crossings a year into our Southern States. Only 1 percent of these vehicles are inspected by U.S. personnel. Thirty-six percent of those trucks inspected failed basic safety standards for such things as faulty brakes, broken lights, unsafe transportation, or dangerous cargo.

As this chart illustrates, the percentage of trucks ordered off the roads because of faulty brakes or hazardous and dangerous or toxic cargoes is 50 percent higher in Mexican trucks than in America trucks and nearly four times as high as with Canadian trucks. If you were to extrapolate this number on the basis of actually inspecting all those trucks crossing the American border, 1.5 million truck crossings would pose a safety hazard, the vast majority of which are obviously undetected. Public Citizen estimates that were we to do nothing, there would be an additional 3 million truck crossings.

Using this 36 percent failure rate, that means, incredibly, that we could expect 1 million hazardous truck crossings per year from Mexico to the United States. Based on our current experience, 1 million trucks are going to enter into the States that Members of this Senate represent with faulty brakes, hazardous cargo, unsafe lighting, and unsafe design.

How many lives will be consumed by 1 million faulty trucks on America's highways? It is a question no one can answer. But every Senator can agree upon this: It is going to cost lives—not maybe, not perhaps. People will lose their lives. This problem is driven by systemic flaws within the Mexican regulatory system which result in low compliance, lax enforcement, and little or no sanctions for violations.

The chart on my left demonstrates the stark difference between American and Mexican truck regulations, beginning with driver fatigue.

In order to assure that drivers are alert on American highways, American truckdrivers are limited to 10 hours of consecutive driving. Even with this American limit of 10 consecutive hours on the road, driver fatigue still causes one-third of all truck accidents in the United States.

Only months ago, Mexico instituted its first limitations on hours of service. But most trucks in Mexico are exempt from the limitation. Imagine American highways with Mexican truckdrivers who have no experience with these limitations and who lack compliance with driving for limited hours. Truckdrivers from Mexico earn, on average, $7 per day driving these truck rigs across the United States.

I can tell you this about a truckdriver who earns $7 a day to feed his family. Having him stop driving after 10 hours when he lives in those economic circumstances, not being accustomed to these regulations, having no history of them, with questionable enforcement—these trucks are going to be driven for hours and hours past current regulations.

Second, logbooks: In the United States, all truckdrivers are required to keep detailed logbooks of their driving time, cargo, and destination and to present them, on demand, for safety.

In Mexico, the law for keeping logbooks is not enforced, and border inspectors have reported that virtually none of the Mexican drivers entering the United States uses these logbooks—virtually none.

Weight limits: American trucks cannot exceed 80,000 pounds and are often inspected by weigh stations throughout the Interstate Highway System. Eighty-three percent of the fatal truck accidents in the United States involve trucks that are over 26,000 pounds, clearly establishing that heavier trucks are the cause of most fatal truck accidents.

In Mexico, the weight limit is an incredible 135,000 pounds, or 28 tons higher than the American limit. Equally as disconcerting as this higher weight limit is that even should the limit be reduced, there is inadequate infrastructure or even space along the border to perform weight compliance checks. Seventy percent of inspection sites in the United States have room for only one or two trucks. Not only are these trucks out of compliance, not only are they dangerous, but even if we were requiring compliance, we do not have the infrastructure to do it.

These trucks are coming to American roads. It is a safety problem, to be certain, that is going to cause loss of life. It is also an invitation to massive damage to American highways, massive damage to highways and bridges that are not designed for these kinds of extraordinary weights.

Hazardous materials: In the United States, all hazardous materials must be clearly marked with an official placard when transported, and all truckdrivers transporting hazardous materials must be specifically licensed. This has been done to ensure safety that when hazardous materials go through our neighborhoods and our cities and our States, we know the driver is competent, but we also know that driver is traceable and responsible if those toxic or hazardous materials are dumped in water supplies or streams or neighborhoods because of a long problem of criminal and even organized criminal activity in dumping these hazardous materials.

Nearly a quarter of all trucks entering the United States from Mexico are transporting hazardous materials but only 1 out of 14 is properly identified.

Age: The average age of a commercial truck in the United States is 4½ years. In Mexico, the average truck is 15 years old. There are few truck companies in America that operate any trucks that are 15 years old. ''Average'' or ''median'' age means a significant portion of Mexico's trucks is 20, 25, and 30 years old. By definition, such a truck is not safe to be operating on the American Interstate Highway System.

Lest anyone think my concerns are solely on the Mexican side of the border, let me discuss for a moment the failure of the United States to properly prepare for an inspection program.

On the assumption that Senator MCCAIN's efforts will fail, we are left with Senator MURRAY's efforts to reach a compromise on this to try to improve this system. We hope she succeeds. But if she does, it will require a Federal inspection system.

Today, Federal and State inspectors are on duty 24 hours a day at only 2 of the 27 border crossings with Mexico. If a Mexican truck enters a border crossing when no one is there, it is not subject to inspection.

The Department of Transportation, under these proposals, is going to issue operating certificates to Mexican firms based on their answers to questionnaires. The Department will have 18 months to perform a safety audit on the firm. But the firm's trucks can freely travel throughout the United States during this 18-month period when the questionnaires are being reviewed.

Second, the inadequacy of the U.S. inspection infrastructure is an invitation to problems. Many State inspectors who augment Federal inspectors do not even routinely check for licenses and documents. Most border crossings lack any telecommunications, so the inspection personnel

cannot even check on the validity of licenses and registrations being offered at border crossings.

I make these points to demonstrate that the Mexican trucking industry as well as the American inspection system are not ready to protect the American driving public. There is no infrastructure. There is inadequate personnel. There are not weigh stations. There are not even telephones. There are not parking spaces. There is an avalanche of old Mexican trucks, without requirements for safety or background or design, that are coming to the United States.

This Nation has spent more than 50 years modernizing its trucking industry, learning about safety, training drivers, ensuring that they understand how to operate these rigs. After 50 years of experience, and lowering mortality rates, we are now opening our borders to Mexican trucks.

I recognize that this issue is difficult because of our close relations with Mexico and our obligations under NAFTA. Indeed, on February 6 an international arbitration panel ruled that the United States cannot bar all Mexican applicants from entering the United States. The United States wants to comply with its international obligations. But the arbitration panel also found that because of vast differences between the two regulatory regimes, the United States did not have to treat Mexican applicants the same as it did United States or Canadian applicants.

The panel indicated that NAFTA did not restrict the ability of the United States to implement measures to ensure that Mexican trucking companies and their drivers meet United States standards. I quote:

> Nor does it (NAFTA) require that Mexican-domiciled firms currently providing trucking services in the U.S. be allowed to continue to do so, if and when they fail to comply with U.S. safety regulations.

Later on the panel added:

> U.S. authorities are responsible for the safe operation of trucks within U.S. territory, whether ownership is American, Canadian or Mexican.

I believe the authority of the U.S. Government in this area is clear. We have the right—indeed, we have the obligation—to ensure that our citizens are safe and our highways are operated to the very highest standards. The record in the United States, for all of our efforts, is not overwhelmingly positive. Despite 50 years of efforts, the highest design requirements in the world, the best training in the world, over 5,000 Americans are killed every year and over 100,000 people are injured on American highways because of accidents with heavy trucks.

There is no one in the Senate who can credibly argue that if Mexican trucks are allowed in the United States without adequate inspection, without modernizing the infrastructure, without a tremendous change in the operating performance of these old Mexican trucks, with poorly trained drivers, and no experience with modern regulations, these 5,000 deaths are not going to be increased and the loss of life will not be considerable.

Mr. President, I believe this case is compelling. There are few times Members of the Senate can cast a vote knowing that the results are potentially so dramatic. The citizens of our States are already frustrated with crowded highways that are deteriorating under heavy use. The loss of life from accidents is inexplicable—100,000 injured Americans.

To now open American highways to Mexican trucks, given their record of compliance, the failures of infrastructure, is to guarantee an increase in this dangerous situation.

I urge defeat of Senator MCCAIN's efforts. Then the Senate needs to seriously consider whether the compromise that is in the legislation is sufficient to protect American families.

ORDER OF PROCEDURE

Mrs. MURRAY. Will the Senator yield for a unanimous consent request?

Mr. TORRICELLI. I am happy to yield.

Mrs. MURRAY. I thank the Senator from New Jersey.

Mr. President, I ask unanimous consent that at 6:40 p.m., we lay aside the pending Murray amendment, that the Senate vote in relation to the Fitzgerald-Bayh amendment regarding the Chicago airports, and that no second-degree amendments will be in order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Wyoming is recognized.

Mr. THOMAS. Mr. President, I would like to ask a question of the chairman. I didn't want to object. Will this be the last vote today?

Mrs. MURRAY. I cannot answer that question at this time. Senator DASCHLE has indicated he would like a number of votes, but I don't know the answer to that. I will ask the leader.

Mr. THOMAS. Would it be fair to ask—we have been in morning business almost all day—what kind of a management operation do we have going on here?

Mrs. MURRAY. I would tell the Senator that we have been working diligently all day long to move the Transportation appropriations bill. There are a number of Members on his side who have some concerns about the underlying provisions regarding safety of Mexican trucks, and we have been unable to move forward on that issue at this time. We hope to continue to work to resolve that issue and to move this bill forward.

Mr. THOMAS. We hear from the leader we will move forward. We have a lot of things to do. Yet we spend the whole day, frankly, accomplishing very little.

Mrs. BOXER. Will Senator MURRAY yield for a question?

Mrs. MURRAY. I am happy to yield.

Mrs. BOXER. I am confused by that colloquy. It is my understanding that a Republican Senator, or, rather, two Republican Senators had asked the Democratic manager and, for that matter, I am sure the Republican manager, to discuss an underlying provision of the bill. That is what has been happening. As a matter of fact, that Republican Senator came out to thank Senator MURRAY for agreeing to sit and negotiate. Am I right on that point?

Mrs. MURRAY. The Senator is correct.

Mrs. BOXER. Isn't the reason for the delay to work out this problem?

Mrs. MURRAY. The Senator is correct.

Mrs. BOXER. And the request came from two Republican Senators?

Mrs. MURRAY. The Senator is correct.

Mrs. BOXER. I thank my friend for sharing that information.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002—Continued

AMENDMENT NO. 1058 TO AMENDMENT NO. 1025

Mrs. MURRAY. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

> The Senator from Washington [Mrs. MURRAY], for Mr. FITZGERALD, Mr. DURBIN, Mr. BAYH, and Mr. LUGAR, proposes an amendment numbered 1058 to amendment No. 1025.

Mrs. MURRAY. I ask unanimous consent that further reading of the amendment be dispensed with.

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

(Purpose: Relating to commercial air service at the Gary-Chicago Airport)

> On page 55, line 2, insert after ''access,'' the following: ''increasing commercial air service at the Gary-Chicago airport, and increasing commercial air service at the Greater Rockford Airport''.
>
> On page 55, line 7 insert after ''Chicago area'' the following: '', including Northwest Indiana''.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to Amendment No. 1058. The clerk will call the roll.

The senior assistant bill clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 248 Leg.]

YEAS—100

Akaka	Crapo	Inouye
Allard	Daschle	Jeffords
Allen	Dayton	Johnson
Baucus	DeWine	Kennedy
Bayh	Dodd	Kerry
Bennett	Domenici	Kohl
Biden	Dorgan	Kyl
Bingaman	Durbin	Landrieu
Bond	Edwards	Leahy
Boxer	Ensign	Levin
Breaux	Enzi	Lieberman
Brownback	Feingold	Lincoln
Bunning	Feinstein	Lott
Burns	Fitzgerald	Lugar
Byrd	Frist	McCain
Campbell	Graham	McConnell
Cantwell	Gramm	Mikulski
Carnahan	Grassley	Miller
Carper	Gregg	Murkowski
Chafee	Hagel	Murray
Cleland	Harkin	Nelson (FL)
Clinton	Hatch	Nelson (NE)
Cochran	Helms	Nickles
Collins	Hollings	Reed
Conrad	Hutchinson	Reid
Corzine	Hutchison	Roberts
Craig	Inhofe	Rockefeller
Santorum	Snowe	Torricelli
Sarbanes	Specter	Voinovich
Schumer	Stabenow	Warner
Sessions	Stevens	Wellstone
Shelby	Thomas	Wyden
Smith (NH)	Thompson	
Smith (OR)	Thurmond	

The amendment (No. 1058) was agreed to.

Mr. REID. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. CONRAD. Mr. President, I am pleased to rise today in support of H.R. 2299, the Department of Transportation and Related Agencies Appropriations Act for Fiscal Year 2002.

The bill provides $15.575 billion in discretionary budget authority, including $695 million for defense spending. The budget authority will result in new outlays in 2002 of $20.257 billion. When outlays from prior-year budget authority are taken into account, discretionary outlays for the Senate bill total $52.926 billion in 2002. Of that total, $28.489 billion in outlays counts against the allocation for highways spending and $5.275 billion counts against the allocation for mass transit spending. The remaining $19.162 billion in outlays, including those for defense spending, counts against the allocation for general purpose spending. The bill is within its Section 302(b) allocations for budget authority and outlays for general purpose, defense, highways, and mass transit spending. In addition, the committee once again has met its target without the use of any emergency designations.

Once again, I would like to commend Chairman BYRD and Senator STEVENS, as well as subcommittee Chairwoman MURRAY and Senator SHELBY, for their efforts to work cooperatively and expeditiously to move this legislation. The bill provides important new resources across all transportation modes. Not only does this bill fully meet our previous commitment to the highways, mass transit, and aviation programs, but it also provides important additional resources to improve pipeline safety and to support operations and development at the Coast Guard and the Federal Railroad Administration.

I urge the adoption of the bill.

I ask unanimous consent that a table displaying the Budget Committee scoring of this bill be inserted in the RECORD.

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

H.R. 2299, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES, 2002; SPENDING COMPARISONS—SENATE-REPORTED BILL

[In millions of dollars]

	General purpose	Defense	Highway	Mass transit	Mandatory	Total
Senate-reported bill:						
Budget Authority	14,880	695	0	0	(915)	14,660
Outlays	18,546	616	28,489	5,275	801	53,727
Senate 302(b) allocation: [1]						
Budget Authority	14,884	695	0	0	(915)	14,664
Outlays	19,164	0	28,489	5,275	801	53,729
House-passed:						
Budget Authority	14,552	340	0	0	(915)	13,977
Outlays	18,500	332	29,321	5,664	801	54,618
President's request:						
Budget Authority	14,552	340	0	0	(915)	13,977
Outlays	18,543	332	29,321	5,664	801	54,661
SENATE-REPORTED BILL COMPARED TO						
Senate 302(b) allocation: [1]						
Budget Authority	(4)	0	0	0	0	(4)
Outlays	(2)	0	0	0	0	(2)
House passed:						
Budget Authority	328	355	0	0	0	683
Outlays	46	284	(832)	(389)	0	(891)
President's request:						
Budget Authority	328	355	0	0	0	683
Outlays	3	284	(832)	(389)	0	(934)

[1] The 2002 budget resolution includes a ''firewall'' in the Senate between defense and nondefense spending. Because the firewall is for budget authority only, the appropriations committee did not provide a separate allocation for defense outlays. The table combines defense and nondefense outlays together as ''general purpose'' for purposes of comparing the Senate-reported outlays with the subcommittee's allocation.

Notes.—Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions. For enforcement purposes, the Budget Committee compares the Senate-reported bill to the Senate 302(b) allocation.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate now go into a period of morning business, with Senators allowed to speak for up to 5 minutes each.

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

EUDORA WELTY: REMEMBERING THE LIFE OF A GREAT SOUTHERN WRITER

Mr. LOTT. Mr. President, yesterday, writer Eudora Welty, a native of Mississippi, passed away at the age of 92. Miss Welty was best known for her short stories and the way they captured the life of the American South. Miss Welty had a gift in telling of the traditions and the relationships of her native south, and she received worldwide recognition for her work which helped make Southern writing a focus in 20th century literature. Many people do not know that she was also an accomplished photographer.

Miss Welty is considered by many literary authorities to be the greatest American writer of our time. She grew up in Jackson, Mississippi, and attended public schools. She often recalled trips to the Jackson library with her mother that began her love for literature. She attended Mississippi University for Women, where she was first published in the school newspaper, and went on to graduate from the University of Wisconsin. She returned to her native state in 1923 to live and write in the Belhaven neighborhood of Jackson, Mississippi, the remainder of her life.

Miss Welty began her career with the publishing of her first short story, ''Death of a Traveling Salesman'', which appeared in 1936. The Optimist's Daughter, published in 1972, earned Miss Welty the 1973 Pulitzer Prize for

Fiction. Her 1984 autobiography, One Writer's Beginnings, was a New York Times bestseller. Her stories are primarily set in Mississippi, and she had a special knack for writing about the people and places of home.

Mr. President, Miss Welty received numerous literary awards during her lifetime, including four O. Henry Prizes, the National Book Foundation Medal, and the American Academy of Arts' and Letters' William Dean Howells Medal. Her work has been adapted to Broadway stages, television, and movies. She received the Freedom Medal of Honor from Presidents Carter and Reagan, as well as Lifetime Achievement Awards from the National Endowment for the Humanities, National Governors Association, and American Association of University Women.

Miss Welty's writing had an influence on the lives of Mississippians and Southerners alike. Her gift of capturing the human spirit made her beloved by the nation and the world, as well. She was a great Mississippian who gave back to her community, and she will be missed by the entire literary world.

Mr. COCHRAN. Mr. President, I am sure most Senators have heard by now, or read in the newspapers, that Eudora Welty died yesterday in Jackson, MS. She was 92.

Miss Welty was a wonderful person and one of America's best writers. She was well known around the world for the excellent quality of her stories, and she was also appreciated in Mississippi for her generosity, warmth and good humor.

For several years my wife and I lived in her neighborhood, the Belhaven section of Jackson, and when we would see her she was always gracious and friendly. Everyone I knew loved her. So, it is not an exaggeration to say that the entire State of Mississippi is in mourning today.

She may have been every writer's idol, but she was every Mississippian's friend.

When I was a student in Europe in 1963 and was introduced to one of Dublin's leading artists, he said, ''If you are from Jackson, Mississippi, then you must know Eudora Welty.'' At that time I really didn't know her very well, and I admitted it. Then he said, ''Well, you must get to know her. She is, you know, the greatest living writer in the world today.''

''Goodness,'' I thought. I didn't know she was that great. I had read ''Delta Wedding'' and a few of her short stories, but I didn't appreciate her widespread popularity and reputation until I spent a year abroad.

Her writings of course are widely read, well known and respected everywhere, including Mississippi. She has been honored at home and throughout the world. But it is in Mississippi that she was loved for her personal qualities as well as for her talent as a writer.

Tomorrow her body will lie in state at the old State capitol and on Thursday a memorial service will be held at Galloway Memorial Methodist Church where she was a member.

I ask unanimous consent that articles from today's Jackson daily newspaper, The Clarion-Ledger, which chronicle her writing, photography and the numerous awards she received be printed in the RECORD.

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

AUTHOR GONE, BUT WORDS LIVE ON, EUDORA WELTY REMEMBERED

(By Billy Watkins)

She would quietly slip into Lemuria Book Store and head straight for the mystery section. No fanfare, no attention drawn to herself.

''I can still see her, dressed in her beige trench coat, standing over in a little nook of the store and browsing through the books like any other customer,'' said Lemuria owner John Evans. ''She loved books, and she loved book stores. And I used to just sit and watch her and think how cool it was that Eudora Welty was in my book store.

''It doesn't get much better than that.''

Welty, a world-renowned writer who was born in Jackson and lived here most of her life, died Monday at 12:25 p.m. at Baptist Medical Center. She was 92.

Welty was hospitalized Saturday suffering from pneumonia.

Welty will lie in state at the Old Capitol Museum from 2–5 p.m. Wednesday. It is open to the public.

On Thursday, visitation is set for 1 p.m. at Galloway Memorial United Methodist Church followed by a memorial service at 2:30 p.m.

Burial arrangements are incomplete.

Patti Carr Black, a long-time friend and one of Welty's editors, was in Welty's hospital room a half-hour before she died.

''She was not apparently conscious,'' Black said, ''but doctors say that people who are in that situation know when others are in the room with them. I hope that's true.''

Welty was famous for her short stories, novels and essays. Among her most notable works: The Ponder Heart; Why I Live at the P.O.; One Writer's Beginnings, her autobiography that was the longest-running book on the New York Times bestseller list in 1984; and The Optimist's Daughter, which won her a Pulitzer Prize in 1973.

Her literary career spanned eight decades, beginning in 1936 with the publication of her first short story, Death of a Traveling Salesman. In 2000, University Press of Mississippi published Church Courtyards, a collection of photographs.

Welty had three books of black-and-white photographs published. Some of the pictures were exhibited originally in small New York galleries in 1936 and '37. The photos are now high-priced collector's items.

Welty's work always focused on people—their simplicities and complexities.

''One of the things that made her great was her ability to get inside people's heads,'' Evans said. ''Her eyes and ears picked up everything about people, and it was her softness and gentleness as a person that allowed her to do so.

''She was so non-threatening that people dropped their guard and let her inside them. And it carried over into every story she ever wrote, every photograph she ever took.''

Welty wrote in 1980: ''I have been told, both in approval and in accusation, that I seem to love all my characters. What I do in writing of any character is try to enter into the mind, heart and skin of a human being who is not myself.''

She later said: ''To me, the details tell everything. One detail can tell more than any descriptive passage in general, you know. That's the way my eye sees, so I just use it.''

Welty always deflected any notion that she was famous, even though she was the recipient of honorary degrees from both Harvard and Yale, and she was knighted by France in 1987.

''I'm not any kind of prophet,'' she said in 1991. ''I think you write about whatever's current . . . They won't be the same kind of stories but they'll be about human beings.''

Black was one of the few people who had the opportunity to work closely with Welty.

''In times like these, we always react personally instead of thinking of the world's loss,'' Black said. ''I guess the thing I'll miss about her most is her laughter. She had the greatest wit. We celebrated her birthday together for the past couple of decades. She loved a party.

''But she never wanted to be the center of attention—but she was because she's one of the nation's geniuses.''

Larry Brown, an award-winning author from Oxford, said: ''I remember reading some of her short stories in high school and really enjoying them. I met her one time, in 1989 when they gave me the Mississippi Arts and Literature Award, and had my picture taken with her. She really devoted her whole life to writing.''

Willie Morris, the late Mississippi author wrote a 4,000-word essay for Vanity Fair magazine on the occasion of Welty's 90th birthday. In an April 1999 interview with The Clarion-Ledger, Morris called the article ''a toast to Eudora.''

Morris added: ''I call her Eudora because she's been my friend since I was a little boy. I very strongly support the idea that she is the greatest living American writer. She's full of wackiness and humor and loyalty to her friends. She's just so generous. Always has been.''

Shelby Foote, fellow Mississippi writer and longtime friend, said: ''No one who ever spent as much as five minutes in her presence avoided being extremely fond of her. She had a childlike wonder she never lost.''

Welty was born in her family home at 741 N. Congress St. on April 13, 1909. In 1923, the Welty family moved to the Belhaven-area home that her father built. She lived and wrote there most of her life. She never married.

The Tudor-style home on Pinehurst Street now becomes the property of the Mississippi Department of Archives & History, per Welty's wish.

In 10 years, Welty's portrait will permanently enter Washington's National Portrait Gallery, joining the likes of George Washington, Pocahontas, Mark Twain and Albert Einstein.

As her health declined in recent years. Welty rarely left her Jackson home. Only close friends and relatives were allowed to visit, but loyal readers continued to knock on her front door.

''She influenced every Southern writer because she taught us to write in our own voice,'' said Ellen Gilchrist, a Mississippi author who once studied under Welty at Millsaps College. ''When I first read her, my

mouth was hanging open because she wrote the way I and people I knew talked. It was a revelation to me.

''She was a beautiful lady, like my mother and my aunts. You didn't have to be a drunk living in Paris—you could be a nice lady and be writing books.

''It was an honor to know her.''

''GRAND LADY'' ADMIRED FOR PURE VOICE

(By Gary Petius)

The death of Eudora Welty, whose mind and heart pondered the separation between human beings, brought many together Monday in mutual grief and regard for the Pulitzer Prize-winning author.

''A giant tree has fallen,'' said David Sansing, historian and professor emeritus of history at Ole Miss in Oxford.

''William Faulkner, Tennessee Williams, Richard Wright, Eudora Welty: Who would think that this little state, with such a high rate of illiteracy, would produce these giants of literature, and all of the same generation?

''Eudora Welty was the last of those, the great four.''

Dean Faulkner Wells of Oxford, niece of perhaps the greatest of those four, William Faulkner, said, ''A grand lady of letters is gone. We will always revere her words, as will coming generations.''

Wells' husband, author Larry Wells, said Welty ''spoke to all generations. It was that pure voice, that humanity. You can't afford to lose people like Eudora Welty.

''In matters of the heart, she was never wrong.''

One of the people who knew her heart best is Suzanne Marrs, a noted Welty scholar and an English professor at Millsaps College in Jackson. In a Monday news conference, she was reminded of the famous Lou Gehrig farewell speech that echoed in Yankee Stadium decades ago. ''Today,'' Marrs said, ''I think I'm the luckiest English teacher on the face of the earth: I had Eudora Welty as a great friend.''

Marrs recalled a crowed elevator ride she took long ago with her friend, who was surrounded by a bevy of starry-eyed writers attending a seminar in Chattanooga. When Welty noted that everyone else in the car wore an ID, she said, ''Oh, I've forgotten my nametag.''

''She was that modest to believe she needed a nametag among all those people who knew her greatness,'' Marrs said.

Her humility and talent connected with people on both sides of the political and philosophical aisle. Mississippi Gov. Ronnie Musgrove, a Democrat, and U.S. Rep. Roger Wicker, a Republican, honored Welty on Monday.

''Not only will Mississippians miss her,'' Musgrove said, ''but people literally around the world will miss her wisdom.''

In remarks made on the floor of the House, Wicker said, ''Eudora Welty understood not only the South, but the complex family relationships and individual struggles that have combined to give America its rich texture. Her works of fantasy and tall tale narration included two of my favorites, The Robber Bridegroom and The Ponder Heart . . . , which are still read aloud frequently at the Wicker household.''

A statement from Mississippi native William Ferris, chairman of the National Endowment for the Humanities, read in part: ''She chronicled the power of place in small towns and in rural areas with an intimacy and eloquence that was unique.''

That eloquence charmed and inspired writers of various generations, including Elizabeth Spencer of Chapel Hill, N.C., who wrote the introduction to Welty's Country Churchyards. ''. . . Her work will live on as the presence that we will miss so much,'' Spencer said.

In spite of that void, Sansing said, Welty leaves behind a wealth of literary heirs in Mississippi, including Larry Brown, Barry Hannah, Richard Ford and Greg Iles.

''There's no other geographic region in the world, on a per capita basis, that has produced so many really fine writers,'' Sansing said. ''And there's no end in sight.

''(The late author) Willie Morris and I used to talk all the time about why this is so. And he always came back to one thing: It's the caliber of the whiskey we drink.'' Sansing paused.

''But I don't think Miss Welty drank much whiskey.''

COMMITTEE ASSIGNMENTS PURSUANT TO S. RES. 120

Mr. LOTT. Mr. President, on behalf of the Republican Members of the Senate, I submit the following committee assignments for the Republican Party:

Special Committee on Aging: Mr. Craig, Mr. Burns, Mr. Shelby, Mr. Santorum, Ms. Collins, Mr. Enzi, Mr. Hutchinson, Mr. Fitzgerald, Mr. Ensign, and Mr. Hagel.

EXPLANATION OF VOTE

Mr. ENSIGN. Mr. President, on Thursday, July 19, I was unable to register my vote on rollcall vote No. 240, final passage of the fiscal year 2002 Energy and Water Development Appropriations Act. If I had been present to vote, I would have voted ''yea.''

Mr. DURBIN. Mr. President, I would like to note for the RECORD that I missed the vote on Monday, July 23, vote No. 247, because my flight arrived from Chicago 3 hours late at 8:30 p.m. Had I been here, I would have voted ''yea.''

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred July 17, 1990 in Salt Lake City, UT. Three men were charged with aggravated assault in the July 17 attack of a 17-year-old gay male. The three suspects, Roy Larsen, 20, Glen Chad Hosey, 20, and Brian Snow, 18, allegedly beat the victim with nunchaku in a city park.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, July 23, 2001, the Federal debt stood at $5,721,846,564,456.14, five trillion, seven hundred twenty-one billion, eight hundred forty-six million, five hundred sixty-four thousand, four hundred fifty-six dollars and fourteen cents.

Five years ago, July 23, 1996, the Federal debt stood at $5,171,664,000,000, five trillion, one hundred seventy-one billion, six hundred sixty-four million.

Ten years ago, July 23, 1991, the Federal debt stood at $3,549,898,000,000, three trillion, five hundred forty-nine billion, eight hundred ninety-eight million.

Fifteen years ago, July 23, 1986, the Federal debt stood at $2,069,977,000,000, two trillion, sixty-nine billion, nine hundred seventy-seven million.

Twenty-five years ago, July 23, 1976, the Federal debt stood at $619,301,000,000, six hundred nineteen billion, three hundred one million, which reflects a debt increase of more than $5 trillion, $5,102,545,564,456.14, five trillion, one hundred two billion, five hundred forty-five million, five hundred sixty-four thousand, four hundred fifty-six dollars and fourteen cents during the past 25 years.

ADDITIONAL STATEMENTS

TRIBUTE TO REBECCA KANE

• Mr. SMITH of New Hampshire. Mr. President, I am pleased to announce that Rebecca Kane, from Lee, New Hampshire, was recently awarded the Young Naturalists Award for her essay entitled ''Bog Trotting.'' This prestigious honor is only awarded to 12 student across the country and I would like to congratulate her on this outstanding achievement.

After reading Rebecca's essay, I have learned a great deal about my New Hampshire bogs. Her description of the pitcher plants was fascinating, but even more interesting was the introduction of different theories related to bog formation.

The pictures provided along with the detailed descriptions of the landscape around her were breathtaking and showed a great deal of literary skill beyond 12 years of age. Rebecca's appreciation of the bogs and ability to translate that insight into a stylistic prose is remarkable and exhibits a veritable talent.

As the senior Republican of the Environment and Public Works Committee, I am always concerned about our nation's natural resources and none more so than New Hampshire's beautiful landscape. After reading this essay, the

bogs I live near have come to life. I look forward to hearing what new information she may discover about these natural wonders in the years to come.

Following Rebecca's trip to New York and multiple meetings with research scientists from the American Museum of Natural History, I hope she will return home and take advantage of these native surroundings by continuing to learn and build her skills as a writer and researcher.

Rebecca, congratulations again on this distinguished award. It is an honor to represent you in the U.S. Senate.●

TRIBUTE TO JACK JEFFREY

● Mr. REID. Mr. President, I rise today to honor John E. Jeffrey as he retires from an outstanding career of service to the people of Nevada.

I have known Jack since we were teenagers attending Basic High School in Henderson, NV. He is a talented electrician, a compassionate public servant, and a dedicated family man. Jack is also a friend.

Jack's public service began three decades ago, when he was elected to the Henderson City Council in 1971. Working to expand educational opportunity has been a central tenet of Jack's career. Fittingly, his first major accomplishment was to successfully negotiate with the Nevada State senate to acquire the first two buildings for the Henderson campus of Clark County Community College.

In 1975, Jack's influence expanded from City Hall to Carson City, when he was elected to the Nevada State Assembly by a margin of only six votes.

''We overspent,'' he said when told of the tiny bit of daylight between himself and his opponent. ''We wasted money campaigning for the five votes I didn't need.''

Jack's first of many reelections was won by a more comfortable 28-vote margin.

His 16 distinguished years in the Assembly include recognition as the Clark County Teachers Association's ''Friend of Education,'' and the International Police Association's ''Legislator of the Year.''

Jack's Democratic colleagues respected him enough to elect him majority whip—a position close to my heart—in 1977, and then chose him as their majority floor leader in 1981.

Jack is proud to have been a tireless advocate for increasing special education funds while he was in the Assembly. He believes special needs students deserve a quality education too, and he worked to make sure there will be opportunities for them.

Since leaving the Assembly in 1991, Jack has continued to fight to improve the quality of life for working people in Nevada. He's been an active member of the International Brotherhood of Electrical Workers Local 357 all his adult life, and understands the trials and tribulations of working men and women and their families. Jack has been an invaluable asset to Southern Nevada Central Labor Council and to the Southern Nevada Building and Construction Trades Council, and earlier this month he was named ''Consumer Advocate of the Year.''

The working men and women in Nevada work in better and safer jobs because of Jack. In fact, all people in Nevada are better off because of Jack Jeffrey. I wish Jack and his wife, Betty, the very best in retirement.●

TRIBUTE TO JILL CHARLES

● Mr. JEFFORDS. Mr. President, today I rise to pay tribute to a woman of great dedication, compassion, and courage. Jill Charles, Artistic Director of the Dorset Theatre Festival and a Dorset, Vermont, resident, will long be remembered by those whose lives she touched as an accomplished artist, a loving mother, a giving mentor, and a dear friend.

It is our good fortune that Jill chose to bring her talent and love of theatre to Vermont. In 1968, she arrived in Dorset to work as an apprentice for Fred and Pat Carmichael's Caravan Theatre at the Dorset Playhouse. Subsequently, she earned a Bachelor of Arts degree in theatre from the University of Kentucky and was awarded a Master of Fine Arts degree in directing from Boston University. After the Carmichaels retired in 1976, Jill, with co-founder John Nassivera, established the Dorset Theatre Festival.

Jill was well known and highly respected for her work with young artists and for the guidance she provided for hundreds of pre-professional actors, designers and technicians who apprenticed under her direction during her twenty-six years as Dorset Theatre Festival Artistic Director. Her interest in the professional growth and emotional well-being of each member of the company was repeatedly reflected in her attention to matters large and small, and in countless acts of personal support and kindness.

A woman whose compassion and respect for others extended beyond her professional endeavors in the theatre, Jill was dedicated to her community and to the many humanitarian interests that she held dear. She was a dedicated foster parent for many years, and remained in contact with those children to whom she provided a home. She also was actively involved with the Second Chance Animal Shelter in Bennington, Project Pave (a support group for abused women), Race for the Cure, and the Dorset Congregational Church choir. She was also a founding member of the Cantare a capella singing group in Dorset.

The arts and humanities are a powerful force in bringing us together, in stretching our horizons, and in improving the quality of our lives. Jill Charles embodied the gifts of the arts and humanities. She will be greatly missed, but her presence will continue to be felt as her touch ripples outward like the action of a pebble tossed in a pond.●

TRIBUTE TO VALDON JOHNSON

● Mr. GRASSLEY. Mr. President, Valdon Johnson is a retired Assistant Professor of English, now Emeritus Professor of English, from the University of Northern Iowa and currently is a regular volunteer in my Waterloo Regional office.

Although Valdon's father died when Valdon was about 7, his mother had remarried about 5 years later. Valdon began his college career at Iowa State Teachers College, now the University of Northern Iowa (UNI) in 1950. His studies were suspended while he served in the Navy. He received his B.A. in English in 1958 and an M.A. in English in 1959. His first teaching position was with Webster City Junior College, now Iowa Central Community College. In 1962, Valdon received a Fulbright Award to teach English as a foreign language in Japan before returning to UNI in 1968, where for 26 years, he taught Linguistics and Humanities.

Valdon's first day in my office was September 23, 1994, his next was November 6, 1995. During the in-between time of about 13.5 months he recovered from a stroke that left him unable to talk. Not withstanding the stroke, he volunteered one to two days per week since. Valdon continues his other interests, which include the Masons and in traveling to the United Kingdom about every year, music (piano & organ), calligraphy, stenotype theory, handwriting analysis and religious history.

Although Valdon is unable to answer the phone, he does help with case work letter preparation, news paper clipping, filing and calligraphy. For over 7 years he has been a faithful, always on time volunteer and has been of invaluable assistance.

Valdon will celebrate his 69th birthday on August 15. I want to use this occasion to say ''happy birthday'' Valdon. And to say thanks for all you have done for me and for the people of Iowa.●

THE PASSING OF PATRICK McKERNAN

● Mr. BINGAMAN. Mr. President, I rise to make a few remarks concerning the recent passing of New Mexico's Patrick McKernan. Patrick McKernan recently passed away at the age of 60 due to complications of cancer. He is survived by his seven children and wife. McKernan, who has been deemed by many as ''Mr. Baseball'' was best known in New Mexico for his management of the Albuquerque Dukes AAA baseball team.

However, McKernan was more than just the manager of one of the most successful baseball teams in minor league history, he was also the man who helped pave the way for the success of professional sports in New Mexico. One of Pat McKernan's key philosophies was the belief that the Albuquerque Dukes were more than a Dodgers AAA affiliate; they were in fact Albuquerque's very own team. McKernan worked hard to make sure the people of New Mexico knew this.

McKernan's professional success is highlighted by recognition from his peers: three time PCL executive of the year, three time Eastern League executive of the year, 2000 inductee to the Albuquerque Sports Hall of Fame, and recipient of the ''King of Baseball'' lifetime achievement award. However, one of his most impressive achievements is not illustrated by any award, but by the fact that for more than 20 years, attendance at Dukes baseball games was well above the levels for the rest of minor league baseball.

McKernan's management made it easy for Albuquerque and the rest of New Mexico to love the Dukes. McKernan went above and beyond the duties of a general manager. McKernan believed that baseball was more than just a game, it could also in fact be used as a gateway to reach out to the entire community. He made it an obligation for Dukes management and players to personally reach out to the community that had so lovingly embraced it. Each Christmas, McKernan dressed as Santa Claus and personally handed out presents to needy children. McKernan showed his humanitarianism and genuine love of his fellow New Mexicans by donating excess food to local homeless shelters following every Dukes home game.

An editorial in The Albuquerque Tribune made a reference to Patrick McKernan and the city of Albuquerque by saying that they seemed almost intertwined in an ineffably charming enchantment. This statement is all too true. Not only did the world of baseball lose a brilliant and capable administrator, but the state of New Mexico also lost one its finest citizens and humanitarians. The citizens of Albuquerque and our state mourn the loss of Patrick McKernan.●

TRIBUTE TO LT. COL. JOHN D. WOODWARD USAF–RET

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Lt. Col. John D. Woodward USAF–Ret, of Manchester, NH, who passed away on July 8, 2001.

John was born in Pembroke, NH, and served with honor and distinction in the United States military. He began his military career with the United States Army in Panama and later served with the Coast Artillery, Infantry and Field Artillery. In 1942, John transferred to the Army Air Corps where he was commissioned a second lieutenant serving with the Army Air Force units throughout the South Pacific.

John was one of the founding members of Detachment B, 201st Air Service Group which was accorded Federal recognition at Grenier Field in Manchester, NH, as the original New Hampshire Air National Guard. He also served in the Korean Conflict with United States Air Force units in Greenland and Newfoundland.

Promoted to the rank of Lt. Col. in 1957, John became Deputy Commander for Materiel for the 157th Military Airlift Group, MAC, in 1966, and served in that capacity when the unit became the 157th Tactical Airlift Group. He was later appointed commander of the 157th Combat Support Squadron in 1975 when the Group became a unit of the Strategic Air Command.

John earned many medals and awards for his dedicated military service including: the Bronze Star, the American Defense Medal, the Good Conduct Medal, the American Theater Medal, the Asiatic Pacific Theater Medal with two battle stars, the Armed Forces Reserve Medal, the National Defense Service Medal, the World War II Victory Medal and the New Hampshire Air National Guard Medal. As a Vietnam veteran and senior member of the Senate Armed Services Committee, I commend John for his contributions to the people of New Hampshire and the country.

John was an active supporter of his local community who contributed as a member of organizations including: Sons of the American Revolution, the American Legion, Sons of the Union Veterans and as a Master Mason with Washington Lodge #61 of New Hampshire. He was a lifelong die-hard supporter of the Boston Red Sox and an enthusiastic golfer.

John is survived by his wife of 59 years, Betty; his daughters: Linda Woodward and Debra Woodward and his son, John D. Woodward II. He is also survived by a granddaughter, Megan Woods and two sisters: Esther Perron and Lillian Lesmerises.

John served his country and State with pride and dignity. I applaud him for his exemplary contributions to the United States military and New Hampshire. He will be sadly missed by all those whose lives he touched. It is truly an honor and a privilege to have represented him in the U.S. Senate.●

25TH ANNIVERSARY OF CHERRY VERSUS MATHEWS

● Mr. CLELAND. Mr. President, July 19th was the 25th anniversary of the U.S. District Court decision known as Cherry v. Mathews, a historic ruling that helped open the door to full and equal citizenship for disabled citizens.

Twenty five years ago, many disabled Americans could not use public transportation, go to schools and colleges, or even have access to parks, buildings, or voting booths. The Rehabilitation Act of 1973 was enacted to prohibit discrimination against an ''otherwise qualified handicapped individual'' in federally funded programs government-wide ''solely by reason of his handicap.'' The statute included within its protections State and local governments, schools, universities, social service agencies, legal services offices, public housing, parks, and much more.

While the U.S. Department of Health and Human Services (HHS) argued that Section 504 of the Rehabilitation Act of 1973 was merely a ''policy statement'' that required no regulatory action, Dr. James L. Cherry of Georgia sought to assure legal rights and equality for disabled individuals. The lawsuit targeted Health and Human Services' Secretary David Mathews. His case was decided on July 19, 1976 when U.S. District Court Judge John Lewis Smith ordered HHS to develop the Section 504 regulation to prohibit discrimination against ''handicapped persons'' in any federally funded program.

Dr. Cherry's case led to a regulation under section 504 of the 1973 Rehabilitation Act that assures disabled citizens reasonable access to public programs and facilities. The case helped pave the way for the Americans with Disabilities Act, which expanded the protection from discrimination to all persons with disabilities.

Section 504 was the first ''civil rights act'' for persons with disabilities. It was modeled after Title VI of the Civil Rights Act of 1964 which prohibited discrimination against persons in federally funded programs on the basis of race, religion, national origin, and creed. However, ''handicapped persons'' were not protected from discrimination by the 1964 law.

Cherry v. Mathews was a landmark case that renewed our Nation's promise of equal opportunity for all Americans. As we observe the 25th anniversary of equal opportunity for disabled Americans, I urge us all to rededicate ourselves to this foundation of our Nation's greatness.●

HAPPY 60TH ANNIVERSARY TO MR. AND MRS. S. RICHARD JENNINGS JR.

● Mr. FRIST. Mr. President, I rise today to salute two very special Tennesseans, and indeed two outstanding Americans, who I am proud to call my friends, Virginia and Richard Jennings of Johnson City, TN. On Wednesday, August 29, 2001, Virginia and Richard will be surrounded by family and friends to celebrate the wonderful milestone of their 60 years of marriage.

In a time where so much in our society seems temporary and fleeting, Virginia and Richard have demonstrated

each and every day the best of American values—devotion to their country, their community, their family, and to each other.

Married on Friday, August 29, 1941 at the First Baptist Church in Erwin, Tennessee, the Jennings embarked on their journey as newlyweds living in New York City until Richard was called to the service in World War II. Richard served in both of the war's theaters, and was in Europe on VE Day and Japan on VJ Day. While he was overseas, Virginia gave back to her community as an educator, teaching and coaching basketball.

On returning home, Richard began a distinguished career at Tennessee Eastman in Kingsport which spanned almost forty years. Virginia made a mark for herself in community service in Johnson City, generously donating her time as President of the Junior League, helping to found a mental health clinic, and serving on the city's planning commission. Both also made their spiritual lives a priority with their active membership in the Munsey Memorial United Methodist Church. Although raised as a Baptist, Virginia followed her mother's sound advice to be the best Methodist she could!

With all of their accomplishments, probably their proudest moments came with the arrival of two daughters, Eve Boyd Jennings in 1947 and Anne Bradshaw Jennings in 1954. The Jennings' family today boasts six grandchildren and five great-children, all of whom are the apple of their grandparents' eyes.

Through the years, Virginia, a devoted Republican, loved the thrill of politics. Former U.S. Senator Howard Baker tapped her into service as his Tri-Cities field representative where she served throughout his three terms in the Senate. Virginia became a living legend in that role. When I first ran for the Senate, I turned to her time and time again for advice and counsel, and she not only gave me the great honor of becoming a valuable mentor, but she has also bestowed upon my wife, Karyn, and me an even greater gift—her friendship and love.

Virginia and Richard Jennings epitomize the very best of what it means to be Americans. They are a national treasure. In anticipation of their 60th wedding anniversary on Wednesday, August 29, 2001, I want to thank Virginia and Richard for their service to our nation, and most importantly, for living their lives in a way that serves as a shining example for all of us to emulate. I am honored to be their U.S. Senator.●

IN MEMORY OF MIMI FARINA

● Mrs. BOXER. Mr. President, in the more than 25 years that I have been privileged to serve in public office, I have come to know many, many remarkable people. But rarely have I ever known anyone more talented, more compassionate, selfless and remarkable than Mimi Farina.

Last Wednesday, at age 56, Mimi Farina lost a courageous, two-year battle with neuroendocrine cancer. While people around the country and around the world are saddened by her death, Mimi's courageous, crusading spirit will surely live on in the work of Bread & Roses, an organization that she founded in 1974.

Bread & Roses is a unique, internationally renowned social services agency, held together by countless dedicated volunteers and a simple, compassionate mission: to bring free live music to people confined in institutions—in jails, juvenile facilities, hospitals and rest homes. Last year alone, Bread & Roses sponsored more than 500 concerts at some 82 institutions across the country.

Mimi Farina gave up her own promising singing career to found Bread & Roses and to nurse it through years of hard times. The inspiration for Bread & Roses came to her in 1973, when she accompanied her sister Joan Baez and blues artist B.B. King to a performance at Sing Sing prison. She was deeply moved by the prisoners' reaction to the music they heard that day. That experience, coupled with a performance of her own a short time later at a Marin County halfway house convinced Mimi of the enormous need for an organization like Bread & Roses.

Over the past quarter century, the work of Bread & Roses has been supported by a dazzling array of performers, including Bonnie Raitt, Pete Seeger, Paul Winter, Odetta, Lily Tomlin, Carlos Santana, Judy Collins, Robin Williams, Huey Lewis, Boz Scaggs and Taj Mahal.

As Bread & Roses grew in size and stature, Mimi became its most prominent and persuasive advocate. She received many awards and accolades, including ''Woman of the Year'' from the Bay Area Women in Music, ''Most Valuable Person Award'' from the National Academy of Recording Arts & Sciences, ''Woman Most Likely to be President'' from the San Francisco League of Women Voters, ''Woman Entrepreneur of the Year'' from the National Association of Women Business Owners and the 10th Annual Life Work Award from the Falkirk Cultural Center in San Rafael. She was among the first inductees into the Marin County Women's Hall of Fame.

I close today with an offer of my deepest condolences to the family of Mimi Farina and to those who loved her, and with these words from the poem ''Bread & Roses,'' originally written for female laborers and put to music by Mimi:

Our days shall not be sweated from birth
until life closes.
Hearts starve as well as bodies: Give us
bread, but give us roses.●

TRIBUTE TO WARREN E. PEARSON

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Warren E. Pearson of Dixville Notch, NH, who passed away on June 28, 2001. He had fought a courageous battle with cancer and inspired many with his spirit and determination.

Warren was born in Lewiston, ME, and served with honor and distinction in the United States Army's 25th Infantry Division in Vietnam. While in the Army, he served as a military ski instructor and ski area manager in Fort Richardson, Alaska.

Warren returned to New Hampshire after his military service and assumed the position of head ski school instructor at The BALSAMS Grand Resort & Hotel in Dixville Notch. He was promoted through the ranks and became General Manager of the resort in 1971. In 1977 he became a managing partner and corporate vice president of The BALSAMS Corporation.

He was an active supporter of his community and served positions including: Director at The First Colebrook Bank, Chairman at First Colebrook Bankcorp, Board member of the Upper Connecticut Valley Hospital and member of the New Hampshire Better Business Bureau. He also served on the Board of Trustees at the Hanover Inn at Dartmouth College.

Warren was awarded professional recognition for his contributions in the hospitality industry including: Innkeeper of the Year Award from the New Hampshire Hospitality Association in 1980–81; New Hampshire Commission for the Arts, Business Award for Support of the Arts in 1985 and New England Innkeepers Association Outstanding Service Award.

Warren is survived by his wife of 34 years, Eleanor; his son, Michael and wife, Sharon; his son, Andrew and wife, Lorraine and a daughter, Tamme and three grandchildren: Duncan Pearson, Lindsay Pearson and Lilly Anne Pearson Robarts. He is also survived by his mother, Mildred Bollavance and two sisters: Deborah Cooke and Marcia Whitman.

Warren served his country and State with pride and dignity. As a Vietnam veteran, I commend him for his service in the United States Army and for his exemplary personal and business contributions to The BALSAMS Grand Resort and New Hampshire. He will be sadly missed by all those whose lives he touched. It is truly an honor and a privilege to have represented him in the U.S. Senate.●

HONORING WYNN SPEECE

● Mr. JOHNSON. Mr. President, I rise today to publicly commend Wynn Speece of Yankton, South Dakota, who with her sixty years of broadcasting excellence at WNAX, 570 AM, has become the longest running radio personality in the nation.

Wynn began her career at WNAX in 1939 as a writer in the continuity department earning $20 a week. She later was given 15 minutes of air time each Saturday to mention the special premiums offered by WNAX advertisers. Her career advanced rapidly after the station's female director left, and she was selected to fill the position. In addition to her other duties, Wynn was asked to host a 15 minute program targeted primarily at homemakers six days per week, and on July 14, 1941, this show, known as the ''Neighbor Lady,'' hit the air. Wynn's most avid listeners were provided by farms, ranches and small towns across the upper Midwest.

Six decades later, Wynn continues to conduct interviews for the local radio station and writes a long-running column for Yankton's Press & Dakotan where she has literally informed and entertained generations of listeners. Since her first show, Speece has interviewed hundreds of people, hosted 15,000 broadcasts, and received countless letters. With her outstanding talent, leadership and commitment to quality radio broadcasting, Wynn has enhanced the lives of countless South Dakotans.

Wynn's honors include the Marconi Award for the top small-market personality in the country, and earlier this year she received a distinguished alumni award from Drake University. She is a member of the South Dakota Hall of Fame, and was named one of Yankton's top Citizens of the Millennium by the Press & Dakotan in 1999.

Wynn Speece richly deserves this distinguished recognition. Therefore, it is an honor for me to share her extraordinary professional accomplishments with my colleagues.●

IN COMMEMORATION OF THE LIFE AND WORK OF HARRY BRIDGES

● Mrs. BOXER. Mr. President, I would like to take this opportunity to share with the Senate a little of the remarkable life of Harry Renton Bridges, one of America's great labor leaders and most impassioned voices for democracy, progress and human dignity. Harry's many friends and admirers will be celebrating the 100th anniversary of his birth on July 28 with a march to the plaza which bears his name in San Francisco.

Harry's legend began in 1934, when he helped lead the 83-day West Coast longshoremen's strike. This action remains a watershed moment in the history of the worker's movement in the United States. What was accomplished not only reverberated in San Francisco and up and down the West Coast, but eventually all across the country. Prior to this time, working conditions along America's waterfronts were deplorable. The men worked hard, for very little pay and often in very dangerous conditions. Under Harry's leadership, this changed. The strike brought employers to the table. As a result, dock workers and seamen were finally able to work with a measure of pride and security.

What began as an insurgent labor movement in 1934 eventually grew into the International Longshore and Warehouse Union or ILWU. Under Harry's guidance, the ILWU helped lead the way in the fight for workers' rights and forms of social justice in the United States and around the globe. The Union stood steadfast against fascism during the 1930's and 40's. During the war it protested the detention of Japanese-Americans. It was one of the first unions to be thoroughly racially integrated. It fought McCarthyism and the communist witch hunts and blacklists. Harry and the ILWU spoke out early and loudly against apartheid in South Africa. And the list goes on. Wherever Harry sensed injustice he responded instinctively to correct it.

Harry was a native Australian, but he made San Francisco his home. Here he is remembered as a hero. Many credit his vision and passion as a guiding force behind the City's compassion, tolerance and political progressiveness.

Two years ago the San Francisco Port Authority officially named the new Ferry Building plaza the Harry Bridges Plaza. It was a fitting tribute to a man who did so much to transform the waterfront. Efforts are currently underway to further honor Harry and his memory through the construction of a monument on the plaza.

Harry was truly one of a kind. Simply put, he cared enough to make a difference. Although he passed away over ten years ago, he and his memory continue to live on in the hearts of those who knew him and who continue to be inspired by his example.●

TRIBUTE TO KNIGHTS OF COLUMBUS ROCHESTER COUNCIL #2048

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to the Knights of Columbus Council #2048 of Rochester, NH, on the creation of the successful Future Unlimited Banquet Program. Future Unlimited is an annual event which recognizes the Valedictorians and Salutatorians from eight high schools in the Seacoast region of New Hampshire.

The eight high schools represented in the program include: St. Thomas Aquinas High School, Berwick, ME, Dover High School, Somersworth High School, Farmington High School, Nute High School, Alton High School, Kingswood Regional High School and Spaulding High School.

I commend the Knights of Columbus Rochester Council for their recognition of the scholastic achievements of the high school seniors in the Seacoast region. As a former schoolteacher, I applaud the efforts of the Knights of Columbus for rewarding students who have established goals and high standards of excellence in their academic, extracurricular and civic endeavors.

The Knights of Columbus Rochester Council #2048 have served the citizens of Rochester and our state with pride and honor. The young men and women in the Seacoast region are blessed to have the encouragement and support of an organization which recognizes the qualities of hard work, perseverance and dedication. It is truly an honor and a privilege to represent them in the U.S. Senate.●

IN HONOR OF PATRICK BENTON

● Mr. JOHNSON. Mr. President, I rise today to pay tribute to Patrick Benton. I have had the good fortune of having Patrick as part of my staff since 1994, and I would like to thank him for all his hard work in his efforts on behalf of the people of South Dakota. Patrick is heading off to Colby College in September, and I have no doubt that our loss is their great gain.

While in high school, Patrick organized and led a student rally to save the Rapid City School District counselors who were in jeopardy of losing their jobs. Patrick represented South Dakota on a trip to Japan as part of the Sony student project abroad. Patrick began work as an intern in my Rapid City Office in mid 1998, and eventually joined my staff full time in November of that same year. In September 1999, Patrick moved to Washington, DC, and has been a critical part of my staff ever since.

Patrick has always been wise beyond his years, and he has built up the trust and confidence of the entire staff. Patrick has worked his way up to a Research Assistant position, and has been an invaluable resource in handling matters related to banking, telecommunications, labor, campaign finance reform, election reform, federal employees and the Postal Service. He has mastered a vast amount of technical knowledge in all of these areas. When people find out Patrick is on his way to college, they can't figure out how someone with such knowledge and judgment can possibly be only 19 years old.

While we will sorely miss Patrick, I join with my entire staff and my wife, Barbara, in expressing our pride in Patrick's achievement and promise, and our thanks for his years of service to South Dakota. However Patrick chooses to apply his formidable intellect and talents, we will all be the better for it.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting nominations which were referred to the Committee on Armed Services.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 12:25 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 271. An act to direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the city of Carson City, Nevada, for use as a senior center.

H.R. 427. An act to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes.

H.R. 451. An act to make certain adjustments to the boundaries of the Mount Nebo Wilderness Area, and for other purposes.

H.R. 1892. An act to amend the Immigration and Nationality Act to provide for the acceptance of an affidavit of support from another eligible sponsor if the original sponsor has died and the Attorney General has determined for humanitarian reasons that the original sponsor's classification petition should not be revoked.

H.R. 2137. An act to make clerical and other technical amendments to title 18, United States Code, and other laws relating to crime and criminal procedure.

H.R. 2215. An act to authorize appropriations for the Department of Justice for fiscal year 2002, and for other purposes.

The message also announced that the House has passed the bill (S. 468) to designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the ''James C. Corman Federal Building,'' without amendment.

The message further announced that the House has passed the bill (S. 1190) to amend the Internal Revenue Code of 1986 to rename the education individual retirement accounts as the Coverdell education savings account, without amendment.

MEASURES REFERRED

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

H.R. 451. An act to make certain adjustments to the boundaries of the Mount Nebo Wilderness Area, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1892. An act to amend the Immigration and Nationality Act to provide for the acceptance of an affidavit of support from another eligible sponsor if the original sponsor has died and the Attorney General has determined for humanitarian reasons that the original sponsor's classification petition should not be revoked; to the Committee on the Judiciary.

H.R. 2137. An act to make clerical and other technical amendments to title 18, United States Code, and other laws relating to crime and criminal procedure; to the Committee on the Judiciary.

H.R. 2215. An act to authorize appropriations for the Department of Justice for fiscal year 2002, and for other purposes; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 427. An act to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes.

H.R. 271. An act to direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the city of Carson City, Nevada, for use as a senior center.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–3013. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, a Determination and Certification under Section 40A of the Arms Export Control Act relative to Afghanistan, Cuba, Iran, Iraq, Libya, North Korea, Sudan, and Syria; to the Committee on Foreign Relations.

EC–3014. A communication from the Director of the Office of Regulations Management, Board of Veterans' Appeals, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled ''Board of Veterans' Appeals: Rules of Practice—Notification of Representatives in Connection with Motions for Revision of Decision on Grounds of Clear and Unmistakable Error'' (RIN2900–AJ75) received on July 16, 2001; to the Committee on Veterans' Affairs.

EC–3015. A communication from the Assistant General Counsel for Regulatory Law, Office of the Chief Information Officer, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Cyber Security Architecture Guidelines'' (DOE G 205.1–1) received on July 16, 2001; to the Committee on Energy and Natural Resources.

EC–3016. A communication from the Assistant General Counsel for Regulatory Law, Office of Management and Administration, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Work for Others (Non-Department of Energy Funded Work)'' (DOE O 481.1A) received on July 16, 2001; to the Committee on Energy and Natural Resources.

EC–3017. A communication from the Director of Regulations Policy and Management, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Beverages: Bottled Water; Technical Amendment; Confirmation of Effective Date'' (Doc. No. 01N–0126) received on July 16, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–3018. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Assuring Access to Health Insurance Coverage in the Large Group Market''; to the Committee on Health, Education, Labor, and Pensions.

EC–3019. A communication from the Secretary of Defense, transmitting, the report of retirements; to the Committee on Armed Services.

EC–3020. A communication from the Assistant Director for Executive and Political Personnel, Department of the Navy, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary of the Navy, Installations and Environment, received on July 16, 2001; to the Committee on Armed Services.

EC–3021. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Eastern Aleutian District of the Bering Sea and Aleutian Islands'' received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3022. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska'' received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3023. A communication from the Administrator of the General Service Administration, transmitting, pursuant to law, the report of the Annual Performance Plan for Fiscal Year 2002; to the Committee on Governmental Affairs.

EC–3024. A communication from the Director of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of the Office of the Inspector General for the period beginning October 1, 2000 through March 31, 2001; to the Committee on Governmental Affairs.

EC–3025. A communication from the Secretary of Commerce, transmitting, pursuant to law, the report of the Office of the Inspector General for the period beginning October 1, 2000 through March 31, 2001; to the Committee on Governmental Affairs.

EC–3026. A communication from the Acting Deputy Associate Administrator for Acquisition Policy, Office of Governmentwide Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Advisory Committee Management'' (RIN3090–AG49) received on July 20, 2001; to the Committee on Governmental Affairs.

EC–3027. A communication from the Director of the Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' received on July 20, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–3028. A communication from the Principal Deputy Associate Administrator of the

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clean Air Act Full Approval of Operating Permits Program in Alaska'' (FRL7012–9) received on July 19, 2001; to the Committee on Environment and Public Works.

EC–3029. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revision to the Arizona State Implementation Plan, Pinal-Gila Countries Air Quality Control District and Pinal County Air Quality Control District'' (FRL7013–3) received on July 19, 2001; to the Committee on Environment and Public Works.

EC–3030. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revision to California State Implementation Plan, Bay Area Air Quality Management District, Lake County Air Quality Management District, Monterey Bay Unified Air Pollution Control District, Sacramento Metropolitan Air Quality Management District, San Jaoaquin Valley Unified Air Pollution Control District'' (FRL7013–4) received on July 19, 2001; to the Committee on Environment and Public Works.

EC–3031. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District and San Joaquin Valley Unified Air Pollution Control District'' (FRL7013–5) received on July 19, 2001; to the Committee on Environment and Public Works.

EC–3032. A communication from the Regulations Officer of the Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Collection of Supplemental Security Income (SSI) Overpayments from Social Security Benefits'' (RIN0960–AF13) received on July 20, 2001; to the Committee on Finance.

EC–3033. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Foreign Trusts That Have U.S. Beneficiaries'' (RIN1545–AO75) received on July 19, 2001; to the Committee on Finance.

EC–3034. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Recognition of Gain on Certain Transfers to Certain Foreign Trusts and Estates'' (RIN1545–AY25) received on July 19, 2001; to the Committee on Finance.

EC–3035. A communication from the Congressional Review Coordinator of Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Karnal Bunt; Regulated Areas'' (Doc. No. 01–063–1) received on July 20, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3036. A communication from the Congressional Review Coordinator of Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Pine Shoot Beetle; Addition to Quarantined Areas'' (Doc. No. 01–048–1) received on July 20, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3037. A communication from the Congressional Review Coordinator of Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation and Interstate Movement of Certain Land Tortoises'' (Doc. No. 00–016–3) received on July 20, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3038. A communication from the Congressional Review Coordinator of Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Export Certification; Canadian Solid Wood Packing Materials Exported From the United States to China'' (Doc. No. 99–100–3) received on July 20, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3039. A communication from the Congressional Review Coordinator of Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Accreditation Standards for Laboratory Seed Health Testing and Seed Crop Field Inspection'' (Doc. No. 99–030–2) received on July 20, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3040. A communication from the Senior Legal Advisor to the Bureau Chief of the Mass Media Bureau, Federal Communication Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotment, FM Broadcast Stations (Caro, Cass City, MI; Warsaw, Windsor, MO)'' (Doc. Nos. 01–33, 01–34; RM–10060, RM–10061) received on July 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3041. A communication from the Senior Legal Advisor to the Bureau Chief of the Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (West Rutland, Vermont)'' (Doc. No. 00–12; RM–9706) received on July 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3042. A communication from the Senior Legal Advisor to the Bureau Chief of the Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Steubenville, Ohio and Burgettstown, Pennsylvania'' (Doc. No. 01–6; RM–10009) received on July 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3043. A communication from the Senior Legal Advisor to the Bureau Chief of the Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Pana, Taylorville, and Macon, Illinois'' (Doc. No. 00–160) received on July 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3044. A communication from the Senior Legal Advisor to the Bureau Chief of the Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Thermopolis and Story, Wyoming'' (Doc. No. 00–159) received on July 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3045. A communication from the Senior Legal Advisor to the Bureau Chief of the Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Quartzsite, Arizona, and Leesville, Louisiana'' (Doc. Nos. 01–70 and 01–71) received on July 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3046. A communication from the Senior Legal Advisor to the Bureau Chief of the Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Abingdon and Canton, Illinois'' (Doc. No. 01–64; RM–10084) received on July 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3047. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—August 2001'' (Rev. Rul. 2001–36) received on July 19, 2001; to the Committee on Finance.

EC–3048. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model CL 600 2B19 Series Airplanes; Request for Comments'' ((RIN2120–AA64)(2001–0340)) received on July 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3049. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD 11 Series Airplanes with P & W Model PW 4400 Series Engines; Request for Comments'' ((RIN2120–AA64)(2001–0341)) received on July 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3050. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Eurocopter France Model AS332L2 Helicopters; Request for Comments'' ((RIN2120–AA64)(2001–0343)) received on July 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3051. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: CFM International CFM56–5C Turbofan Engines; Request for Comments'' ((RIN2120–AA64)(2001–0342)) received on July 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3052. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Part 107, Airport Security'' (RIN2120–AD46) received on July 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3053. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Part 108, Airplane Operator Security'' (RIN2120–AD45) received on July 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3054. A communication from the President of the United States, transmitting, consistent with the War Powers Act, a report relative to peacekeeping efforts in the former Yugoslavia; to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–152. A joint resolution adopted by the Legislature of the State of Maine relative to the Northeast Interstate Dairy Compact; to the Committee on the Judiciary.

JOINT RESOLUTION

Whereas, Maine has nearly 500 dairy farms annually producing milk valued at over $100,000,000; and

Whereas, maintaining a sufficient supply of Maine-produced milk and milk products is in the best interest of Maine consumers and businesses; and

Whereas, a University of Connecticut study, done while the Northeast Interstate Dairy Compact has been in existence, concluded that from July 1997 to July 2000, the price of milk to the consumer increased 29¢ of which 4½¢ went to the farmer; and

Whereas, Maine is a member of the Northeast Interstate Dairy Compact; and

Whereas, the Northeast Interstate Dairy Compact will terminate at the end of September 2001 unless action is taken by the Congress to reauthorize it; and

Whereas, the Northeast Interstate Dairy Compact's mission is to ensure the continued viability of dairy farming in the Northeast and to assure consumers of an adequate, local supply of pure and wholesome milk and also helps support the Women, Infants and Children program, commonly known as ''WIC''; and

Whereas, the Northeast Interstate Dairy Compact has established a minimum price to be paid to dairy farmers for their milk, which has helped to stabilize their incomes; and

Whereas, in certain months the compact's minimum price has resulted in dairy farmers receiving nearly 10% more for their milk than the farmers would have otherwise received; and

Whereas, actions taken by the compact have directly benefited Maine dairy farmers by not diminishing the farmer's share; now, therefore, be it

Resolved, That We, your Memorialists, respectfully urge and request that the United States Congress reauthorize the Northeast Interstate Dairy Compact; and be it further

Resolved, That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, each member of the United States Congress who sits as chair on the United States House of Representatives Committee on Agriculture or the United States Senate Committee on Agriculture, Nutrition and Forestry, the United States Secretary of Agriculture and each Member of the Maine Congressional Delegation.

POM–153. A resolution adopted by the House of the Legislature of the State of Michigan relative to the Detroit River International Wildlife Refuge Establishment Act; to the Committee on Environmental and Public Works.

HOUSE RESOLUTION NO. 116

Whereas, The Detroit River is a unique resource in many ways. This historic water route has been a major transportation thoroughfare since long before Europeans arrived, and its role in commerce has been a key part of the economic strength of two nations. In addition to these well-documented elements, the Detroit River also hosts great diversity in wildlife and ecological features; and

Whereas, The lower portions of the Detroit River include shoals, islands, and channels that support a variety of aquatic plants, fish, and wildlife. Although designated an American Heritage River in 1998, the Detroit River is still threatened by environmental practices; and

Whereas, Congress is considering a measure, H.R. 1230, that would establish the Detroit River International Wildlife Refuge. This bill would provide a mechanism to preserve the character of the area through land acquisition and agreements for cooperative management. Under this legislation, the Secretary of the Interior could acquire land along an 18-mile stretch of the Detroit River. A key component of the proposal is that it does not authorize the taking of land but relies upon willing sellers; and

Whereas, Establishing the Detroit International Wildlife Refuge along one of the great metropolitan regions in the country is an excellent investment in Michigan's resources; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the Detroit River International Wildlife Refuge Establishment Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Adopted by the House of Representatives, June 26, 2001

POM–154. A resolution adopted by the House of the General Assembly of Pennsylvania relative to issuing a Coal Miners' Postal Stamp; to the Committee on Governmental Affairs.

HOUSE RESOLUTION NO. 121

Wheras, Our entire Nation owes our coal miners a great deal more than we could ever repay them for the difficult and dangerous job which they performed so that we could have the fuel we needed to operate our industries and to heat our homes; and

Whereas, It would be proper and fitting for our Nation to recognize our coal miners, both past and present, for their contributions to this Nation; therefore be it

Resolved (the Senate concurring), That the general Assembly memorialize the United States Postal Service to issue a postal stamp to honor our coal miners and to commemorate their contributions to our nation and its citizens; and be it further

Resolved, That copies of this resolution be delivered to the United States Postal Service, to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM–155. A resolution adopted by the House of the General Assembly of the State of Pennsylvania relative to legislation protecting employees and retirees whose health care plans have been terminated by companies as a result of financial difficulties caused in whole or in part by unfairly traded foreign imports; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 212

Whereas, In the 1980s the American steel industry experienced an economic crisis due to existing trade policies resulting in steel mill shutdowns, steelworker layoffs and a weakening of the entire steel industry; and

Whereas, In the early 1990s the American steel industry experienced a period of relative stability; and

Whereas, In late 1997 and early 1998 the Asian economic crisis and the collapse of the Russian economy produced a flood of manufactured products, including steel, leading to the most serious crisis for the steel industry since the 1980s; and

Whereas, That crisis resulted in the layoffs of 10,000 steelworkers, bankruptcy of steel companies, weakening of the entire steel industry and increase in the level of imports deemed ''normal and acceptable'' by the Federal Government; and

Whereas, In the week ending December 30, 2000, the steel industry operated at less that 65% of capacity, its lowest operating level in 14 years; and

Whereas, Since the beginning of the Asian economic crisis, 14 steel companies have been driven into bankruptcy and many others are on the brink of bankruptcy; and

Whereas, The bankruptcy and potential bankruptcy of steel companies represents a threat to the health benefits of employees and retirees; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the President and Congress to support and pass legislation establishing a Health Care Benefit Guarantee Corporation similar to the Pension Benefit Guarantee Corporation to ensure benefits to those employees and retirees whose health care plans have been terminated by companies as a result of financial difficulties caused in whole or in part by unfairly traded foreign imports; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM–156. A resolution adopted by the House of the General Assembly of the State of Pennsylvania relative to domestic violence; to the Committee on the Judiciary.

HOUSE RESOLUTION NO. 239

Whereas, Between 2 and 4 million women each year are victims of domestic violence nationally; and

Whereas, At least 800,000 Pennsylvanians are victims of domestic violence each year; and

Whereas, Domestic violence is a health care problem of epidemic proportions; and

Whereas, Medical professionals have a unique opportunity to intervene in domestic violence as they are often the first resource a battered victim seeks for help; and

Whereas, Health care providers can be a critical link to safety by offering support, information, education, resources and follow-up services to patients who are identified as victims of domestic violence; and

Whereas, Approximately only 10% of primary care physicians across the nation routinely screen for partner abuse when a patient is not currently injured; and

Whereas, The General Assembly recognized the importance of screening patients for

symptoms of domestic violence in enacting Act 115 of 1998, which established the Domestic Health Care Response Program; and

Whereas, Act 115 of 1998 made Pennsylvania the first state in the nation to establish patient screening and advocary programs in hospitals and health care systems; and

Whereas, The Family Violence Prevention Fund recognized Pennsylvania as the only state to receive an ''A'' grade for laws regarding health care response to domestic violence; and

Whereas, A team from Pennsylvania has joined teams from 14 other states and tribes and the Family Violence Prevention Fund to create innovative and sustainable health care responses to domestic violence on a national level through the National Health Care Standards Campaign; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania recognize June 12, 2001, as ''National Domestic Violence Health Care Standards Campaign Kick-Off Day'' in Pennsylvania; and be it further

Resolved, That the House of Representatives encourage Pennsylvanians and health care professionals in this Commonwealth to learn more about the causes, signs, prevention and treatment for domestic violence; and be it further

Resolved, That the House of Representatives urge the Congress of the United States to recognize the ''National Domestic Violence Health Care Standards Campaign'' and to promote the screening of patients for domestic violence by health care professionals across the nation; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. SARBANES for the Committee on Banking, Housing, and Urban Affairs.

*Harvey Pitt, of North Carolina, to be a Member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 2002.

*Harvey Pitt, of North Carolina, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2007.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. TORRICELLI:

S. 1222. A bill to redesignate the facility of the United States Postal Service located at 89 River Street in Hoboken, New Jersey, as the ''Frank Sinatra Post Office Building''; to the Committee on Governmental Affairs.

By Mr. TORRICELLI (for himself and Mr. CORZINE):

S. 1223. A bill to amend title 49, United States Code, to ensure equity in the provision of transportation by limousine services; to the Committee on Commerce, Science, and Transportation.

By Mr. ALLARD:

S. 1224. A bill to amend title XVIII of the Social Security Act to extend the availability of medicare cost contracts for 10 years; to the Committee on Finance.

By Mr. ALLEN (for himself and Mr. WARNER):

S. 1225. A bill to require the Secretary of the Treasury to redesign the $1 bill so as to incorporate the preamble to the Constitution of the United States, the Bill of Rights, and a list of the Articles of the Constitution on the reverse side of such currency; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CAMPBELL:

S. 1226. A bill to require the display of the POW/MIA flag at the World War II memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself and Mrs. CLINTON):

S. 1227. A bill to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. THURMOND (for himself and Mr. HATCH):

S. 1228. A bill to amend title 18, United States Code, to authorize pilot projects under which private companies in the United States may use Federal inmate labor to produce items that would otherwise be produced by foreign labor, to revise the authorities and operations of Federal Prison Industries, and for other purposes; to the Committee on the Judiciary.

By Mr. WELLSTONE (for himself and Ms. STABENOW):

S. 1229. A bill to amend the Federal Food, Drug, and Cosmetic Act to permit individuals to import prescription drugs in limited circumstances; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FRIST (for himself and Mrs. CLINTON):

S. 1230. A bill to amend the Public Health Service Act to focus American efforts on HIV/AIDS, tuberculosis, and malaria in developing countries; to the Committee on Foreign Relations.

By Mr. WYDEN (for himself and Mr. BURNS):

S. 1231. A bill to amend the Federal Power Act to establish a system for market participants, regulators, and the public to have access to certain information about the operation of electricity power markets and transmission systems; to the Committee on Energy and Natural Resources.

By Mr. MCCONNELL:

S. 1232. A bill to provide for the effective punishment of online child molesters, and for other purposes; to the Committee on the Judiciary.

By Mr. KOHL (for himself, Mr. HATCH, Mr. LEAHY, Mr. DEWINE, and Mr. DURBIN):

S. 1233. A bill to provide penalties for certain unauthorized writing with respect to consumer products; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 213

At the request of Mr. HATCH, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 213, a bill to amend the National Trails System Act to update the feasibility and suitability studies of 4 national historic trails and provide for possible additions to such trails.

S. 281

At the request of Mr. HAGEL, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 281, a bill to authorize the design and construction of a temporary education center at the Vietnam Veterans Memorial.

S. 345

At the request of Mr. ALLARD, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 345, a bill to amend the Animal Welfare Act to strike the limitation that permits interstate movement of live birds, for the purpose of fighting, to States in which animal fighting is lawful.

S. 409

At the request of Mrs. HUTCHISON, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 409, a bill to amend title 38, United States Code, to clarify the standards for compensation for Persian Gulf veterans suffering from certain undiagnosed illnesses, and for other purposes.

S. 498

At the request of Mr. MURKOWSKI, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 498, a bill entitled ''National Discovery Trails Act of 2001''.

S. 543

At the request of Mr. DOMENICI, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 543, a bill to provide for equal coverage of mental health benefits with respect to health insurance coverage unless comparable limitations are imposed on medical and surgical benefits.

S. 676

At the request of Mr. HATCH, the name of the Senator from Oklahoma (Mr. NICKLES) was added as a cosponsor of S. 676, a bill to amend the Internal Revenue Code of 1986 to extend permanently the subpart F exemption for active financing income.

S. 686

At the request of Mrs. LINCOLN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 686, a bill to amend the Internal Revenue Code of 1986 to provide a credit against tax for energy efficient appliances.

S. 805

At the request of Mr. WELLSTONE, the names of the Senator from Alaska (Mr. MURKOWSKI), the Senator from Virginia (Mr. ALLEN) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S. 805, a bill to amend the Public Health Service Act to provide

for research with respect to various forms of muscular dystrophy, including Duchenne, Becker, limb girdle, congenital,
facios-capulohumeral,
myotonic, oculopharyngeal, distal, and emery-dreifuss muscular dystrophies.

S. 836

At the request of Mr. CRAIG, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 836, a bill to amend part C of title XI of the Social Security Act to provide for coordination of implementation of administrative simplification standards for health care information.

S. 838

At the request of Mr. DODD, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 838, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety and efficacy of pharmaceuticals for children.

S. 865

At the request of Mr. MCCONNELL, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 865, a bill to provide small businesses certain protections from litigation excesses and to limit the product liability of nonmanufacturer product sellers.

S. 917

At the request of Ms. COLLINS, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 917, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes.

S. 1025

At the request of Mr. LIEBERMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1025, a bill to provide for savings for working families.

S. 1037

At the request of Mrs. HUTCHISON, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1037, a bill to amend title 10, United States Code, to authorize disability retirement to be granted posthumously for members of the Armed Forces who die in the line of duty while on active duty, and for other purposes.

S. 1044

At the request of Mr. SARBANES, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1044, a bill to amend the Federal Water Pollution Control Act to provide assistance for nutrient removal technologies to States in the Chesapeake Bay watershed.

S. 1087

At the request of Mr. CONRAD, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 1087, a bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period of the depreciation of certain leasehold improvements.

S. 1140

At the request of Mr. HATCH, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1140, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1152

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1152, a bill to ensure that the business of the Federal Government is conducted in the public interest and in a manner that provides for public accountability, efficient delivery of services, reasonable cost savings, and prevention of unwarranted Government expenses, and for other purposes.

S. 1207

At the request of Mr. DOMENICI, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1207, a bill to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Albuquerque, New Mexico, metropolitan area.

S. 1209

At the request of Mr. BINGAMAN, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1209, a bill to amend the Trade Act of 1974 to consolidate and improve the trade adjustment assistance programs, to provide community-based economic development assistance for trade-affected communities, and for other purposes.

S. RES. 121

At the request of Mr. KERRY, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from New Hampshire (Mr. SMITH) were added as cosponsors of S. Res. 121, a resolution expressing the sense of the Senate regarding the policy of the United States at the 53rd Annual Meeting of the International Whaling Commission.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ALLARD:

S. 1224. A bill to amend title XVIII of the Social Security Act to extend the availability of Medicare cost contracts for 10 years; to the Committee on Finance.

Mr. ALLARD. Mr. President, I am pleased to introduce the Medicare Cost Contract Extension Act of 2001.

For decades, the Centers for Medicare and Medicaid Services (formerly the Health Care Financing Administration), has successfully offered health insurance providers two contracts to choose from: a Medicare risk contract, (Medicare+Choice), and Medicare cost contract. In an effort to expand and refine the Medicare+Choice program, the Balanced Budget Act of 1997 terminated the Medicare cost contract program effective December 31, 2002. To prevent this termination, in 1999 Congress passed the Balanced Budget and Refinement Act, which extended cost contracts for two years through 2004.

I am pleased that Congress passed into law this two-year extension of Medicare cost contracting. This extension will help Medicare beneficiaries in rural communities in the United States keep the quality health care they currently receive under their cost contract plans.

Congress should work to extend further Medicare cost contracts. The Medicare Cost Contract Extension Act of 2001 would accomplish this by extending by ten years the cost contract sunset date of December 31, 2004 to December 31, 2014.

Currently 298,683 Americans, and 18,050 Coloradans receive health care through Medicare cost contracts. Of the 18,050 Coloradans with cost contract plans, 16,075 (89 percent) of them live in rural Colorado, where few Medicare and Medicare+Choice providers operate. If Medicare cost contracts are eliminated, essentially two health care options for Medicare beneficiaries would remain: traditional Medicare fee-for-service, which can include Medigap, and Medicare+Choice. If Medicare cost contracts are eliminated, as scheduled in 2004, then thousands of seniors will be forced into these other Medicare programs.

Basic Medicare and Medicare+Choice providers, however, are few in rural Colorado, where health care demands are great. In addition to the fact that 89 percent of Colorado's seniors with cost contract plans live in rural areas, 6,358, 35 percent, of Colorado Medicare managed care beneficiaries live in counties in which Medicare+Choice is not even available. Further, cost contract plans are more widely used across the State than are Medicare+Choice plans: Medicare+Choice is the Medicare option of beneficiaries in only 20 of Colorado's 64 counties, while Medicare cost contracts are enjoyed by seniors in 46 counties in Colorado.

In addition to accessibility, basic Medicare has fewer benefits than cost contract plans, and Medigap has higher out-of-pocket expenses than cost contract plans. Cost contract plans often provide more benefits than Medigap, such as preventive care and prescription drug benefits, and Medicare Part B deductible coverage. In addition, some cost contract plans offer one rate for older Medicare beneficiaries, while Medigap plans charge higher premiums for beneficiaries who are older.

Further, beneficiaries under Medicare cost contracts value the services

cost contracting companies offer. According to a 1999 U.S. Department of Health and Human Services study, the Medicare Managed Care Consumer Assessment of Health Plans Study, CAHPS, Medicare beneficiaries gave Medicare cost contract health insurers higher ratings than non-cost contract providers. Beneficiaries noted cost contracting HMOs solved problems, provided care, and provided customer service better than the majority of non-cost contracting providers. These ratings demonstrate that cost contract insurers provide the quality service seniors want and the health benefits they need.

While the goal of the Balanced Budget Act of 1997 was to provide an alternative to basic Medicare through Medicare+Choice, Medicare+Choice has not accomplished this goal in rural America. One of the objectives of President Bush and Tommy Thompson, the Secretary of Health and Human Services, is to increase in the near future Medicare+Choice enrollment. I support and have confidence in this effort. Until Medicare+Choice coverage is readily available to rural cost contract recipients Congress should extend the current cost contract sunset for an additional ten years.

Medicare beneficiaries deserve a choice in how they receive their health care. Congress should allow one of these choices to remain Medicare cost contracts. On behalf of the 298,683 U.S. and 18,050 Colorado Medicare beneficiaries who obtain their health care from cost contract plans, I urge my colleagues to extend Medicare cost contract plans for ten years.

By Mr. ALLEN (for himself and Mr. WARNER):

S. 1225. A bill to require the Secretary of the Treasury to redesign the $1 bill so as to incorporate the preamble to the Constitution of the United States, the Bill of Rights, and a list of the Articles of the Constitution on the reverse side of such currency; to the Committee on Banking, Housing, and Urban Affairs.

Mr. ALLEN. Mr. President, I rise today to introduce the Liberty Bill Act, which directs the United States Treasury to print an abridged Constitution with the titles of salient articles and amendments of the Constitution of the United States on the back of our one dollar bill. Indeed, the redesign of a Ten, Twenty, Fifty or 100 dollar bill could incorporate this goal.

This important and innovative legislation is designed to educate, encourage and promote the understanding of the fundamental principles, the concept of self-government, free will and the protection of individual rights, of the United States for all Americans and people around the world who may use U.S. currency.

I believe that it is most fitting that the idea for the Liberty Bill Act began in a classroom in Liberty Middle School, in Ashland VA, and carried forth by students at Patrick Henry High School in Hanover County, VA, by students who wanted to do something good for this country and its democratic principles.

A little more than three years ago at Virginia's Poor Farm Park's amphitheatre, 170 students, representing Liberty Middle School, recited the abridged Constitution as part of a school project. The so-called Liberty Bill project left them with a deeper appreciation of the Constitution and how important it is that we, as Americans, fully understand our heritage and the principles of freedom, justice and liberty. And, fortunately for the rest of us, the Liberty Bill project also left them with the desire to communicate this appreciation to all Americans and to all people worldwide.

I am proud to say that these students did not simply stop their education at this juncture. Instead, they worked with their teacher, Mr. Randy Wright, to create a proposal that would serve as a reminder of our rights and responsibilities as citizens of the United States.

After careful thought and consideration, the students decided that putting the thoughts of our Constitution on the back of the dollar bill, something that passes through the hands of millions of people around the world every day, would serve as the powerful reminder of how important the Constitution is to our representative democracy.

In addition, the newly revised dollar bill would teach the progress of American history, highlighting amendments that were added to the Constitution as our nation evolved into the free and prosperous global leader it is today. For example, despite a strong belief in what some termed the ''inherent and unalienable rights of man,'' the fledgling American government did not protect the individual rights and liberties of all Americans. In fact, it was not until 1865, upon the adoption of amendment XIII, slavery was abolished and all races were guaranteed their freedom under the law.

In addition, the right to vote and have a say in one's government and the policies that affect everyday life, was not extended to all Americans. In fact, only white men could vote until amendment XV, proclaimed in 1870, provided that all men could vote, regardless of their race or status as a former slave. Later, in 1920, amendment XIX rightfully extended suffrage to all of America's people, securing the right of women to have a voice in our government as well. For a representative democracy is not truly representative until all people are heard.

Referencing constitutional amendments, such as amendments XIII, XV, and XIX on our dollar bill, would help to highlight not only the adaptive qualities of our Constitution and its ability to reflect an increasingly enlightened awareness of the rights of all people, but teach us to appreciate and value these freedoms and rights as Americans.

The Constitution of the United States is one of the most important documents in all of history. Yet in this day and age many Americans do not even know all the rights and protections enshrined in the first ten amendments, our Bill of Rights. Many Americans fail to recognize the Constitution as framework of the United States government and its impact on our government and prosperity as a nation of free people.

The dollar bill is the most used and most recognized currency in the world, every day it pass through the hands of millions of people around the world. And, as the students of Liberty Middle School asked themselves three years ago: ''What better way than to highlight the Constitution and promote the ideals and values it represents than putting the principles it embodies on the back of the dollar bill?''

Every day I come across adults who complain that they are powerless to affect our political process or laws. They claim that even their vote will not make a difference.

Yet, a group of middle school students, through their commitment and determination, have persevered.

In just three years these students have taken up the challenge to help ensure every American understands the basic precepts of our treasured Constitution. This group of students developed a plan to reach this goal. They have gained media coverage and the endorsement of editorialists nationwide and their local governments, receiving acclaim from such notables as the Wall Street Journal and CNN News, although, I have to believe that one of the most notable endorsements of all was from a middle school student named Jessie, who said of the Liberty Bill project: ''A fantastic learning experience, the Liberty Bill has inspired me to pursue politics like never before.''

Because of their work and dedication, the impact of the Liberty Bill project on the education of our students can be felt nationwide. A remarkable 21 schools, representing seven states, have also joined their effort, ranging from Bedwell Elementary School in New Jersey and Festus High School in Festus, MO, to Dickinson High School in North Dakota and Newcastle Middle School in Wyoming.

The students have taken their effort all the way to Capitol Hill. The Liberty Bill Act, H.R. 903, introduced in the 106th Congress eventually secured 107 consponsors and was supported by leadership on both sides of the aisle, including Speaker HASTERT, Majority

Leader ARMEY, Majority Whip DELAY, and Minority Leader GEPHARDT. In addition, eight Committee Chairmen and 3 Ranking Members endorsed the Liberty Bill proposal. I am confident that under the guidance of Congressman CANTOR, the Liberty Bill will enjoy even more success during the 107th Congress in the House of Representatives and I am looking forward to working with my colleagues to secure the Liberty Bill's success in the Senate.

Last February, I had the opportunity to attend a Liberty Bill Project presentation performed by students from the Patrick Henry High School of Ashland, VA. I cannot tell you how encouraging it is to see a group of young people who really get, who realize how important a full understanding of our Constitution is and the values it represents. Not only was this presentation one of the most wholesome and inspirational I have seen, it convinced me that the Liberty Bill Project is an exemplary way of capturing our imagination and providing a major contribution toward our understanding of our Constitution, history, and form of government.

Therefore, it is my privilege to stand here today, joining my colleague in the House of Representatives, Congressman ERIC CANTOR, and introduce the companion legislation in the Senate. I am proud to act as a representative for the hard work and dedication of our students and support their efforts to teach all Americans about the importance of the values and principles embodied by our Constitution.

Finally, I would like to take this opportunity to commend the fine efforts of the students of Liberty Middle School and their teacher, Mr. Randy Wright. Their success is a lesson to all of us, demonstrating that with initiative and hard work we can easily, positively educate Americans.

Thomas Jefferson once said, ''If a Nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be.'' This remarkable group of young people has shown all of us what can be accomplished through dedication, creativity and a desire to do what has not been done before.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1225

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Liberty Dollar Bill Act''.

SEC. 2. FINDINGS.

The Congress finds that—

(1) many Americans are unaware of the provisions of the Constitution of the United States, one of the most remarkable and important documents in world history;

(2) a version of this important document, consisting of the preamble, a list of the Articles, and the Bill of Rights, could easily be placed on the reverse side of the $1 Federal reserve note;

(3) the placement of this version of the Constitution on the $1 Federal reserve note, a unit of currency used daily by virtually all Americans, would serve to remind people of the historical importance of the Constitution and its impact on their lives today; and

(4) Americans would be reminded by the preamble of the blessings of liberty, by the Articles, of the framework of the Government, and by the Bill of Rights, of some of the historical changes to the document that forms the very core of the American experience.

SEC. 3. REDESIGN OF REVERSE SIDE OF THE BILL.

(a) IN GENERAL.—Section 5114 of title 31, United States Code, is amended by adding at the end the following new subsection:

''(d) LIBERTY DOLLAR BILLS.—

''(1) IN GENERAL.—In addition to the requirements of subsection (b) (relating to the inclusion of the inscription 'In God We Trust' on all United States currency) and the eighth undesignated paragraph of section 16 of the Federal Reserve Act, the design of the reverse side of the $1 Federal reserve notes shall incorporate the preamble to the Constitution of the United States, a list of the Articles of the Constitution, and a list of the first 10 amendments to the Constitution.

''(2) DESIGN—Subject to paragraph (3), the preamble of the Constitution of the United States, the list of the Articles of the Constitution, and the first 10 amendments to the Constitution shall appear on the reverse side of the $1 Federal reserve note, in such form as the Secretary deems appropriate.

''(3) AUTHORITY OF SECRETARY.—The requirements of this subsection shall not be construed as—

''(A) prohibiting the inclusion of any other inscriptions or material on the reverse side of the $1 Federal reserve note that the Secretary may determine to be necessary or appropriate; or

''(B) limiting any other authority of the Secretary with regard to the design of the $1 Federal reserve note, including the adoption of any design features to deter the counterfeiting of United States currency.''.

(b) DATE OF APPLICATION.—The amendment made by subsection (a) shall apply to $1 Federal reserve notes that are first placed into circulation after December 31, 2001.

Mr. WARNER. Mr. President, I am deferring to my junior colleague from Virginia and am pleased to be an original cosponsor of legislation introduced by Senator ALLEN to place actual language from the Constitution on the back of the one dollar bill.

This legislation is related to a bill I introduced last year based on the idea of students at Liberty Middle School in Ashland, Va. Working with their teacher, Randy Wright, this began as a school project several years ago. I commend these students and Mr. Wright for their continued dedication on seeing this idea realized.

If you would think for a minute about the circulation of one dollar. it is fascinating to imagine how many people this message will reach, just how many hands a dollar will pass through even in just one year. Moreover, I believe this initiative exemplifies many of the principles laid out in the Constitution and the people's role in our government.

The Constitution is our Nation's most noble achievement. It embodies the freedoms and liberties we enjoy as Americans, and gives value and meaning to the laws by which we live. I agree with the students of Liberty Middle School that the Constitution belongs to the people. It should be in their hands.

I am pleased to support this important initiative.

By Mr. CAMPBELL:

S. 1226. A bill to require the display of the POW/MIA flag at the World War II memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial; to the Committee on the Judiciary.

Mr. CAMPBELL. Mr. President, today I introduce the POW/MIA Memorial Flag Act of 2001. I am pleased to be joined by my friend and colleague Senator ALLARD as an original co-sponsor.

I want to begin my statement today describing a powerful and emotional sight that moves us to the core of our faith and beliefs about America and about those who served in the Armed Forces of our Nation.

Many of us have visited one or more of the military academies that train America's future military leaders. These academies have varied missions and yet all of them share in the critical task of developing leaders for their particular branch of service. On the grounds of each academy is a chapel, spectacular places that are easily identifiable as places of worship.

In each chapel, a place has been reserved for those prisoners of war and the missing in action from each particular service. A pew has been set aside and marked by a candle, a powerful symbol that not all have returned from battle. These hallowed places have been set aside so that all POW's and MIA's are remembered with dignity and honor. It is a moving and emotional experience to pause at these reserved pews, to be encouraged by the burning candle, to recall the valor and sacrifice of those soldiers, sailors, marines, and pilots and to be inspired today by what they have done.

Yes, I believe we can and should do more to honor the memory of all the POW's and MIA's who have so gallantly served our nation.

Therefore, today I am introducing the POW/MIA Memorial Flag Act of 2001. This act would require the display of the POW/MIA flag at the World War II Memorial, the Korea War Veterans Memorial, and the Vietnam Veterans Memorial, all here in the Nation's Capital, on any day on which the United States flag is displayed.

Congress has officially recognized the POW/MIA flag. Displaying this flag

would be a powerful symbol to all Americans that we have not forgotten, and will not forget.

As my colleagues well know, the United States has fought in many wars, and thousands of Americans who served in those wars were captured by the enemy or listed as missing in action. In 20th century wars alone, more than 147,000 Americans were captured and became prisoners of war; of that number more than 15,000 died while in captivity. When we add to the number those who are still missing in action, we realize that more can be done to honor their commitment to duty, honor, and country.

The display of the POW/MIA flag would be a forceful reminder that we care not only for them, but also for their families who personally carry with them the burden of sacrifice. We want them to know that they do not stand alone, that we stand with them and beside them, as they remember the loyalty and devotion of those who served.

As a veteran who served in Korea, I personally know that the remembrance of another's sacrifice in battle is one of the highest and most noble acts we can do. Let us now demonstrate our indebtedness and gratitude for those who served that we might live in freedom.

Just as those special reserved pews in the chapels of the military academies recall the spirit and presence of our POW's and MIA's, so too will the display of their flag over the World War II Memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial be a special reminder that we have not forgotten, and will not forget. This coming September 21, 2001, is National POW/MIA Recognition Day. I invite my Senate colleagues to please join me in passing this bill by then to display the POW/MIA flag on this special day.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1226

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''POW/MIA Memorial Flag Act of 2001''.

SEC. 2. DISPLAY OF POW/MIA FLAG AT WORLD WAR II MEMORIAL, KOREAN WAR MEMORIAL, AND VIETNAM VETERANS MEMORIAL.

(a) REQUIREMENT FOR DISPLAY.—Subsection (d)(3) of section 902 of title 36, United States Code, is amended by striking ''The Korean War Veterans Memorial and the Vietnam Veterans Memorial'' and inserting ''The World War II memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial''.

(b) DAYS FOR DISPLAY.—Subsection (c)(2) of that section is amended—

(1) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(2) by inserting before subparagraph (B), as so redesignated, the following new subparagraph (A):

''(A) in the case of display at the World War II memorial, Korean War Veterans Memorial, and Vietnam Veterans Memorial (required by subsection (d)(3) of this section), any day on which the United States flag is displayed;''.

(c) DISPLAY ON EXISTING FLAGPOLE.—No element of the United States Government may construe the amendments made by this section as requiring the acquisition of erection of a new or additional flagpole for purposes of the display of the POW/MIA flag.

By Mr. THURMOND (for himself and Mr. HATCH):

S. 1228. A bill to amend title 18, United States Code, to authorize pilot projects under which private companies in the United States may use Federal inmate labor to produce items that would otherwise be produced by foreign labor, to revise the authorities and operations of Federal Prison Industries, and for other purposes; to the Committee on the Judiciary.

Mr. THURMOND. Mr. President, I rise today to introduce legislation that would comprehensively reform Federal Prison Industries or UNICOR. It would eliminate the preference that Prison Industries currently has to make products for the Federal Government, while for the first time allowing private companies to partner with FPI for inmate labor. These changes would benefit all interested parties without endangering this essential inmate work program. I am pleased to have Senator HATCH as an original cosponsor for this important bill.

FPI is a self-sufficient government corporation that provides work for over 20,000 inmates in the Federal Bureau of Prisons. This program is critical to keeping inmates productively occupied, which helps keep prisons safe for staff, inmates, and the public. At the same time, inmates learn important job skills that they can use when they return to society. FPI has been proven to be the best prison program in helping prevent inmates from returning to a life of crime. It does all of this without costing any taxpayer money.

Prison Industries is an especially critical program today as the inmate population continues to grow dramatically. The number of Federal prisoners has doubled since 1989, and is continuing to grow every year. For the Bureau of Prisons to maintain just 25 percent of the work-eligible inmates in FPI, it must produce more and more products to keep its growing population working and occupied.

Since it was created in 1934, Prison Industries has had the authority to sell products only to Federal agencies and not to the private sector. In return, Federal agencies generally must purchase items that FPI makes, if it can provide them on time and at competitive prices. This is known as the mandatory source requirement.

The equity of mandatory source has been debated for years. I believe that we should resolve this issue once and for all in this Congress by eliminating this governmental preference. However, we should do so in a way that will maintain, not destroy, this successful work program.

The preference that FPI currently has regarding the Federal market is essential as long as Prison Industries is only permitted to sell products to Federal agencies. However, Prison Industries can do much more and actually be a partner with the private sector if it has the opportunity. Thus, this bill would eliminate the mandatory source requirement, and it would allow private businesses to contract with FPI for inmates to make the company's products in the commercial market, both domestically and overseas.

One of the most promising areas for prison labor today is overseas markets where American companies simply cannot compete today. Economists, including respected labor expert Professor Richard Freeman, have argued that one of the best uses of prison labor is to produce goods that are not made in the United States, such as toys. This could help the American economy by bringing jobs back that we have lost. Of course, if prisoners make products that are not made in the United States, they are not displacing American workers. However, jobs would not only be created in prisons but also in the private sector. Private companies would provide raw materials, transport goods, and otherwise supplement the prison labor. This is a creative way to bring back industries whose entire economic support structure is overseas.

Also, this could prove to help FPI reduce its need to make the type of products that it makes today while keeping inmates just as busy. It would also make the work experience for the inmates even more practical if they were making products for the private companies. Thus, the legislation would permit private companies to contract with FPI to provide the labor to make products that are otherwise being made by foreign labor outside the United States, and pay the inmates at the current prison industry wages.

We must keep in mind that FPI has hidden burdens that increase its labor costs. Inmates are significantly less productive than private workers for various reasons including limited skills, less education, and the security needs at prisoner work areas. Nevertheless, under this legislation, when FPI contracted with private companies domestically, it would pay inmates the same as private employees who do the same type of work in the area. These ''comparable locality wages'' are identical to the wages that state prison industry work programs provide today. As under state prison work programs, the pay could never be below the Federal minimum wage.

The additional money that inmates would earn under these new higher wages would be used to help pay debts that the inmate owes to society, such as more restitution to victims and child support obligations. Also, if funds were available, inmates would reimburse the government for a portion of their room and board costs.

Further, the bill would increase the size of the Prison Industries Board of Directors to provide greater representation, including members recommended by the Senate and House leadership. Also, decisions about whether a product is otherwise being made by foreign workers outside the United States would be determined by an independent panel, separate from the Prison Industries Board. This panel would consist of representatives of the Departments of Commerce and Labor, as well as labor unions and the business community.

The cornerstone of the legislation is that the mandatory source requirement would be eliminated, which is a change that has long been sought by certain business and labor interests. The bill would phase it out over five years to permit a smooth transition and prevent any major disruptions in inmate labor programs. However, during this period, FPI would be prohibited from expanding beyond its current mandatory source levels in any existing federal market.

I believe that this bill represents comprehensive, fundamental reform of Prison Industries. It would not be an easy task for Prison Industries to transform its market, as this bill would require. However, I think this legislation constitutes a fair and equitable compromise for this longstanding issue. It eliminates the mandatory source once and for all. At the same time, it creates new markets for prison labor, especially overseas markets where America simply cannot compete today.

It is time that we took an entirely new approach toward the issue of prison labor. We have the opportunity to move Prison Industries into the new century as a new, dynamic partner with the private sector. I encourage my colleagues to join me and Senator HATCH in supporting this bold reform initiative.

I ask unanimous consent that the text of the bill and a section by section analysis be printed in the RECORD.

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

S. 1228

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Inmate Work Act of 2001''.

SEC. 2. AUTHORITY TO CARRY OUT PILOT PROJECTS USING FEDERAL INMATE LABOR TO REPLACE FOREIGN LABOR.

(a) FOREIGN LABOR SUBSTITUTE PILOT PROJECTS AUTHORIZED.—Chapter 85 of title 18, United States Code, is amended in section 1761—

(1) in subsection (b), by striking ''This chapter'' and inserting ''This section'';

(2) in subsection (c), by striking ''this chapter'' and inserting ''this section'';

(3) by redesignating subsection (d) as subsection (f); and

(4) by adding after subsection (c) the following new subsections:

''(d) This section shall not apply to goods, wares, or merchandise manufactured, produced, or mined by convicts or prisoners who are participating in industrial operations of Federal Prison Industries.

''(e) This section shall not apply to goods, wares, or merchandise manufactured, produced, or mined by convicts or prisoners who are participating in any pilot project approved as a foreign labor substitute by the Foreign Labor Substitute Panel established under section 1762.''.

(b) FOREIGN LABOR SUBSTITUTE PANEL.—(1) Section 1762 of such chapter is amended to read as follows:

''§ 1762. Foreign Labor Substitute Panel

''(a) The Attorney General shall establish a panel to be known as the Foreign Labor Substitute Panel (in this section referred to as the 'Panel').

''(b) The Panel shall be composed of eight members, each of whom shall serve at the pleasure of the Attorney General, and who shall be appointed by the Attorney General as follows:

''(1) One member who shall be an officer, employee, or other representative of the Department of Commerce.

''(2) One member who shall be an officer, employee, or other representative of the Department of Labor.

''(3) One member who shall be an officer, employee, or other representative of the International Trade Commission.

''(4) One member who shall be an officer, employee, or other representative of the Small Business Administration.

''(5) Two members, each of whom shall be an officer, employee, or other representative of the business community.

''(6) Two members, each of whom shall be an officer, employee, or other representative of organized labor.

''(c)(1) Members of the Panel shall not receive pay, allowances, or benefits by reason of their service on the Panel.

''(2) Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

''(d) The Panel shall review proposals for pilot projects submitted to the Panel. For each proposal reviewed, the Panel shall approve the pilot project as a foreign labor substitute if, and only if, the Panel determines that the pilot project specified in the proposal satisfies each of the following requirements:

''(1) The pilot project is to be carried out by one or more private United States companies.

''(2) The goods, wares, or merchandise proposed to be manufactured, produced, or mined wholly or in part by Federal convicts or prisoners under the pilot project would otherwise be manufactured, produced, or mined by foreign labor.

''(e) Any determination of the Panel under subsection (d) shall be made available to the public upon request.''.

(2) In the table of sections at the beginning of such chapter, the item relating to section 1762 is amended to read as follows:

''1762. Foreign Labor Substitute Panel.''.

SEC. 3. RESTATEMENT AND IMPROVEMENT OF FEDERAL PRISON INDUSTRIES PROGRAM.

(a) IN GENERAL.—Sections 4121, 4122, and 4123 of title 18, United States Code, are amended to read as follows:

''§ 4121. Federal Prison Industries: status, mission, and management

''(a) STATUS.—Federal Prison Industries is a Government corporation. The headquarters of the corporation is in the District of Columbia.

''(b) MISSION.—The mission of Federal Prison Industries is to carry out industrial operations in accordance with this chapter using eligible inmate workers.

''(c) BOARD OF DIRECTORS.—

''(1) COMPOSITION.—Federal Prison Industries is administered by a board of directors composed of 12 members appointed by the Attorney General as follows:

''(A) One member appointed from among individuals recommended by the Speaker of the House of Representatives.

''(B) One member appointed from among individuals recommended by the minority leader of the House of Representatives.

''(C) One member appointed from among individuals recommended by the majority leader of the Senate.

''(D) One member appointed from among individuals recommended by the minority leader of the Senate.

''(E) Two members who shall be representatives of the business community.

''(F) Two members who shall be representatives of organized labor.

''(G) One member who shall be representative of victims of crime.

''(H) One member who shall be representative of the prisoner rehabilitation community.

''(I) Two members whose background or expertise the Attorney General considers appropriate.

''(2) TERMS.—

''(A) Except as provided in this paragraph, each member shall be appointed for a term of four years.

''(B) As designated by the Attorney General at the time of appointment, of the members first appointed—

''(i) 3 members shall be appointed for terms of 1 year;

''(ii) 3 members shall be appointed for terms of 2 years;

''(iii) 3 members shall be appointed for terms of 3 years; and

''(iv) 3 members shall be appointed for terms of 4 years.

''(C) Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office. A vacancy in the Board shall be filled in the manner in which the original appointment was made.

''(3) COMPENSATION.—A member of the Board may not receive pay, allowances, or benefits by reason of his or her service on the Board.

''(4) QUORUM.—Seven members of the Board constitutes a quorum but a lesser number may hold hearings.

''(5) CHAIR.—The Chair of the Board is elected by the members.

''§ 4122. Federal Prison Industries: operating objectives, standards, and requirements

''(a) OPERATING OBJECTIVES.—Federal Prison Industries shall carry out its industrial operations so as to achieve each of the following objectives:

''(1) To increase public safety by reducing the rate of recidivism by providing as many inmates as possible with an opportunity to gain meaningful employment and vocational skills and improve their chances of becoming productive and law-abiding citizens after release from prison.

''(2) To minimize any adverse effects of the operations on domestic companies or workers.

''(3) To provide meaningful employment and vocational training for not less than 25 percent of eligible inmate workers.

''(4) To provide inmate workers with a source of income with which they may facilitate their ability to contribute to the discharge of their financial obligations.

''(5) To generate sufficient revenue to fund those operations.

''(6) To provide products and services that are market quality and competitively priced.

''(b) PERFORMANCE STANDARDS.—Federal Prison Industries shall carry out its industrial operations in compliance with the following standards, as applicable to correctional industry programs:

''(1) United Nations standards.

''(2) International Labor Organization conventions to which the United States is a signatory party.

''(3) Federal standards.

''(4) American Correctional Association standards.

''(c) VOLUNTARINESS.—Federal Prison Industries shall carry out its industrial operations only with inmate workers who participate in those operations voluntarily.

''(d) WAGE RATES.—Unless otherwise provided by law, each inmate worker participating in the industrial operations of Federal Prison Industries shall be paid at a wage rate prescribed by the Board of Directors of Federal Prison Industries.

''(e) PROTECTION OF CERTAIN INFORMATION.—Federal Prison Industries shall carry out its industrial operations so as to ensure that, in the production of a product or the performance of a service, inmate workers do not have access to—

''(1) personal or financial information about any citizen of the United States without prior notice of the access being provided to that citizen, including information relating to the citizen's real property, however described, unless that information is publicly available; or

''(2) information that is classified in the national security or foreign policy interests of the United States.

''(f) VOCATIONAL TRAINING.—At the end of each fiscal year, Federal Prison Industries shall, if the Board of Directors determines that it is financially feasible to do so, contribute not less than 20 percent of its net profits for that fiscal year to provide for the vocational training of inmates without regard to their industrial or other assignments.

''(g) EXEMPTION FROM PUBLIC CONTRACTING AND PROCUREMENT LAWS.—Federal Prison Industries is exempt from all laws and regulations governing public contracting and the procurement of property or services by an agency of the Federal Government.

''(h) LIABILITY.—The sole remedy for injury, death, or loss resulting from negligence in the design or production of a product, or in the performance of a service, by Federal Prison Industries shall be as follows:

''(1) In the case of a person suffering an injury, death, or loss in the performance of duties as an employee of the United States, chapter 81 of title 5, relating to compensation for work-related injuries.

''(2) In all other cases, chapter 171 of title 28, relating to tort claims.

''(i) DEDUCTIONS FROM WAGES.—

''(1) IN GENERAL.—Subject to the other provisions of this subsection, the Board of Directors may deduct and withhold amounts from the wages paid to a Federal Prison Industries inmate worker and disburse those amounts for the following:

''(A) Payment of fines, special assessments, restitution to the victim, and any other restitution owed by the inmate worker pursuant to court order.

''(B) Allocations for support of the inmate worker's family under law, court order, or agreement by the inmate worker.

''(C) Reasonable charges for costs of incarceration, as determined by the Board of Directors.

''(D) Contributions to any fund established by law to compensate the victims of crime.

''(E) Amounts to be held on account and paid to the inmate worker upon release from the custody of the Bureau of Prisons.

''(2) LIMITATION.—The total of all amounts deducted and withheld from the pay of an inmate worker for a pay period may not exceed—

''(A) 80 percent of gross pay, in the case of an inmate worker specified in section 4123(d)(2); or

''(B) 50 percent of gross pay, in the case of any other inmate worker.

''(3) EXCEPTION.—The total specified in paragraph (2) may, with the consent of an inmate worker, exceed the limitation in paragraph (2)(A) or (2)(B), as applicable, if the amounts in excess of such limitation are for the purposes described in subparagraphs (B) or (E) of paragraph (1).

''(4) AGREEMENT OF INMATE WORKER REQUIRED.—Amounts may not be deducted, withheld, or disbursed under this subsection unless the inmate worker concerned has agreed in advance to the deduction, withholding, or disbursement of those amounts.

''§ 4123. Federal Prison Industries: transactions authorized

''(a) SALES TO AGENCIES AND NOT-FOR-PROFITS.—Federal Prison Industries may sell products and services to government agencies and not-for-profit organizations.

''(b) SALES OF CERTAIN COMMODITIES.—Federal Prison Industries may carry out a program to manufacture commodities specified in section 1761(b).

''(c) PARTICIPATION IN FOREIGN LABOR SUBSTITUTE PILOT PROJECTS.—Subject to the requirements in subsection (e), Federal Prison Industries may make available inmate workers for participation in a pilot project approved as a foreign labor substitute by the Foreign Labor Substitute Panel, as referred to in section 1761(e).

''(d) PARTICIPATION IN BJA PILOT PROJECTS.—

''(1) IN GENERAL.—Subject to the requirements in subsection (e), Federal Prison Industries may make available inmate workers for participation in a pilot project designated by the Director of the Bureau of Justice Assistance, as referred to in section 1761(c).

''(2) WAGE RATE.—Each inmate worker participating in a pilot project specified in paragraph (1) shall be paid at a wage rate that complies with section 1761(c).

''(e) REQUIREMENTS FOR CONTRACTS WITH PRIVATE COMPANIES.—In making available inmate workers for participation in a pilot project under subsection (c) or (d), Federal Prison Industries shall comply with the following requirements:

''(1) The inmate workers shall be made available through a contract between Federal Prison Industries and a private United States company.

''(2) The contract shall—

''(A) require that the labor performed by the inmate workers shall be carried out at a Federal Prison Industries facility;

''(B) include a clause that prohibits the company from displacing any of that company's existing domestic workers as a direct result of the contract with Federal Prison Industries; and

''(C) provide that any workforce reductions carried out by the company affecting employees performing work comparable to the work performed pursuant to the contract shall first apply to inmate workers employed pursuant to the contract.

''(f) GOALS FOR CERTAIN BUSINESSES.—Federal Prison Industries shall, in consultation with the Small Business Administration, establish and strive to meet or exceed realistic goals for entering into contracts with one or more of the following:

''(1) A business concern that meets the applicable size standards prescribed pursuant to section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

''(2) A small business concern owned and controlled by socially and economically disadvantaged individuals, as that term is defined in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).

''(g) JOB OPPORTUNITIES FOR BLIND AND SEVERELY DISABLED INDIVIDUALS.—Federal Prison Industries shall establish business partnerships with organizations representing domestic workers who are blind or severely disabled, for the purpose of entering into contracts with private United States companies that would create job opportunities both for blind and severely disabled individuals and for Federal inmates.

''(h) DONATION OF PRODUCTS AND SERVICES.—The Board of Directors may authorize—

''(1) the donation of a product or service of Federal Prison Industries that is available for sale; or

''(2) the production of a new product, or the performance of a new service, for donation.

''(i) CATALOG.—Federal Prison Industries shall publish and maintain a catalog of all products and services that it offers for sale to government agencies and not-for-profit organizations. The catalog shall be periodically revised as products and services are added or deleted.''.

(b) CONFORMING AMENDMENT.—Section 1761(c)(1) of such title is amended by striking ''non-Federal''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 307 of such title is amended by striking the items relating to sections 4121, 4122, and 4123 and inserting the following:

''4121. Federal Prison Industries: status, mission, and management.
''4122. Federal Prison Industries: operating objectives, standards, and requirements.
''4123. Federal Prison Industries: transactions authorized.''.

SEC. 4. ELIMINATION OF MANDATORY SOURCE PURCHASE REQUIREMENT.

(a) IN GENERAL.—Section 4124 of title 18, United States Code, is amended—

(1) in subsection (a), by adding at the end the following: ''This subsection does not apply to services.'';

(2) by amending subsection (c) to read as follows:

''(c) Each Federal department or agency shall report purchases from Federal Prison Industries to the Federal Procurement Data System (referred to in section 6(d)(4) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(d)(4))) in the same manner as it reports to such System any acquisition in an amount in excess of the simplified acquisition threshold (as defined in section 4(11) of that Act (41 U.S.C. 403(11))).''; and

(3) by amending subsection (d) to read as follows:

''(d)(1) The head of a Federal department or agency may purchase directly from Federal Prison Industries any of the following:

''(A) Any products with respect to which the requirement in subsection (a) has, under any authority, been suspended, waived, or not invoked.

''(B) Any services.

''(2) A purchase under this subsection may be made in any quantity and by any method that is determined appropriate by the head of the agency making the purchase without regard to any provision of law or regulation.''.

(b) PLAN FOR PHASED ELIMINATION OF MANDATORY SOURCE.—Not later than 180 days after the date of the enactment of this Act, the Board of Directors shall submit to Congress a plan for the elimination of the requirement of section 4124(a) of title 18, United States Code. The plan shall provide for the following:

(1) Annual reductions in the total sales that are made by Federal Prison Industries under the requirement.

(2) A prohibition on any interim significant expansion of sales under the requirement above levels authorized by the Board of Directors of Federal Prison Industries for such sales before the date of the enactment of this Act.

(3) A prohibition on sales under the requirement after the date that is five years after the date on which the plan is submitted to Congress under this section.

(c) PUBLIC AVAILABILITY OF PLAN.—Not later than 30 days after the date on which the plan is submitted to Congress under this section, Federal Prison Industries shall publish the plan in a commercial business publication with a national circulation. Federal Prison Industries shall make copies of the plan available to the public upon request.

(d) REPEAL OF MANDATORY SOURCE REQUIREMENT.—Effective on the date that is 5 years after the date on which the plan is submitted to Congress under this section, section 4124 of title 18, United States Code, is amended—

(1) by striking subsections (a) and (b); and

(2) by amending subsection (d)(1)(A) to read as follows:

''(A) Any products.''.

SEC. 5. PERIODIC EVALUATION AND REPORTS.

(a) IN GENERAL.—Section 4127 of title 18, United States Code, is amended to read as follows:

''§ 4127. Periodic evaluation and reports

''(a) EVALUATION BY GAO.—

''(1) MATTERS EVALUATED.—The Comptroller General shall provide for an independent evaluation of the operations of Federal Prison Industries to be carried out each year. The matters evaluated shall include the following:

''(A) The overall success of the operations.

''(B) The effects that any reduction in the purchases made under section 4124(a) has on the viability of Federal Prison Industries.

''(C) The extent to which Federal Prison Industries can successfully contract with private companies without adversely affecting domestic companies or workers.

''(2) VIEWS INCLUDED.—The Comptroller General shall ensure that, in the development of appropriate methodologies for the evaluation under paragraph (1), the views of the Foreign Labor Substitute Panel, private industry, organized labor, the Board of Directors of Federal Prison Industries, and the public are solicited.

''(3) REPORT.—Not later than March 31 of each fiscal year, the Comptroller General shall submit to Congress a report on the evaluation of the operations of Federal Prison Industries that was carried out under paragraph (1) for the preceding fiscal year. The report for a fiscal year shall, at a minimum, include the following:

''(A) The evaluation.

''(B) Any concerns raised about any adverse effects on domestic companies or workers, together with any actions taken in regard to the concerns.

''(C) The extent to which Federal Prison Industries maintained at least a 25 percent employment rate for eligible inmate workers.

''(D) The extent to which Federal Prison Industries conducted its operations on a financially self-sustaining basis.

''(E) Any recommended legislation to improve the administration of this chapter or the effects of the administration of this chapter, including any recommended legislation necessary to authorize remedial actions regarding—

''(i) any conduct of the operations of Federal Prison Industries in a manner that adversely affects domestic companies or workers (excluding the effects of normal competitive business practices);

''(ii) any failure of Federal Prison Industries to maintain at least a 25 percent employment rate for eligible inmate workers; or

''(iii) any failure of Federal Prison Industries to conduct its operations on a financially self-sustaining basis.

''(b) ANNUAL REPORT BY BOARD OF DIRECTORS.—

''(1) IN GENERAL.—The Board of Directors of Federal Prison Industries shall, each year, report under section 9106 of title 31 on the conduct of the business of Federal Prison Industries and the condition of its funds during the preceding fiscal year.

''(2) MATTERS INCLUDED.—In addition to the matters required by section 9106 of title 31, and such other matters as the Board considers appropriate, each report for a fiscal year under paragraph (1) shall include the following:

''(A) A statement of the amount of obligations issued under section 4129(a)(1) of this title during that fiscal year.

''(B) An estimate of the amount of obligations that will be issued under that section during the following fiscal year.

''(C) An analysis of—

''(i) the total sales by Federal Prison Industries for each product and service sold to Federal agencies and to private United States companies;

''(ii) the total purchases by each Federal agency of each product and service; and

''(iii) The Federal Prison Industries share of the total Federal Government purchases by product and service.

''(D) An analysis of the inmate workforce, including—

''(i) the number of inmates employed;

''(ii) the number of inmates used to produce products or perform services sold to private United States companies;

''(iii) the number and percentage of employed inmates, categorized by term of incarceration; and

''(iv) the various hourly wages paid to inmates engaged in the production of the various products and the performance of services authorized for production and sale to Federal agencies and to private United States companies.

''(E) Information concerning any employment obtained by former inmates upon release that is useful in determining whether the employment provided by Federal Prison Industries during incarceration provided those former inmates with knowledge and skill in a trade or occupation that enabled them to earn a livelihood upon release.

''(3) AVAILABILITY TO PUBLIC.—The Board of Directors shall make available to the public each report under this subsection.''.

(b) CLERICAL AMENDMENT.—In the table of sections at the beginning of chapter 307 of such title, the item relating to section 4127 is amended to read as follows:

''4127. Periodic evaluation and reports.''.

SEC. 6. RULES OF CONSTRUCTION AND DEFINITIONS.

(a) IN GENERAL.—Chapter 307 of title 18, United States Code, is amended by adding at the end the following:

''§ 4130. Construction of provisions

''Nothing in this chapter shall be construed—

''(1) to establish an entitlement of any inmate to—

''(A) employment in a Federal Prison Industries facility; or

''(B) any particular wage, compensation, or benefit on demand;

''(2) to establish that inmates are employees for the purposes of any law or program; or

''(3) to establish any cause of action by or on behalf of any person against the United States or any officer, employee, or contractor thereof.

''§ 4131. Definitions

''In this chapter:

''(1) The term 'eligible inmate worker' means a person who—

''(A) is committed to the custody of the Bureau of Prisons pursuant to section 3621 of this title;

''(B) is designated to a low, medium, or high security facility operated by the Bureau of Prisons; and

''(C) is physically and mentally able to work.

''(2) The term 'private United States company' means a corporation, partnership, joint venture, or sole proprietorship with a principal place of business in the United States.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 307 of such title is amended by adding at the end the following new items:

''4130. Construction of provisions.

''4131. Definitions.''.

SEC. 7. CONFORMING AMENDMENT.

Section 436 of title 18, United States Code, is amended by striking ''Whoever,'' and inserting ''Except as otherwise provided in this title, whoever,''.

FEDERAL INMATE WORK ACT OF 2001 SECTION-BY-SECTION ANALYSIS

SECTION 1. SHORT TITLE

This Act may be cited as the ''Federal Inmate Work Act of 2001.''

SECTION. 2. AUTHORITY TO CARRY OUT PILOT PROJECTS USING FEDERAL INMATE LABOR TO REPLACE FOREIGN LABOR

(a) Foreign Labor Substitute Pilot Projects

This section authorizes Federal Prison Industries, FPI or trade name UNICOR, to carry out pilot projects to produce products for private companies that would otherwise be produced by foreign labor. FPI currently has authority to perform commercial market services, but not for products. The interstate commerce restrictions contained in 18 U.S.C. 1761 concerning products are deemed not to apply to such projects when the provisions below are met.

(b) Foreign Labor Substitute Panel

This section establishes a Foreign Labor Substitute Panel, selected by the Attorney General. The Panel is to consist of eight members. In order to ensure that there is representation from those with expertise in the affected areas, this section provides that the Panel must be comprised of one representative from the Department of Commerce, the Department of Labor, the International Trade Commission, and the Small Business Administration; two representatives from the business community; and two representatives from organized labor. The Panel is not to receive pay, benefits, or allowances for their services, but may receive travel expenses. Any findings of the Panel must be made available to the public.

This section requires the Panel to review proposals for pilot projects. The Panel is authorized to approve a pilot project if, and only if, the Panel determines that: 1. the pilot will be carried out by one or more United States companies and 2. the goods, wares or merchandise proposed under the pilot would otherwise be manufactured, produced or mined by foreign labor.

SECTION 3. RESTATEMENT AND IMPROVEMENT OF FEDERAL PRISON INDUSTRIES PROGRAM

§ 4121. Federal Prison Industries: status, mission, and management

(a) Status

This section states FPI's status as a government corporation, whose headquarters is located in the District of Columbia.

(b) Mission

This section states that FPI's mission is to carry out industrial operations in accordance with the parameters of this section.

(c) Board of Directors

FPI's current statute provides for six Presidentially appointed Board of Directors who represent industry, labor, agriculture, retailers and consumers, the Secretary of Defense and the Attorney General. This section substitutes the Attorney General for the President and expands FPI's Board of Directors from the current six members to twelve members to increase representation from business, organized labor, victims of crime, and the inmate rehabilitation community. Four members would be required to be selected from the recommendations of the House and Senate majority and minority leadership. The Board also must include two representatives from the business community, two from organized labor, one member representing victims of crime, one representing prisoner rehabilitation community, and two additional members whose background and expertise the Attorney General deems appropriate.

This section continues the current provision that the Board of Directors serve without pay, allowances, or benefits. The members of the Board shall serve for a four year term or until the remainder of a four year term if a member is replaced. Seven board members constitute a quorum. The term limits for the first appointments are varied in order to provide for term limits that are staggered. The Chairman of the Board is to be elected by members of the Board.

§ 4122. Federal Prison Industries: operating objectives, standards, and requirements

(a) Operating Objectives

This section requires that FPI's operations be conducted so as to: 1. increase public safety and reduce recidivism by providing meaningful employment and vocational skills, 2. minimize adverse effects on domestic companies or workers, 3. provide meaningful employment and vocational training for not less than 25 percent of eligible inmate workers, 4. provide income so as to help inmates pay their financial obligations, 5. generate sufficient revenue to fund the corporation, and 6. provide market quality and competitively priced products and services.

(b) Performance Standards

This section requires FPI to comply with standards, as applicable to correctional industry programs, including: United Nations standards, and International Labor Organization Conventions to which the United States is a signatory party, Federal standards, and American Correctional Association Standards.

(c) Voluntariness

This section requires that inmates participate in FPI operations voluntarily. This is currently FPI's practice.

(d) Wage Rates

This section requires that inmate workers be paid the wage rates prescribed by the Board of Directors, unless otherwise provided by law.

(e) Protection of Certain Information

This section prohibits inmates from having access to personal or national security information, that is otherwise not publicly available.

(f) Vocational Training

While FPI is authorized to fund vocational training programs, this section specifies that where financially feasible, FPI contribute at least twenty percent of its net profits each year for this purpose.

(g) Exemption from Public Contracting and Procurement Laws

In order to be as competitive as possible in commercial market ventures, this section exempts FPI from federal procurement and public contracting requirements. This provision is consistent with exemptions granted to other federal agencies with commercial-like missions, such as the U.S. Postal Service and the U.S. Mint.

(h) Liability

This section provides that personal injuries arising out of FPI work shall be compensated pursuant to the Federal Employees' Compensation Act, for Federal Employees, or the Federal Tort Claims Act, for all other persons. This is consistent with current law.

(i) Deductions from Wages

This section permits the Board of Directors to make deductions from the amounts paid to FPI inmate workers to pay court ordered fines, restitution, child support, to compensate for reasonable charges for costs of incarceration, to compensate crime victims, and for amounts to be held on account and paid to the inmate upon release from the custody of the BOP. With certain exceptions, the deductions may not exceed 80 percent for FPI inmate workers being paid higher wage rates that comply with 18 U.S.C. 1761(c), for Prison Industry Enhancement pilot projects, or 50 percent for FPI inmate workers being paid prison industry wage rates. Current BOP policy permits these deductions to a maximum of 50 percent. This section requires that inmates agree in advance to any deductions, withholdings, or disbursement of those amounts.

§4123. Federal Prison Industries: transactions authorized

(a) Sales to Agencies and Not-For-Profits

This section permits FPI to sell its products, as well as services (which are already authorized in the commercial market), to government agencies and not for profit organizations. Currently, FPI may only sell its products to the federal government.

(b) Sales of Certain Commodities

This section also permits FPI to carry out programs to manufacture commodities specified in 18 U.S.C. 1761(b) (agricultural commodity sales, as well as commodities sold to federal, D.C. or state entities).

(c) Participation in Foreign Labor Substitute Pilot Projects

This section authorizes FPI to participate in pilot projects as approved by the Foreign Labor Substitute Panel.

(d) Participation in BJA Pilot Projects

This section authorizes FPI to make its products (in addition to services which are currently authorized) for private companies if inmates are paid a wage rate that complies with 18 U.S.C. 1761(c). This is similar to the authority that state prisons currently have to sell products to the commercial market, provided the inmates are paid comparable locality wages pursuant to the Prison Industry Enhancement, P.I.E., Program.

(e) Requirements for Contracts with Private Companies

In FPI contracts with companies pursuant to a pilot program, the contracts must require the inmate work to be carried out in a FPI facility. The contract must prohibit the private company from displacing any of its existing domestic workers as a direct result of the contract with FPI. Any workforce reductions carried out by the company performing comparable work must apply first to the inmate workers performing work under the contract.

(f) Goals for Certain Businesses

This section requires FPI, in consultation with the Small Business Administration, to establish and strive to meet or exceed realistic goals for entering into contracts with small business concerns and with small business concerns owned and controlled by socially and economically disadvantaged individuals.

(g) Job Opportunities for Blind and Severely Disabled Individuals

This section requires FPI to establish business partnerships with organizations representing domestic workers who are blind and severely disabled to create job opportunities in furtherance of its efforts to contract with private companies.

(h) Donation of Products and Services

FPI would be authorized to donate products or services in the Board's discretion, which it currently cannot do.

(i) Catalog

This section requires FPI to continue to maintain a catalog of its products and services and keep it updated.

SECTION 4. ELIMINATION OF MANDATORY SOURCE PURCHASE REQUIREMENT

This section requires FPI to phase out its use of the mandatory source preference.

(a) In General

This section clarifies that the mandatory source preference in section 4124 applies to products only. Neither this section nor section 4124 require any Federal Government agency or department to purchase services from FPI. As is currently required by law, this section requires each Federal department or agency to report purchases from FPI to the Federal Procurement Data System. See 41 U.S.C. 405(d)(4). This section further clarifies that federal entities may continue to buy FPI products or services voluntarily and directly from FPI, even without the mandatory source requirement.

(b) Plan for Phased Elimination of Mandatory Source

This section requires that the Board of Directors develop and submit a plan to Congress within 180 days after the enactment of this Act, that would phase out mandatory source over a five year period.

(c) Public Availability of Plan

This section requires that FPI publish the plan in a commercial business publication with national circulation, and make it available to the public.

(d) Repeal of Mandatory Source Requirement

Effective five years after the date the plan is submitted, this section repeals the mandatory source requirement.

SECTION 5. PERIODIC EVALUATION AND REPORTS

§ 4127. Periodic evaluation and reports

(a) Evaluation by GAO

This section requires the GAO to provide for annual evaluations to assess the continued viability of FPI and its ability to contract with private companies without adversely affecting domestic companies or workers. The GAO is to ensure that the views of the Foreign Labor Substitute Panel, private industry, organized labor, FPI's Board of Directors and the public are sought in the development of appropriate evaluation methodologies by which to assess the program's overall success.

This Section also requires the GAO to report annually to Congress its evaluation FPI's operations, to include any concerns raised about any adverse impact on domestic companies or workers; the extent to which FPI was able to maintain at least a 25 percent employment rate for work eligible inmates; the extent to which FPI was able to conduct its operations in a financially self-sustaining manner; and any recommended legislation, if any, for statutory changes to improve the administration or effects of the program, including recommended remedial actions.

(b) Annual Report by Board of Directors

This section requires FPI to report annually to Congress on its operations and financial condition. Although the current statute requires these annual reports, this section expands the specific information to be included in such reports, such as the total sales of FPI products and services to Federal agencies and to private companies, the total purchase by Federal agency of each product and service, and the FPI share of the total Federal Government purchases. An analysis shall also determine the number of inmates employed, and the number and percentage of employed inmates in the production of products and the performance of services authorized for production and sale to agencies and private companies. The report must also include information concerning any employment obtained by former inmates upon release that is useful in determining whether the employment provided by FPI during incarceration provided those inmates with knowledge and skill in a trade or occupation that enabled those inmates to earn a livelihood upon release.

§ 4130. Construction of Provisions

This section is intended to preclude Federal inmates from asserting an employee-employer relationship or other entitlements out of their work with FPI.

SECTION 6. RULES OF CONSTRUCTION AND DEFINITIONS

§ 4131. Definitions

This section defines the terms used in this Act.

SECTION 7. CONFORMING AMENDMENT.

This section makes a conforming amendment.

By Mr. WELLSTONE (for himself and Ms. STABENOW):

S. 1229. A bill to amend the Federal Food Drug, and Cosmetic Act to permit individuals to import prescription drugs in limited circumstances; to the Committee on Health, Education, Labor, and Pensions.

Mr. WELLSTONE. Mr. President, I rise to introduce legislation that helps to correct the injustice that finds American consumers the least likely of any in the industrialized world to be able to afford drugs manufactured by the American pharmaceutical industry. The reason is the unconscionable prices the industry charges only here in the United States.

I am under no illusion that this legislation provides comprehensive or ultimate relief to Americans who are struggling to afford the prescription drugs they need. However, this bill does expose and highlight the problem American consumers face and it provides a certain measure of immediate relief for individuals struggling with the high cost of prescription drugs.

When I return to Minnesota which I do frequently, I meet with many constituents, but none with more compelling stories than senior citizens struggling to make ends meet because of the high cost of prescription drugs, life-saving drugs that are not covered under the Medicare program. Ten or twenty years ago these same senior citizens were going to work everyday—in the stores, and factories, and mines in Minnesota, earning an honest paycheck, and paying their taxes without protest. Now they wonder, how can this government, their government, stand by, when the medicines they need are out of reach.

It is not just that Medicare does not cover these drugs. The unfairness which Minnesotans feel is exacerbated of course by the high cost of prescription drugs here in the United States, the same drugs that can be purchased for frequently half the price in Canada or Europe. These are the exact same drugs, manufactured in the exact same facilities with the exact same safety precautions. A year ago, most Americans did not know that the exact same drugs are for sale at half the price in Canada. Today, you can bet the pharmaceutical industry wishes no one knew it. But the cat is out of the bag, and it is time for Congress to begin to address these inequities.

Legislators, especially from Northern States but also from all around the country, have heard first-hand stories from constituents who are justifiably frustrated and discouraged when they can't afford to buy prescription drugs that are made in the United States, unless they go across the border to Canada where those same drugs, manufactured in the same facilities are available for about half the price. It is time to codify the right of Americans to go to Canada and certain other countries to buy the prescription drugs they need at a price they can afford. And it is time to allow Americans to obtain those necessary medications through the mail as well.

Driving to Canada every few months to buy prescription drugs at affordable prices isn't the solution; it is a symptom of how broken parts of our health care system are. Americans regardless of party have a fundamental belief in fairness, and know a rip-off when they see one. It is time to allow Americans to end-run that rip-off.

While we can be proud of both American scientific research that produces new miracle cures and the high standards of safety and efficacy that we expect to be followed at the FDA, it is shameful that America's most vulnerable citizens, the chronically ill and the elderly, are being asked to pay the highest prices in the world here in the U.S. for the exact same medications manufactured here but sold more cheaply overseas.

That is why today I am introducing with Senator STABENOW the Personal Prescription Drug Import Fairness Act, a bill which will amend the Food, Drug, and Cosmetic Act to allow Americans to legally import prescription drugs into the United States for their personal use as long as the drugs meet FDA's strict safety standards. With this legislation, Americans will be able to legally purchase these FDA-approved drugs in person or by mail at huge savings.

What this bill does is to address the absurd situation by which American consumers are paying substantially higher prices for their prescription drugs than are the citizens of Canada, and the rest of the industrialized world. This bill does not create any new Federal programs. Instead it uses principles frequently cited in both houses of the Congress, principles of open trade and competition, on a personal level, to help make it possible for American consumers to purchase the prescription drugs they need.

The need is clear. A recent informal survey by the Minnesota Senior Federation on the price of six commonly used prescription medications showed that Minnesota consumers pay, on average, nearly double, 196 percent, that paid by their Canadian counterparts. These excessive prices apply to drugs manufactured by U.S. pharmaceutical firms, the same drugs that are sold for just a fraction of the U.S. price in Canada and Europe.

Now, however, Federal law allows only the manufacturer of a drug to import it into the U.S. It is time to stop protecting the pharmaceutical industry's outrageous profits, and they are outrageous, and give all Americans the legal right to purchase their prescription drugs directly from a pharmacy in a limited number of countries with regulatory systems the FDA has found meet certain minimal standards.

Last year, the editors of Fortune Magazine, writing about 1999 pharmaceutical industry profits, noted that ''Whether you gauge profitability by median return on revenues, assets, or equity, pharmaceuticals had a Viagra kind of year.'' In 2000, drug company profits were just as excessive.

Let's take a look at the numbers, so there can be no mistake:

Where the average Fortune 500 industry in the United States returned 4.5 percent profits as a percentage of revenue, the pharmaceutical industry returned 18.6 percent.

Where the average Fortune 500 industry returned 3.3 percent profits as a percentage of their assets, the pharmaceutical industry returned 17 percent.

Where the average Fortune 500 industry returned 14.6 percent profits as a percentage of shareholders equity, the pharmaceutical industry returned 29.4 percent.

Those record profits are no surprise to America's senior citizens because they know where those profits come from, they come from their own pocketbooks. It is time to end the price gouging.

We need every piece of legislation we can get to help assure our Senior Citizens and all Americans that safe and affordable prescription medications can be legally obtained from countries with a track records of prescription drug safety. The Personal Prescription Drug Import Fairness Act is one such step.

We all know that the giant step this Congress should be taking is the enactment of a comprehensive Medicare prescription drug benefit. Such a benefit should address two issues. First, Medicare beneficiaries are entitled to a drug benefit as good as Congress provides for itself. That means a low deductible, 20 percent copay, a cap on out-of-pocket expenses of about $2,000, and affordable premiums. Second, we need seriously to address the outrageously high prices that Americans are forced to pay for prescription drugs. If we address those high prices, we can provide a comprehensive benefit at a price that is affordable to Medicare beneficiaries and to the Federal Government. I have already introduced a bill, S. 925, the Medicare Extension of Drugs to Seniors Act of 2001, that provides affordable comprehensive benefits and makes it possible to enact them by reigning in the ever increasing cost of pharmaceuticals using three complimentary approaches.

But, while we wait for the Finance Committee and this Congress to act on a Medicare drug benefit, we should not lose the opportunity to provide some needed relief. That is why I am introducing the Personal Prescription Drug Import Fairness Act today.

This bill includes specific protections, which were not included in a recent House-passed amendment to the Agriculture Appropriations bill. These protections include: 1. importation for personal use only of no more than a 3 month supply at any one time; 2. limitation on country of origin; 3. no importation of controlled substances or biologics; 4. requirement that imported drug be accompanied by a form prescribed by the Secretary of HHS in consultation with the Secretary of the Treasury that makes clear what overseas pharmacy is dispensing the drug, who will be receiving it, and who will be responsible for the recipients medical care with the drug in the United States.

The only things that are not protected in this bill are the excessive profits of the pharmaceutical industry. My job as a United States Senator is not to protect those profits but to protect the people. Colleagues, please join in and support this thoughtful and necessary bill that will help make prescription drugs more affordable to the American people.

By Mr. FRIST (for himself and Mrs. CLINTON):

S. 1230. A bill to amend the Public Health Service Act to focus American efforts on HIV/AIDS, tuberculosis, and malaria in developing countries; to the Committee on Foreign Relations.

Mr. FRIST. Mr. President, I rise to discuss critically important legislation that I am introducing today along with Senator CLINTON to address the international crises of HIV/AIDS, tuberculosis, and malaria. The threats of HIV/AIDS, tuberculosis, and malaria are not strictly American problems, they ignore national borders, threatening the entire world. Together, these three diseases cause over 300 million illnesses and five million deaths each year.

We are all aware of the chilling global impact of HIV/AIDS, 22 million have already died worldwide and more than three million in the last year alone. Sixty million are currently infected with HIV, a number that increases by 15,000 each day. In 2000, 2.4 million individuals died in Africa alone.

Tuberculosis and malaria are also ravaging the developing world. Eight million people are infected with tuberculosis each year; over two million of whom die. There are over 400 million clinical cases of malaria diagnosed each year, resulting in over one million deaths. Over 700,000 of those who die each year are children. Malaria is endemic to 101 countries and territories.

Not only do these three diseases produce over 50 percent of the deaths due to infectious diseases each year, but they also have complex disease patterns that result in them facilitating each other's spread. By weakening the immune system, infection with HIV increases susceptibility to both tuberculosis and malaria. Furthermore, the increasing number of multi-resistant tuberculosis cases is largely attributed to resistance developed in HIV-infected patients. Finally, in treating severe anemia that commonly accompanies illness due to malaria, untested blood transfusions create a method of HIV/AIDs spread.

Historically, the United States has played a critical role in addressing international crises. There is perhaps no greater crisis that we face worldwide than the spread of deadly infectious disease. Therefore, we must provide the leadership to confront the global HIV/AIDS, malaria, and tuberculosis epidemics. History will record how we respond to the call.

We know what is needed to reverse the epidemic. Work by community-based organizations, both religious and secular, has been the linchpin of grassroots success. As a surgeon, I have traveled to numerous areas of Africa, Sudan, Kenya, the Congo, and Uganda. I have performed operations in converted school houses and ill-equipped hospitals where I seen first-hand the great need, and the important role, that American involvement can play in providing hope through health education and treatment.

We fight this battle in two ways—by improving primary prevention and expanding access to treatment. Actions to provide drugs to developing countries at dramatically reduced costs represent a promise to those currently suffering from AIDS. However, access to those treatments without appropriate health care infrastructure is a moot point. We must support the development of effective health care delivery systems, personnel training and infrastructure. We must also support programs targeting affected by AIDS, such as the millions of orphans.

I have already introduced legislation with Senator KERRY, the International Infectious Diseases Control Act of 2001. This Act would direct the President to work with foreign governments, the United Nations, UN, the World bank,

and the private sector to establish the Global AIDS and Health Fund to fight HIV/AIDS, malaria, and tuberculosis. This fund would provide grants to governments and non-governmental organizations for implementation of effective and affordable HIV/AIDS, malaria, and tuberculosis programs, with initial priority to programs to combat HIV/AIDS.

It is important to contribute to these international efforts not only by providing monetary support but also our time, our energy, and our expertise. Therefore, today Senator CLINTON and I are introducing legislation to help mobilize our Nation's public health infrastructure in the fight against international HIV/AIDS, tuberculosis, and malaria. The Global Leadership in Developing an Expanded Response, GLIDER, initiative will place American health care providers in nations confronting the epidemics of HIV/AIDS, tuberculosis, and malaria and provide them with the tools to carry out prevention programs, care, treatment, and infrastructure development. In addition, it will evaluate current methods of treatment and levels of access to treatment and enhance disease surveillance. Finally, it will increase funding for research into treatment and vaccine development.

The GLIDER initiative expands programs administered by the Departments of State, Health and Human Services, Defense, and Labor to ensure that U.S. government agencies are contributing their scientific and diplomatic expertise to the problems associated with the spread of HIV/AIDS, malaria, and tuberculosis throughout the world.

This initiative, coordinated through the offices of the Secretary of State and Secretary of Health and Human Services, in collaboration with the Secretaries of Defense and Labor, targets four objectives: to promote and expand our primary prevention efforts, improve clinic-, community- and home-based care and treatment, provide assistance to those individuals who are affected by such diseases such as AIDS orphans and families, and assist with capacity and infrastructure development.

The close partnership between the Departments of State and Health and Human Services will be crucial in ensuring that this program is run in complete coordination with national, regional and local initiatives, medial and scientific experts, non-governmental organizations, and diplomatic missions. I would like to take a moment to thank Secretary Thompson and Secretary Powell for their personal commitment to this issue. I know that they are working together to bring the full force of the Administration behind the efforts to combat HIV/AIDS, tuberculosis, and malaria. Their support and input has been invaluable in helping us to draft legislation that builds upon and enhances our efforts to combat infectious diseases worldwide.

Another essential component to broadening the U.S. mandate for involvement in international health initiatives is the creation of the Paul Coverdell Health Care Corps, a Corps based on the Peace Corps and run through the Department of Health and Human Services. This Corps would provide assistance for the placement of health care professionals who wish to provide their services in developing countries dealing with the crises of HIV/AIDS, tuberculosis, and malaria. This legislation provides flexibility in the design of the program but ensures a wide variety of volunteer opportunities—both short-term and long-term projects, administered by the Ministries of Health, local communities, non-governmental organizations, both faith-based and secular, or the United States government.

Where do we go from here?

First, public-private partnerships are extremely important and should be encouraged to attack the pressing problems. This can take place through widespread support for the Global AIDS and Health Fund and by hastily enacting a vaccine development tax credit.

Furthermore, we should promote access to high-quality health care by engaging the American public health infrastructure in a collaborative effort to address an epidemic that has no regard for international boundaries.

We must enlist each stakeholder in the fight against HIV/AIDS. Political, ethnic, and religious leaders can coalesce support for prevention, care, and treatment programs as well as reduce stigmas attached to the disease—a crucial element to any prevention program.

Finally, we must not lose sight of the importance of prevention when attempting to provide treatment. Likewise, we must not let the importance of treatment for those presently be forgotten in the rush to enhance awareness and prevention efforts.

As Americans, our challenge has always been to work with other nations to create a better, safer world through courage, persistence, and patience.

That is still our challenge today. And I have no doubt that, as a nation, and as a people, we will rise to it.

The bipartisan legislation we are introducing today is an important step toward achieving these goals. I thank my cosponsors for their support. And, I look forward to working with all my colleagues to improve our international efforts to fight deadly infectious diseases by passing the GLIDER Act.

By Mr. WYDEN (for himself and Mr. BURNS):

S. 1231. A bill to amend the Federal Power Act to establish a system for market participants, regulators, and the public to have access to certain information about the operation of electricity power markets and transmission systems; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, it is time to lift the veil of secrecy around energy markets in this country.

Now that electric power is being traded as a commodity, with electricity bought and sold in markets all across the country, basic information about things like transmission capability and outages must be made available to the public. This information is crucial both for the markets to function efficiently and for the public to have confidence in these markets. But, unlike other commodities, it is often difficult to get basic information about how electric power systems and markets work. Information about the supply, demand and transmission of electricity around the country is simply unavailable in many areas of the country to State regulators and the general public.

The electric power industry has not made this information available, and without Congressional action, Americans will continue to be kept in the dark about information they need to make informed choices and which will enable energy markets to work in a fair way.

Today, along with Senator BURNS, I am introducing the Electricity Information, Disclosure, Efficiency, and Accountability Act to open up access to operating information so that the markets can operate more efficiently, which can ultimately provide lower prices for consumers.

Our legislation will create a standard system to provide market participants, regulators and the public with access to key operational information about wholesale electric transmission systems and power markets. The bill requires operators of wholesale electric transmission and other bulk power systems to provide all system users with basic operating information, including all transmission line and generation facility data used to determine capacity or restraints on a transmission line and the supply and demand for electricity. Power system operators already have access to this information as part of their routine operation of bulk power systems. So there should be no additional burden on power generators to disclose information beyond what they are already providing to their system operators.

In general, the bill would require operating information to be released on a real-time basis, updated hourly. This would ensure that market participants can keep current with changing conditions throughout the day that impact market decisions. This release of real-time data will also ensure there is a level playing field for all users of the

transmission grid and prevent some users from gaining a competitive advantage by access to non-public information.

At the same time, the bill also creates a mechanism for keeping commercially sensitive information confidential or delaying disclosure of information that could be used to manipulate markets. Our legislation gives the Federal Energy Regulatory Commission authority to decide what data is considered commercially sensitive and either should not be publicly disclosed or should only be disclosed when the data is no longer commercially sensitive.

In developing this legislation, we have worked with a broad range of stakeholders including market participants, regulators and consumer groups. The supporters include Enron, the largest electric power marketer in the U.S. today, the National Association of Regulatory Utility Commissioners, NARUC, and the Consumer Federation of America.

The bill we are introducing today will lift the veil of secrecy now shrouding the operations of electric power systems around the country. It will improve access to critical information about how electric power systems and markets work while fully protecting commercially sensitive data. By improving access to information, market participants will be better informed when they make the thousands of decisions that must be made every day about how electricity is generated to customers across the country. Better access to information will enable regulators to take appropriate steps to ensure our electric power systems are reliable and that markets are functioning properly. Ultimately, by creating more efficient systems and markets, electricity customers throughout the country will be better served.

I urge my colleagues to support the Electricity Information, Disclosure, Efficiency, and Accountability Act.

I ask unanimous consent that letters of support written by NARUC and the Consumer Federation of America be printed in the RECORD.

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

NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS,
Washington, DC, July 24, 2001.

Senator RON WYDEN,
U.S. Senate,
Washington, DC.

DEAR SENATOR WYDEN: Thank you for leadership in sponsoring legislation to address the data access difficulties confronting State Public Utility Commissions. Additionally, the National Association of Regulatory Utility Commissioners (NARUC) would like to thank you for working with NARUC members and staff to include in your draft legislation our recommendations on the types of information necessary to adequately monitor wholesale electricity markets and to assure proper access to such information. NARUC supports the draft legislation you are sponsoring regarding electricity information disclosure.

Many regional electric markets throughout the country have experienced price spikes of unusual and unexpected proportions. These price spikes have led to curtailment or shutdown of operations of some large industrial customers and to increased prices for smaller commercial and residential customers.

The high market price volatility has raised concerns about the integrity of the markets, leading to calls from numerous participants, consumers and policy makers for heightened monitoring of these markets by regulatory bodies. In order to identify corrective policy options to assure the public of the competitiveness and efficiency of the developing wholesale electricity market and its prices, regulatory bodies need access to data such as production for generating plants, transmission path schedules and actual flows.

The electric industry restructuring efforts of the federal government and the various states are based upon an assumption that wholesale markets are workably competitive. To that end, policy makers must have the ability to provide confidence to an already skeptical and uneasy public that the market is not being ''gamed.'' This confidence can only be provided if regulators are able to access the data necessary to ensure that the market is functioning in a truly competitive fashion. To the extent data is currently shared among market participants for purposes of reliability, it should also be available to regulators and the public.

In conclusion, I would like to thank you again for considering NARUC's concerns and recommendations while you drafted the ''Electricity Information, Disclosure, Efficiency, and Accountability Act.'' NARUC would be pleased to provide any additional assistance necessary to move this legislation forward.

Sincerely,

CHARLES D. GRAY,
Executive Director.

CONSUMER FEDERATION OF AMERICA,
Washington, DC, July 24, 2001.

Re Support for Wyden/Burns Electricity Information, Disclosure, Efficiency and Accountability Act.

Hon. RON WYDEN,
U.S. Senate, Washington, DC.
Hon. CONRAD BURNS,
U.S. Senate, Washington, DC.

DEAR SENATORS WYDEN AND BURNS: The Consumer Federation of America supports this legislation, which would require that essential information about the functioning and reliability of electricity markets be provided to the public, regulators and market participants on a real-time basis. This would include operating data used by wholesale system operators to determine available electric capacity and bottlenecks and to maintain reliability. Bid data would also have to be made available, such as the price, amount and delivery location of electricity that is purchased.

In a series of studies over the last three years, the Consumer Federation of America has documented in detail how the flawed deregulation of electricity in a number of states has led to extensive price spikes and brown outs for consumers and huge windfalls for many energy producers. Among the many steps that should be taken to fix this highly dysfunctional market is the creation of functioning market institutions and greater transparency. Market institutions should be developed before, not after, the trading of electricity begins so that trading is transparent and disciplined by market forces. Undeveloped information and trading mechanisms are prone to manipulation. As we've seen in California over the last year, when abuse occurs under such circumstances, consumers are vulnerable to price gouging and the provision of unreliable electricity.

Electricity markets have a multitude of complex transactions. Unfortunately, good information about these transactions is not generally available at crucial times, such as periods of scarcity when wholesale electric prices are being driven up very quickly. There is simply no centralized, reliable source of information, particularly for electric system operators. Moreover, the brokers who are the sources of information—on bid prices, for instance—may well have an interest in skewing it. Overall, a number of information and management weaknesses exist, including inadequate market forecasting tools, a lack of monitoring instruments and little real-time information to respond to market problems.

This legislation addresses the lack of timely information that exists about the rates, terms and conditions under which wholesale electricity is being offered. It is an essential step in making this nation's defective electricity markets more competitive and more pro-consumer.

Sincerely,

TRAVIS B. PLUNKETT,
Legislative Director.

Mr. BURNS. Mr. President, I am pleased to join Senator WYDEN today with the introduction of the Electricity Information, Disclosure, Efficiency, and Accountability Act.

Legislation dealing with market data for the wholesale electric power market is long overdue. The evolving wholesale electric power market is being hindered by the lack of data that power suppliers need in order to provide services to the market. Access to real time operational information leads to improved efficiencies of systems dispatch in the short term, which leads to lower prices for consumers. The absence of reliable, real time, market data hinders the ability of energy suppliers to manage price and volume risk and also prevents efficient utilization of transmission and generation capacity. Consequently, the increased costs associated with risks inherent in operating without reliable data are ultimately borne by consumers.

As our Nation moves towards consumer choice it is important that this Congress takes action to direct the Federal Energy Regulatory Commission (FERC) to craft rules designed to promote transparency in energy markets. This bill that Senator WYDEN and I have introduced will do just that.

By incorporating a standard system that would provide market participants, regulators and the public access to certain operational information concerning power markets and the transmission systems that support them, this plan would keep participants abreast of the changing power operating conditions throughout the day that impact market decisions required to manage risk. The recent fluctuations in the Western energy markets

have shown Montana and every State in the West that we cannot shelter ourselves from the power operating conditions in other States. With more access to that information, our local and State suppliers can have the information to better protect their consumers.

This bill is backed by consumer groups, power marketers, and the national utility commissioners. It puts forward a framework that many of our colleagues can support. As the Senate continues to move closer to having movements on energy legislation, I would urge my colleagues to also support the Electricity Information, Disclosure, Efficiency, and Accountability Act.

By Mr. MCCONNELL:

S. 1232. A bill to provide for the effective punishment of online child molesters, and for other purposes; to the Committee on the Judiciary.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1232

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Cybermolesters Enforcement Act of 2001''.

SEC. 2. MANDATORY MINIMUM SENTENCES.

Section 2423 of title 18, United States Code, is amended—

(1) in subsection (b), by inserting ''not less than 5 and'' before ''not more than 15''; and

(2) in subsection (c), by inserting ''not less than 5 and'' before ''not more than 15''.

SEC. 3. AUTHORIZATION OF INTERCEPTION OF COMMUNICATIONS IN THE INVESTIGATION OF SEXUAL CRIMES AGAINST CHILDREN.

(a) CHILD PORNOGRAPHY.—Section 2516(1)(c) of title 18, United States Code, is amended by inserting ''section 2252A (relating to material constituting or containing child pornography),'' after ''2252 (sexual exploitation of children),''.

(b) TRANSPORTATION FOR ILLEGAL SEXUAL ACTIVITY.—Section 2516(1) of title 18, United States Code, as amended by section 3 of this Act, is amended—

(1) by striking ''or'' at the end of paragraph (o);

(2) by inserting after paragraph (o) the following:

''(p) a violation of section 2422 (relating to coercion and enticement) or section 2423 (relating to transportation of minors) of this title, if, in connection with that violation, the sexual activity for which a person may be charged with a criminal offense would constitute a felony offense under chapter 109A or 110, if that activity took place within the special maritime and territorial jurisdiction of the United States; or''; and

(3) by redesignating paragraph (p) as paragraph (q).

(c) TECHNICAL AMENDMENT ELIMINATING DUPLICATIVE PROVISION.—Section 2516(1) of title 18, United States Code, is amended—

(1) by striking the first paragraph (p); and

(2) by inserting ''or'' at the end of paragraph (o).

SEC. 4. CHILD PORNOGRAPHY AS CONTRABAND.

Section 80302(a) of title 49, United States Code, is amended—

(1) in paragraph (5), by striking ''or'' after the semicolon;

(2) in paragraph (6)(D), by striking the period and inserting ''; or''; and

(3) by inserting at the end the following:

''(7) material involved in a violation of section 2252A of title 18, United States Code (relating to material constituting or containing child pornography).''.

By Mr. KOHL (for himself, Mr. HATCH, Mr. LEAHY, Mr. DEWINE, and Mr. DURBIN):

S. 1233. A bill to provide penalties for certain unauthorized writing with respect to consumer products; to the Committee on the Judiciary.

Mr. KOHL. Madam President, I rise today with Senators HATCH, LEAHY, DEWINE, and DURBIN to introduce the Product Packaging Protection Act of 2001. This measure will help prevent and punish a disturbing trend of product tampering, the placement of hate-filled literature into the boxes of cereal or food that millions of Americans bring home from the grocery store every day.

Opening a box of macaroni and cheese should not be a harrowing experience. But too many Americans have recently opened product boxes and found offensive, racist, anti-Semitic, pornographic and hateful leaflets. In the last few years, food manufacturers have received numerous complaints from consumers who report finding such literature inserted in their groceries. Hundreds more incidents have likely gone unreported. Pizza and cereal boxes appear to be the most frequent targets of this hate speech, but any product large enough for a vandal to insert an offensive leaflet is a potential target.

As disturbing as this conduct is, it is equally troubling that no Federal law exists. And only a couple of State laws are in place. The measure I introduce today will remedy this situation. It is supported by the manufacturers whose products are tampered with. It is necessary for us to help the American consumer.

It will empower the government to investigate and punish these reprehensible acts. Let me give you one example of how these acts impact unsuspecting Americans. This conduct can harm the youngest and most impressionable among us.

Recently, one morning, eight year old Mario Alexander of Chestnut Ridge, NJ decided to make himself breakfast one morning. In a kitchen cabinet, he found an unopened box of his favorite cereal, Oreo O's. So, he grabbed the cereal, a bowl, a spoon, and milk from the refrigerator. He then sat down at the kitchen table and opened the cereal box. In addition to the sealed bag of cereal inside, he also found a piece of paper. When he opened it, he discovered a graphic description of abortion. The leaflet also informed Mario that groups like the National Organization of Women and the American Civil Liberties Union are ''Natural Born Killers.'' Imagine his surprise and confusion when he found that propaganda, not to mention the shock of his parents. No child should be unknowingly exposed to that kind of material. Yet, it happens regularly in kitchens across the country.

These are not isolated occurrences. In fact, Kraft Foods has documented over 80 incidents in the past four years alone, almost one every two weeks. Of course, there is no way to calculate the number of incidents that go unreported. Many manufacturers and distributors share Kraft's experience with this type of product tampering. Together, they recognize the need for this legislation and have signed a letter supporting the introduction and passage of this bill. The supporters of this bill include: the American Bakers Association, the American Frozen Food Institute, Food Distributors International, General Mills, the Grocery Manufacturers of America, the Independent Bakers Association, Kellogg's, Kraft Foods, the National Food Processors Association, and the National Frozen Pizza Institute.

No child, indeed no person, should have to face this type of assault in the privacy of their homes. But children like Mario Alexander are not the only victims of this kind of behavior. The companies that make these products have their names and reputations slandered by this activity.

Manufacturers have responded as best they can to these incidents. They have undertaken internal reviews to ensure that these leaflets are not getting into the products either at the manufacturing plant or during distribution. It is not until the products reach the shelves of the grocery store that these handbills are inserted, too late for the manufacturer or the distributor to do anything about it.

Unfortunately, when consumers or companies turn to the authorities for help, they cannot be assisted. According to the Federal Bureau of Investigations and the Food and Drug Administration's Office of Criminal Investigation, these actions are not covered by federal product tampering statutes. Those laws only cover the actual product themselves, but not the packaging. In response to incidents in their respective states, both New Jersey and California passed laws to criminalize this behavior. These States should be commended, but more should be done. Federal law needs to be amended accordingly.

The Product Packaging Protection Act of 2001 would prohibit the placement of any writing or other material inside a consumer product without the

permission of the manufacturer, authorized distributor, or retailer. An exception would be made where the manufacturer places inserts in the product solely for promotional purposes. The penalty for violation of this measure would be a fine of up to $250,000 per offense and/or imprisonment of up to three years. Closing this gap in Federal law would appropriately punish people whose actions violate the integrity of the food product, compromise consumer's faith in the food they purchase in the grocery store, and damage the good name and reputation of the food manufacturer.

I look forward to its consideration and passage.

Mr. President, I ask unanimous consent that a copy of the legislation be printed in the RECORD following the completion of my remarks. I also ask unanimous consent that copies of the remarks of cosponsoring Senators be printed immediately following my statement.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1233

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Product Packaging Protection Act of 2001''.

SEC. 2. TAMPERING WITH CONSUMER PRODUCTS.

Section 1365 of title 18, United States Code, is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following new subsection (f):

''(f)(1) Whoever, without the consent of the manufacturer, retailer, or authorized distributor, intentionally tampers with a consumer product that is sold in interstate or foreign commerce by knowingly placing or inserting any writing in the consumer product, or the container for the consumer product, before the sale of the consumer product to any consumer shall be fined under this title, imprisoned not more than three years, or both.

''(2) As used in paragraph (1) of this subsection, the term 'writing' means any form of representation or communication, including handbills, notices, or advertising, that contain letters, words, or pictorial representations.''.

Mr. HATCH. Mr. President, I am proud to sponsor, along with my good friend and esteemed colleague, Senator KOHL, the Product Packaging Protection Act of 2001. Other cosponsors include Senator DEWINE and the distinguished Chairman of the Judiciary Committee, Senator LEAHY.

This bipartisan legislation addresses a troubling development that has been increasingly reported over the last several years—the discovery by consumers of unauthorized pamphlets placed inside the packaging of everyday consumer products, such as breakfast cereal and frozen foods. In many cases, unsuspecting consumers, including young children, have found offensive messages inserted into the products they have purchased, including pamphlets explicitly advocating violence against particular racial, ethnic, and religious groups.

While Federal law currently prohibits tampering with consumer products that taints the product, or renders the labeling materially false, the law does not currently prohibit someone placing writings in or on the product after the product has left the manufacturer's control. The legislation being introduced today will close this loophole—providing the FBI and other Federal law enforcement agencies with jurisdiction to investigate these incidents and bring the perpetrators to justice.

With all the recent focus on protecting our children from corrupting influences on the Internet, we should not ignore old-fashioned ''low tech'' avenues by which harmful and often hateful messages may be disseminated. It is intolerable for the distributors of our foodstuffs and other consumer products to become the unwitting carriers of offensive harmful messages.

I look forward to working with Senator KOHL to ensure passage of this important legislation.

Mr. LEAHY. Madam President, I am pleased to join Senator KOHL, and others, on introducing the Product Packaging Protection Act of 2001.

Over the last few years, consumer complaints had been made about offensive material being inserted in various consumer products. These offensive materials range from neo-Nazi and anti-Semitic hate messages to pornographic images and disturbing anti-abortion images. Unfortunately, these materials have been found in consumer products often used by children, such as cereal boxes. Moreover, such activities pose risks to the safety of consumer products, which consumers reasonably expect to obtain from the store in pristine condition and without those products having been opened by unauthorized individuals.

To address this problem, this legislation would add a new prohibition to the Federal Anti-Tampering Act, 18 U.S.C. § 1365, to prohibit a person from intentionally tampering with a consumer product, without the consent of the manufacturer, retailer, or authorized distributor by inserting a writing in the consumer product or its container prior to its sale to a consumer. A person convicted of violating this new provision would be subject to a fine or up to two years' imprisonment. The term ''tamper'' is defined to mean meddling for the purpose of altering, damaging or misusing a product. See Webster's Dictionary. The bill describes in precise terms the tampering activity that would fall within the new criminal prohibition, and is intended to extend further protection to consumer products.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1040. Mr. DORGAN (for himself, Mrs. BOXER, Mr. TORRICELLI, Mr. DAYTON, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table.

SA 1041. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1042. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1043. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1044. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1045. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1046. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1047. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1048. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1049. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1050. Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1051. Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1052. Mr. BENNETT submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1053. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1054. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1055. Mr. SPECTER submitted an amendment intended to be proposed to amendment SA 1025 submitted by Mrs. Murray and intended to be proposed to the bill (H.R. 2299) supra; which was ordered to lie on the table.

SA 1056. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1057. Mr. FRIST submitted an amendment intended to be proposed to amendment

SA 1025 submitted by Mrs. Murray and intended to be proposed to the bill (H.R. 2299) supra; which was ordered to lie on the table.

SA 1058. Mrs. MURRAY (for Mr. FITZGERALD (for herself, Mr. DURBIN, Mr. BAYH, and Mr. LUGAR)) proposed an amendment to amendment SA 1025 submitted by Mrs. Murray and intended to be proposed to the bill (H.R. 2299) supra.

SA 1059. Mr. ALLARD (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1060. Mr. DASCHLE (for Mr. TORRICELLI) proposed an amendment to the bill S. Res. 128, calling on the Government of the People's Republic of China to immediately and unconditionally release all American scholars of Chinese ancestry being held in detention, calling on the President of the United States to continue working on behalf of the detained scholars for their release, and for other purposes.

SA 1061. Mr. TORRICELLI proposed an amendment to the bill S. Res. 128, supra.

SA 1062. Mr. DASCHLE (for Mr. TORRICELLI) proposed an amendment to the bill S. Res. 128, supra.

TEXT OF AMENDMENTS

SA 1040. Mr. DORGAN (for himself, Mrs. BOXER, Mr. TORRICELLI, Mr. DAYTON, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table, as follows:

Strike section 343 and insert the following:

SEC. 343. None of the funds in this Act may be used to process applications by Mexico-domiciled motor carriers for conditional or permanent authority to operate beyond the United States municipalities and commercial zones adjacent to the United States-Mexico border.

SA 1041. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 55, line 7, add after the period the following: ''Any discussions of the Secretary, the Administration, or other public entity, regarding the aviation capacity crisis in the Chicago area shall include the State of Indiana and the Gary-Chicago Airport as part of the solution to the crisis.''.

SA 1042. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) RESCISSIONS.—There is rescinded an amount equal to 1 percent of the discretionary budget authority provided (or obligation limit imposed) for fiscal year 2002 in this Act for each department, agency, instrumentality, or entity of the Federal Government funded in this Act: *Provided*, That this reduction percentage shall be applied on a pro rata basis to each program, project, and activity subject to the rescission.

(b) DEBT REDUCTION.—The amount rescinded pursuant to this section shall be deposited into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt.

(c) REPORT.—The Director of the Office of Management and Budget shall include in the President's budget submitted for fiscal year 2003 a report specifying the reductions made to each account pursuant to this section.

SA 1043. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 81, between lines 13 and 14, insert the following:

SEC. 3____. STUDY OF AVAILABILITY AND USE OF E85.

(a) DEFINITION OF E85.—In this section, the term ''E85'' means motor vehicle fuel that consists of 85 percent ethanol and 15 percent gasoline.

(b) STUDY.—The Secretary of Transportation shall conduct a study and submit to Congress a report on—

(1) the availability of E85 fueling stations;

(2) the quantity of E85 used by the Federal Government; and

(3) methods for increasing the quantity of E85 used in the United States.

SA 1044. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 81, between lines 13 and 14, insert the following:

SEC. 3____. REPORT ON RENEWABLE FUEL REQUIREMENT.

In consultation with the Secretary of Agriculture, the Secretary of Transportation shall conduct a study and submit to Congress a report on the potential costs and benefits for agricultural producers, the environment, and the energy security of the United States of implementing a requirement, phased in over several years, that the motor vehicle fuel sold or introduced into commerce in the United States be comprised of not less than a specified percentage of renewable fuel, which percentage would be equal to 5 percent by calendar year 2016.

SA 1045. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 81, between lines 13 and 14, insert the following:

SEC. 3____. PILOT PROGRAM ON E85 FUELING STATIONS.

(a) DEFINITION OF E85.—In this section, the term ''E85'' means motor vehicle fuel that consists of 85 percent ethanol and 15 percent gasoline.

(b) ESTABLISHMENT OF PILOT PROGRAM.—The Secretary of Transportation shall establish a pilot program to increase the number of E85 fueling stations in the Chicago, Illinois, metropolitan area to at least 50 by the end of fiscal year 2002.

(c) REPORT TO CONGRESS.—As soon as practicable after the end of fiscal year 2002, the Secretary of Transportation shall submit to Congress a report on the results of the pilot program.

(d) FUNDING.—Notwithstanding any other provision of this Act, the Secretary of Transportation shall use $3,000,000 of funds made available to the Secretary under this Act to carry out this section.

SA 1046. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 81, between lines 13 and 14, insert the following:

SEC. 3____. STUDY OF TRANSPORTATION OF ETHANOL.

In consultation with the Secretary of Agriculture, the Secretary of Transportation shall conduct a study and submit to Congress a report on the ability of the United States transportation system to transport ethanol to—

(1) areas in the State of California; and

(2) other areas in the United States that—

(A) use reformulated gasoline under section 211(k) of the Clean Air Act (42 U.S.C. 7545(k)); and

(B) as of the date of enactment of this Act, use methyl tertiary butyl ether in that reformulated gasoline.

SA 1047. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 81, between lines 13 and 14, insert the following:

SEC. 3____. PLAN TO INCREASE USE OF RENEWABLE FUEL BY FEDERAL FLEETS.

In consultation with the heads of other Federal agencies, the Secretary of Transportation shall develop a plan to increase the quantity of motor vehicle fuel used by Federal fleets (as defined in section 303(b)(3) of the Energy Policy Act of 1992 (42 U.S.C. 13212(b)(3)) that consists of renewable fuel to not less than 5 percent by calendar year 2016.

SA 1048. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, line 2, strike ''States.'' and insert ''States: *Provided further*, that that none of the funds appropriated under this heading may be obligated or expended for the lease or purchase of passenger motor vehicles until the Administrator of the Federal Aviation Administration

(1) instates any facility in the National Plan of Integrated Airport Systems that meets the criteria set forth in FAA Order 5090.3B, entitled ''Field Formulation of the National Plan of Integrated Airport Systems'', or any subsequently-published documents that cancel or supersede that order, for the inclusion of commercial service airports, general aviation airports, and general aviation heliports, either existing or new public-use facilities, in the National Plan of Integrated Airport Systems; and

(2) reinstates any airport in the plan that was removed for reasons other than those published in that order or subsequently-published documents.

SA 1049. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 55, line 2, insert ''increasing commercial air service at the Greater Rockford Airport,'' after ''access,''.

SA 1050. Mr. BENNETT submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 81, between lines 13 and 14, insert the following:

SEC. 3 . SAFETY BELT USE LAW REQUIREMENTS.

Section 355(a) of the National Highway System Designation Act of 1995 (109 Stat. 624) is amended by striking ''has achieved'' and all that follows and inserting the following: ''has achieved a safety belt use rate of not less than 50 percent.''.

SA 1051. Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 19, line 13, strike the colon and all that follows through ''section'' on page 21, line 15.

SA 1052. Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 81, between lines 13 and 14, insert the following:

SEC. 350. No funds appropriated or otherwise made available to the Federal Aviation Administration by this Act, or any other Act, may be used to decommission or remove the temporary ASR–9 air surveillance radar to be located between Salt Lake City, Utah, and Provo, Utah, from that location until the installation and commencement of operations of an ASR–11 air surveillance radar to serve the same area to be served by that temporary ASR–9 air surveillance radar.

SA 1053. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 72, beginning with line 14, strike through line 24 on page 78 and insert the following:

SEC. 343. SAFETY OF CROSS-BORDER TRUCKING BETWEEN UNITED STATES AND MEXICO. No funds limited or appropriated by this Act may be obligated or expended for the review or processing of an application by a motor carrier for authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border until—

(1) the Federal Motor Carrier Safety Administration—

(A)(i) requires a safety review of such motor carrier to be performed before the carrier is granted conditional operating authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border, and before the carrier is granted permanent operating authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border;

(ii) requires the safety review to include verification of available performance data and safety management programs, including drug and alcohol testing, drivers' qualifications, drivers' hours-of-service records, records of periodic vehicle inspections, insurance, and other information necessary to determine the carrier's preparedness to comply with Federal motor carrier safety rules and regulations; and

(iii) requires that every commercial vehicle operating beyond United States municipalities and commercial zones on the United States-Mexico border, that is operated by a motor carrier authorized to operate beyond those municipalities and zones, display a valid Commercial Vehicle Safety Alliance decal obtained as a result of a Level I North American Standard Inspection, or a Level V Vehicle-Only Inspection, whenever that vehicle is operating beyond such motor carrier operating a vehicle in violation of this requirement to pay a fine of up to $10,000 for each such violation;

(B) establishes a policy that any safety review of such a motor carrier should be conducted on site at the motor carrier's facilities where warranted by safety considerations or the availability of safety performance data;

(C) requires Federal and State inspectors, in conjunction with a Level I North American Standard Inspection, to verify, electronically or otherwise, the license of each driver of such a motor carrier's commercial vehicle crossing the border, and institutes a policy for random electronic verification of the license of drivers of such motor carrier's commercial vehicles at United States-Mexico border crossings;

(D) gives a distinctive Department of Transportation number to each such motor carrier to assist inspectors in enforcing motor carrier safety regulations, including hours-of-service rules part 395 of title 49, Code of Federal Regulations;

(E) requires State inspectors whose operations are funded in part or in whole by Federal funds to check for violations of Federal motor carrier safety laws and regulations, including those pertaining to operating authority and insurance;

(F) authorizes State inspectors who detect violations of Federal motor carrier safety laws or regulations to enforce such laws and regulations or to notify Federal authorities of such violations;

(G)(i) determines that there is a means of determining the weight of such motor carrier commercial vehicles at each crossing of the United States-Mexico border at which there is a sufficient number of such commercial vehicle crossings; and

(ii) initiates a study to determine which crossings should also be equipped with weight-in-motion systems that would enable State inspectors to verify the weight of each such commercial vehicle entering the United States at such a crossing;

(H) has implemented a policy to ensure that no such motor carrier will be granted authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border unless that carrier provides proof of valid insurance with an insurance company licensed in the United States;

(I) issues a policy—

(i) requiring motor carrier safety inspectors to be on duty during all operating hours at all United States-Mexico border crossings used by commercial vehicles;

(ii) with respect to standards for the determination of the appropriate number of Federal and State motor carrier inspectors for the United States-Mexico border (under sections 218(a) and (b) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31133 nt.)); and

(iii) with respect to prohibiting foreign motor carriers from operating in the United States that are found to have operated illegally in the United States (under section 219(a) of that Act (49 U.S.C. 14901 nt.)); and

(J) completes its rulemaking—

(i) to establish minimum requirements for motor carriers, including foreign motor carriers, to ensure they are knowledgeable about Federal safety standards (under section 210(b) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31144 nt.)),

(ii) to implement measures to improve training and provide for the certification of motor carrier safety auditors (under section 31148 of title 49, United States Code), and

(iii) to prohibit foreign motor carriers from leasing vehicles to another carrier to transport products to the United States while the lessor is subject to a suspension, restriction, or limitation on its right to operate in the United States (under section 219(d), of that Act (49 U.S.C. 14901 nt.)),

or transmits to the Congress, within 30 days after the date of enactment of this Act, a notice in writing that it will not be able to complete any such rulemaking, that explains why it will not be able to complete the rulemaking, and that states the date by which it expects to complete the rulemaking; and

(2) until the Department of Transportation Inspector General certifies in writing to the Secretary of Transportation and to the Senate Committee on Commerce, Science, and Transportation, the Senate Committee on

Appropriations, the House of Representatives Committee on Transportation and Infrastructure, and the House of Representatives Committee on Appropriations that the Inspector General will report in writing to the Secretary and to each such Committee—

(A) on the number of Federal motor carrier safety inspectors hired, trained as safety specialists, and prepared to be on duty during hours of operation at the United States-Mexico border by January 1, 2002;

(B) periodically—

(i) on the adequacy of the number of Federal and State inspectors at the United States-Mexico border; and

(ii) as to whether the Federal Motor Carrier Safety Administration is ensuring compliance with hours-of-service rules under part 395 of title 49, Code of Federal Regulations, by such motor carriers;

(iii) as to whether United States and Mexican enforcement databases are sufficiently integrated and accessible to ensure that licenses, vehicle registrations, and insurance information can be verified at border crossings or by mobile enforcement units; and

(iv) as to whether there is adequate capacity at each United States-Mexico border crossing used by motor carrier commercial vehicles to conduct a sufficient number of vehicle safety inspections and to accommodate vehicles placed out-of-service as a result of the inspections.

In this section, the term ''motor carrier'' means a motor carrier domiciled in Mexico that seeks authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border.

SA 1054. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 81, between lines 13 and 14, insert the following:

SEC. 350. Funds available under this Act may be used by the Secretary of Transportation to cooperate with the Federal Trade Commission, including the sharing of data, in investigating and disclosing to the public the practices of air carriers in canceling flights that are not sufficiently full and other practices of air carriers that may be unfair, deceptive, or anticompetitive.

SA 1055. Mr. SPECTER submitted an amendment intended to be proposed to amendment SA 1025 submitted by Mrs. MURRAY and intended to be proposed to the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. . Section 5117(b)(3) of the Transportation Equity Act for the 21st Century (Public Law 105–178; 112 Stat. 449; 23 U.S.C. 502 note) is amended—

(1) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (F), and (G), respectively;

(2) by inserting after subparagraph (B) the following new subparagraph (C):

''(C) FOLLOW-ON DEPLOYMENT.—(i) After an intelligent transportation infrastructure system deployed in an initial deployment area pursuant to a contract entered into under the program under this paragraph has received system acceptance, the original contract that was competitively awarded by the Department of Transportation for the deployment of the system in that area shall be extended to provide for the system to be deployed in the follow-on deployment areas under the contract, using the same asset ownership, maintenance, fixed price contract, and revenue sharing model, and the same competitively selected consortium leader, as were used for the deployment in that initial deployment area under the program.

''(ii) If any one of the follow-on deployment areas does not commit, by July 1, 2002, to participate in the deployment of the system under the contract, then, upon application by any of the other follow-on deployment areas that have committed by that date to participate in the deployment of the system, the Secretary shall supplement the funds made available for any of the follow-on deployment areas submitting the applications by using for that purpose the funds not used for deployment of the system in the nonparticipating area. Costs paid out of funds provided in such a supplementation shall not be counted for the purpose of the limitation on maximum cost set forth in subparagraph (B).'';

(4) by inserting after subparagraph (D), as redesignated by paragraph (1), the following new subparagraph (E):

''(E) DEFINITIONS.—In this paragraph:

''(i) The term 'initial deployment area' means a metropolitan area referred to in the second sentence of subparagraph (A).

''(ii) The term 'follow-on deployment areas' means the metropolitan areas of Baltimore, Birmingham, Boston, Chicago, Cleveland, Dallas/Ft. Worth, Denver, Detroit, Houston, Indianapolis, Las Vegas, Los Angeles, Miami, New York/Northern New Jersey, Northern Kentucky/Cincinnati, Oklahoma City, Orlando, Philadelphia, Phoenix, Pittsburgh, Portland, Providence, Salt Lake, San Diego, San Francisco, St. Louis, Seattle, Tampa, and Washington, District of Columbia.''; and

(5) in subparagraph (D), as redesignated by paragraph (1), by striking ''subparagraph (D)'' and inserting ''subparagraph (F)''.

SA 1056. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, Line 5, strike ''$16,000,000'' and insert ''$13,000,000''.

At the appropriate place, insert ''$3,000,000 for Philadelphia, Pennsylvania, Cross County Metro project''.

SA 1057. Mr. FRIST submitted an amendment intended to be proposed to amendment SA 1025 submitted by Mrs. MURRAY and intended to be proposed to the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 81, between lines 13 and 14, insert the following:

SEC 3. STUDY OF MISSISSIPPI RIVER BRIDGE IN MEMPHIS TENNESSEE.

Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall conduct a study and submit to Congress a report on the costs and benefits of constructing a third bridge across the Mississippi River in the Memphis, Tennessee, metropolitan area.

SA 1058. Mrs. MURRAY (for Mr. FITZGERALD (for himself, Mr. DURBIN, Mr. BAYH, and Mr. LUGAR)) proposed an amendment to amendment SA 1025 submitted by Mrs. MURRAY and intended to be proposed to the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 55, line 2, insert after ''access,'' the following: ''increasing commercial air service at the Gary-Chicago Airport, and increasing commercial air service at the Greater Rockford Airport''.

On page 55, line 7 insert after ''Chicago area'' the following: '', including northwest Indiana''.

SA 1059. Mr. ALLARD (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 21, line 15, before the period, insert the following: '': *Provided further*, That none of the funds made available by this Act may be used to conduct the United States Routes 64 and 87 Ports-to-Plains corridor study, New Mexico''.

SA 1060. Mr. DASCHLE (for Mr. TORRICELLI) proposed an amendment to the bill S. Res. 128, calling on the Government of the People's Republic of China to immediately and unconditionally release all American scholars of Chinese ancestry being held in detention, calling on the President of the United States to continue working on behalf of the detained scholars for their release, and for other purposes; as follows:

In section (1)(A) of the resolution, strike ''on false charges''.

SA 1061. Mr. TORRICELLI proposed an amendment to the bill S. Res. 128, calling on the Government of the People's Republic of China to immediately and unconditionally release all American scholars of Chinese ancestry being held in detention, calling on the President of the United States to continue working on behalf of the detained scholars for their release, and for other purposes; as follows:

In the first whereas clause of the preamble, strike ''3 permanent residents'' and insert ''4 permanent residents''.

In the eighth whereas clause of the preamble, by striking ''and is expected to go on trial on July 14, 2001'' and inserting ''was tried and convicted on July 14, 2001, and is expected to be deported''.

At the end of the fifteenth whereas clause of the preamble, add ''and''.

Strike the sixteenth whereas clause of the preamble.

SA 1062. Mr. DASCHLE (for Mr. TORRICELLI) proposed an amendment to the bill S. Res. 128, calling on the Government of the People's Republic of China to immediately and unconditionally release all American scholars of Chinese ancestry being held in detention, calling on the President of the United States to continue working on behalf of the detained scholars for their release, and for other purposes; as follows:

Amend the title to read as follows: ''Resolution calling on the Government of the People's Republic of China to immediately and unconditionally release all American scholars of Chinese ancestry being held in detention, calling on the President of the United States to continue working on behalf of the detained scholars for their release, and for other purposes.''.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. HARKIN. Mr. President, I would like to announce that the Committee on Agriculture, Nutrition, and Forestry will meet on July 25, 2001, in SR–328A at 3 p.m. The purpose of this meeting will be to mark up the short-term farm assistance package.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the National Parks Subcommittee of the Committee on Energy and Natural Resources. The hearing will take place on Tuesday, July 31, 2001, at 2:30 p.m., in room 366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 689, to convey certain Federal properties on Governors Island, New York;

S. 1175, to modify the boundary of Vicksburg National Military Park to include the property known as Pemberton's Headquarters, and for other purposes;

S. 1227, to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, and for other purposes; and

H.R. 601, to redesignate certain lands within the Craters of the Moon National Monument, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, Attention: Shelley Brown, 312 Dirksen Senate Office Building, U.S. Senate, Washington, DC 20510.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Tuesday, July 24, 2001. The purpose of this hearing will be to discuss livestock issues for the next Federal farm bill.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, July 24, 2001, to conduct an oversight hearing on the semiannual report on monetary policy of the Federal Reserve. The Committee will also vote on the nomination of Mr. Harvey L. Pitt to be a Commissioner of the Securities and Exchange Commission.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, July 24, 2001, at 9:30 a.m., on Seaport Security.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, July 24, at 9:30 a.m., to conduct a hearing. The committee will receive testimony on proposals related to global climate change and measures to mitigate greenhouse gas emissions, including S. 597, the Comprehensive and Balanced Energy Policy Act of 2001; S. 388, the National Energy Security Act of 2001; S. 820, the Forest Resources for the Environment and the Economy Act; and provisions contained in S. 882 and S. 1776 of the 106th Congress.

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 24, 2001, at 10 a.m. (Panels 1 and 2), and 2:30 (Panel 3), to hold a hearing titled ''The Administration's Missile Defense Program and the ABM Treaty.''

WITNESSES

Panel 1: The administration's missile defense program

The Honorable Douglas Feith, Under Secretary of Defense for Policy, Department of Defense, Washington, DC and The Honorable John Bolton, Under Secretary of State for Arms Control and International Security, Department of State, Washington, DC.

Panel 2: Legal and technical issues associated with missile defense

The Honorable John B. Rhinelander, Senior Counsel, Shaw Pittman, Washington, DC; Dr. John M. Cornwall, Professor of Physics, University of California Los Angeles, and Professor of Science and Policy Analysis, RAND Corporation Graduate School, Los Angeles, CA; The Honorable Bill Schneider, Chairman, Defense Science Board, Adjunct Fellow, Hudson Institute; Washington, DC; and Dr. Robert Turner, Associate Director, Center for National Security Law, University of Virginia School of Law, Charlottesville, VA.

Panel 3: Means of addressing ballistic missile and weapons proliferation threats

The Honorable William J. Perry, Berberian Professor and Senior Fellow, Institute for International Studies, Stanford University, Stanford, CA; The Honorable Lloyd N. Cutler, Senior Counsel, Wilmer, Cutler & Pickering, Washington, DC; The Honorable R. James Woolsey, Partner, Shea & Gardner, Washington, DC; and The Honorable David J. Smith, President, Global Horizons, Inc., Washington, DC.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Tuesday, July 24, 2001, at 10 a.m., for a hearing regarding S. 159, a bill to elevate the EPA to a Cabinet level department.

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

COMMITTEE ON INDIAN AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on July 24, 2001, at 10 a.m., in room 485, Russell Senate Building to conduct a business meeting on pending committee business, to be followed immediately by a hearing on S. 266, a bill regarding the use of trust land and resources of the Confederated Tribes of the Warm Springs Reservation in Oregon.

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

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized

to meet to conduct a nominations hearing on Tuesday, July 24, 2001, at 2 p.m., in Dirksen 226.

Panel I: William J. Riley to be United States Circuit Court Judge for the Eighth Circuit; Deborah J. Daniels to be Assistant Attorney General for the Office of Justice Programs; and Sarah V. Hart to be Director of the National Institute of Justice.

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

COMMITTEE ON VETERANS' AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Tuesday, July 24, 2001, for a hearing on prescription drug issues in the Department of Veterans Affairs. The meeting will take place in room 418 of the Russell Senate Office Building at 2:30 p.m.

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

SUBCOMMITTEE ON CONSUMER AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Consumer Affairs, of the Committee on Commerce, Science and Transportation be authorized to meet on Tuesday, July 24, 2001, at 2:30 p.m. on prescription drugs.

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

SUBCOMMITTEE ON HOUSING AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Transportation of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, July 24, 2001, to conduct an oversight hearing on the FHA Multifamily Housing Mortgage Insurance Program.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, RESTRUCTURING, AND THE DISTRICT OF COLUMBIA

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs' Subcommittee on Oversight of Government Management, Restructuring, and the District of Columbia be authorized to meet on Tuesday, July 24, 2001, at 2:30 p.m., for a hearing to examine ''Who Cares for the Caregivers?: The Role of Health Insurance in Promoting Quality Care for Seniors, Children and Individuals with Disabilities.''

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

UNANIMOUS-CONSENT AGREEMENT—H.R. 2299

Mr. DASCHLE. Madam President, earlier today I indicated that we had hoped we could continue to make progress on the Transportation appropriations bill, with some expectation of completing our work in the next day or so. That effort has not been as successful as I had hoped we could make it. For the last several hours, as our colleagues know, we have been attempting to negotiate language on the Mexican trucking issue. Our Republican colleagues are in many cases opposed to the language that is currently in the bill. It remains a very contentious issue.

I also suggested this afternoon that this is a matter that will continue to be the subject of ongoing negotiations and that I would be filing cloture tonight. The minority leader has indicated that we would not be required to file cloture tonight, even though I want to have the vote on cloture on Thursday. So we will ask unanimous consent that when we file cloture tomorrow, if it is required, that the vote still occur on Thursday. It is my understanding that we are now in a position to agree to that unanimous consent request.

I will not be filing cloture tonight. My hope is that tonight the negotiations can continue and that tomorrow we will have additional opportunities to see if we can find some way to resolve the matter.

I ask unanimous consent that should I file cloture on the Murray substitute and the bill tomorrow, the cloture vote occur on Thursday, as provided under rule XXII, with the mandatory quorum being waived.

The PRESIDING OFFICER (Mrs. BOXER). Is there objection? Without objection, it is so ordered.

Mr. DASCHLE. Madam President, I remind Senators, if cloture is filed, all first-degree amendments must be filed by 1 p.m. on Thursday. I would like to announce as well that the negotiations throughout the day will necessitate that Senators who may have amendments that may fall under cloture offer them in the morning.

As I understand it, Senator MURRAY has been working with a number of our colleagues. They are planning to offer amendments tomorrow morning. There will be a number of amendments offered with rollcalls to accompany the debate. We expect rollcall votes tomorrow morning.

It is also my expectation, if those negotiations are ongoing, that we would take advantage of the time available to us.

I have been discussing with Senator LOTT the possibility of taking up the Iran Sanctions Act under a time limit that would be offered tomorrow sometime during the day. We anticipate spending a relatively short period of time thereon. I don't want to spend the entire day debating the issue, but it is a matter that has to be resolved prior to the time we leave recess as well. I would hope that we could take it up.

I understand there may be one amendment that we may want to consider. But that also is an issue that will be addressed tomorrow, if we cannot resolve the Mexican trucking matter in an expeditious manner.

UNANIMOUS-CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. DASCHLE. Madam President, the other matter I would like to consider as well is the matter involving further consideration of nominations. There are a couple of nominations that we can turn to tomorrow that will involve some time.

Madam President, I ask unanimous consent, as in executive session, that the majority leader, after consultation with the Republican leader, may turn to the consideration of Wade Horn to be Assistant Secretary for Family Support at the Department of Health and Human Services and that he be considered under the following time limitation: 2 hours under the control of Senator WELLSTONE; 60 minutes under the control of Senator BAUCUS and Senator GRASSLEY; that when all time is used or yielded back, the Senate vote on the confirmation of the nomination, the motion to reconsider be laid upon the table, and the President be immediately notified of the Senate's actions.

I further ask unanimous consent that upon the disposition of the Horn nomination, the Senate proceed to the consideration of Calendar No. 252, the nomination of Hector Barreto to be Administrator of the Small Business Administration and that there be 30 minutes for debate on the nomination equally divided between Senators KERRY and BOND, or their designees, and that upon the use or yielding back of that time, the Senate vote on confirmation of the nomination; the motion to reconsider be laid upon the table; the President be immediately notified of the Senate's action; that any statements on either of these two nominations be printed in the RECORD at the appropriate place, and the Senate return to legislative session.

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

PROGRAM

Mr. DASCHLE. Madam President, just to recap what we have agreed to, we will take up a number of amendments tomorrow morning relating directly to the Transportation appropriations bill. There will be votes on those amendments.

We will anticipate that ongoing negotiations will bring us to some conclusion about the need to file cloture tomorrow. If cloture is filed, the cloture vote will then occur on Thursday. If there is time to be allotted to other issues, the other issues will include the Iran Sanctions Act as well as the two nominations, Horn and Barreto.

We will have a number of rollcall votes tomorrow. Hopefully, we can continue to see real progress made on the Transportation appropriations bill.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CALLING FOR UNCONDITIONAL RELEASE OF LI SHAOMIN AND ALL OTHER AMERICAN SCHOLARS OF CHINESE ANCESTRY

Mr. DASCHLE. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 83, S. Res. 128.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 128) calling on the Government of the People's Republic of China to immediately and unconditionally release Li Shaomin and all other American scholars of Chinese ancestry being held in detention, calling on the President of the United States to continue working on behalf of Li Shaomin and the other detained scholars for their release, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

AMENDMENTS NOS. 1060, 1061, AND 1062

Mr. DASCHLE. Madam President, I understand Senator TORRICELLI has amendments at the desk. I ask that it be in order for the amendments to be considered in the proper sequence.

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

Mr. DASCHLE. Madam President, I ask unanimous consent that the amendments be agreed to in proper sequence and the motions to reconsider be laid on the table.

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

The amendments (Nos. 1060, 1061, and 1062) were agreed to, as follows:

AMENDMENT NO. 1060

(Purpose: To make a technical amendment)

In section (1)(A) of the resolution, strike ''on false charges''.

AMENDMENT NO. 1061

(Purpose: To make technical amendments to the preamble)

In the first whereas clause of the preamble, strike ''3 permanent residents'' and insert ''4 permanent residents''.

In the eighth whereas clause of the preamble, by striking ''and is expected to go on trial on July 14, 2001'' and inserting ''was tried and convicted on July 14, 2001, and is expected to be deported''.

At the end of the fifteenth whereas clause of the preamble, add ''and''.

Strike the sixteenth whereas clause of the preamble.

AMENDMENT NO. 1062

(Purpose: To make technical changes in the title)

Amend the title to read as follows: ''Resolution calling on the Government of the People's Republic of China to immediately and unconditionally release all American scholars of Chinese ancestry being held in detention, calling on the President of the United States to continue working on behalf of the detained scholars for their release, and for other purposes.''.

Mr. DASCHLE. Madam President, I ask unanimous consent that the resolution, as amended, be agreed to, the preamble, as amended, be agreed to, the title, as amended, be agreed to, the motion to reconsider be laid on the table, and that any statements relating thereto be printed in the RECORD with no intervening action.

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

The resolution (S. Res. 128), as amended, was agreed to.

The preamble, as amended, was agreed to.

The title, as amended, was agreed to.

The resolution, as amended, reads as follows:

(The resolution will appear in a future edition of the RECORD.)

ORDERS FOR WEDNESDAY, JULY 25, 2001

Mr. DASCHLE. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9 a.m. on Wednesday, July 25. I further ask unanimous consent that on Wednesday, immediately following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and there be a period for morning business until 10 a.m. with Senators permitted to speak for up to 10 minutes each with the following exceptions: Senator HUTCHISON of Texas, 9 to 9:30; Senator DURBIN, or his designee, 9:30 to 10.

Further, I ask unanimous consent that at 10 a.m. the Senate resume consideration of the Transportation appropriations bill.

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

Mr. DASCHLE. Madam President, there is also the possibility that we may move to the nominations of those who have been on the Executive Calendar now since the early part of May, the Treasury nominees Nos. 59, 60, 159, and 161. I have had a number of consultations with the Republican leader about those nominees. That also is a possibility. He has been discussing the matter with colleagues in his caucus, and we may have more to report with regard to those nominees at a later time.

Madam President, if there is no further business to come before the Senate, I yield the floor.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9 a.m. on Wednesday, July 25, 2001.

Thereupon, the Senate, at 7:48 p.m., adjourned until Wednesday, July 25, 2001, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate July 24, 2001:

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

ADM. JAMES O. ELLIS JR., 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

MICHAEL K. TOELLNER, 0000

To be major

RHESA J. ASHBACHER, 0000
JAMES W. BELL, 0000
ALLEN L. BENNETT, 0000
BRUCE S. BENNETT, 0000
DAVID L. BIRCH, 0000
CRAIG R. DEARTH, 0000
DAVID S. EATON, 0000
BRIAN A. FOLEY, 0000
DENNIS P. GALLAGHER, 0000
MARK T. GIESE, 0000
SEAN M. GODLEY, 0000
JAMES A. HESSEN, 0000
TODD A. HOLMQUIST, 0000
DANIEL P. LOTH, 0000
GEORGE R. MAUS, 0000
PHILIP F. MURPHY, 0000
HALLIBURTO J. SELLERS, 0000
DUANE M. SEWARD, 0000
MAREK M. SIPKO, 0000
DANIEL U. SPANO, 0000
MICHAEL A. WALL, 0000
BRIAN P. WRIGHT, 0000

To be captain

LEONARDO R. ABERCROMBIE, 0000
THOMAS R. ADDISON, 0000
MARK J. ALLEN, 0000
ALFRED J. ALVAREZ, 0000
DARREN M. ALVAREZ, 0000
DAVID C. ANDERSON, 0000
RICHARD T. ANDERSON, 0000
DAVID M. ANGERSBACH, 0000
RICHARD M. ATKINSON, 0000
WILLIAM R. BARBER, 0000
TRAVIS A. BARTELSON, 0000
RICHARD F. BARTOLOMEA, 0000
CHARLES S. BAUER, 0000
MATTHEW T. BELISLE, 0000
RICHARD D. BELLISS, 0000
DAVID C. BERGUM, 0000
DAVID R. BERKE, 0000
NATHAN B. BERRYMAN, 0000
CEDRIC C. BEVIS, 0000
SCOTT T. BIELICKI, 0000
PETER D. BLADES JR., 0000
JEFFRY A. BLAKE, 0000
COLIN J. BRAINARD, 0000
JASON L. BRADFORD, 0000
ROBERT B. BRODIE, 0000
JOHN M. BROOKS, 0000
DANA R. BROWN, 0000
JAMES J. BROWN, 0000
LEONARD J. BROWN, 0000
DOUGLAS J. BRUNE, 0000
ROBERT A. BURGIN, 0000
KYLE R. BURRESS, 0000
DANIEL P. BUTLER, 0000
OLIN M. CANNON, 0000
MICHAEL F. CARDOZA, 0000
JOHN F. CARSON JR., 0000
ALLEN D. CASSANO, 0000
JAMES W. CHIACCHIA, 0000
CHRISTOPHER M. CHOW, 0000
MARK W. CHRISTENSON, 0000
DEVIN L. CLEPPER, 0000
MICHAEL R. COLETTA, 0000
JEFFREY R. COOPER, 0000
BRYAN C. CORCORAN, 0000
ELMER K. COUCH, 0000
KYLE C. COUGHLIN, 0000

LEE A. CRACKNELL, 0000
KARL D. CRNKOVICH, 0000
ALISON L. DALY, 0000
EDWARD J. DANIELSON, 0000
SCOTT R. DAVIDSON, 0000
JEREMY L. DAVIS, 0000
STEPHEN J. DAVIS, 0000
JOSEPH C. DEIGAN, 0000
DWIGHT E. DEJONG, 0000
CORY E. DEKRAAI, 0000
WILLIAM R. DELORENZO, 0000
MARK E. DETHLEFSEN, 0000
SEAN C. DICKMAN, 0000
KEVIN L. DIGMAN, 0000
BRENDHAN J. DILLON, 0000
KEVIN J. DOBZYNIAK, 0000
JASON P. DOIRON, 0000
JOHN C. DOMAIN, 0000
BRYAN E. DONOVAN, 0000
BARRY M. DOWELL, 0000
BRIAN S. DRYZGA, 0000
MICHAEL S. DUCAR, 0000
KEVIN M. DUFFY, 0000
WADE J. DUNFORD, 0000
ANDREW D. DYER, 0000
MICHAEL J. EBY, 0000
AARON D. ECKERBERG, 0000
ERIC L. EMERICH, 0000
MARK J. ESKEW, 0000
ARMANDO ESPINOZA, 0000
GARY D. EWERS, 0000
MICHAEL M. FARRELL, 0000
MARY H. FAST, 0000
GREGORY F. FELEPPA, 0000
BLAINE M. FERGUSON, 0000
ROBERT B. FINNERAN, 0000
PATRICK L. FITZGERALD, 0000
PATRICK M. FITZGERALD, 0000
KEITH A. FORKIN, 0000
CESAR Y. FREITAS, 0000
DARYL M. FULLER, 0000
DENNIS P. GALLAGHER, 0000
PATRICK C. GALLOGLY, 0000
SEAN B. GARICK, 0000
PAUL M. GEDDES, 0000
THOMAS H. GILLEY IV, 0000
BRETT A. GIORDANO, 0000
STEVEN W. GISLASON, 0000
DAMEON P. GREEN, 0000
JEFFREY D. GROHARING, 0000
JASON S. GUELLO, 0000
ROBERT J. GUICE, 0000
CHRISTOPHER M. GUIN, 0000
REGINA M. GUSTAVSSON, 0000
PATRICK H. HANDLEY, 0000
DAVID B. HANEY, 0000
BRANDON L. HANSEN, 0000
EDDY I. HANSEN III, 0000
BRIAN J. HARDY, 0000
JACKIE D. HARRIS, 0000
EDWARD B. HASTINGS, 0000
RICHARD HAWKINS, 0000
ANA PAOLA M. HAYES, 0000
SCOTT W. HEANEY, 0000
RICHARD F. HENDRICK, 0000
WILLIAM T. HENNESSY, 0000
BRENT S. HEPPNER, 0000
CHRISTIAN HERNANDEZ, 0000
JAMES C. HERRERA, 0000
JAMES A. HESSEN, 0000
JOHN B. HICKS, 0000
GLEN R. HINES JR., 0000
KEVIN M. HOLCOMB, 0000
JAY M. HOLTERMAN, 0000
DARIN C. HOWELL, 0000
DAVID C. HUMPHREYS, 0000
DAVID J. HUMPHREYS, 0000
ANN M. HUOT, 0000
MICHAEL J. IRONS, 0000
DAVID G. IRVING, 0000
JAMES M. ISAACS, 0000
STEVEN M. JACKSON, 0000
BRENT M. JAMES, 0000
BRIAN L. JENKINS, 0000
MICHELLE P. JENNINGS, 0000
ALEXANDER W. JOHNS, 0000
BRENT A. JOHNSON, 0000
REGINALD J. JOHNSON, 0000
RICHARD D. JOYCE, 0000
NATHAN E. JUBECK, 0000
RONALD W. KEARSE, 0000
DAVID S. KEMPFER, 0000
STEVEN C. KEMPTON, 0000
MATTHEW J. KENT, 0000
MATTHEW D. KERLIN, 0000
GRANT C. KILLMER, 0000
DAVID M. KILMER, 0000
DARREN J. KISSELBURGH, 0000
BRIAN E. KISTNER, 0000
KEITH E. KNUTSON, 0000
SCOTT M. KOLTICK, 0000
KEITH E. KOVATS, 0000
CHRISTOPHER A. KRAJACICH, 0000
KURT E. KROGER, 0000
DAVID A. KULIK, 0000
CHARLES L. LACKEY, 0000
FRANK P. LAEMMLE, 0000
DWAINE D. LAMIGO, 0000
DAVID L. LANE, 0000
JONATHAN E. LANGLOIS, 0000
JOSEPH J. LEBRYK, 0000
BRETT A. LEE, 0000
KENNETH A. LEE, 0000
WILBUR LEE, 0000
DANIEL J. LEVASSEUR, 0000
DEVIN O. LICKLIDER, 0000
MICHAEL E. LINDBLOM, 0000
MICHAEL J. LONG, 0000
CHRISTOPHER D. LUCIANO, 0000
BENTON S. LUSK, 0000
ANDREW K. MACK, 0000
RICHARD E. MARIGLIANO, 0000
MICHAEL A. MARMON, 0000
STEPHEN A. MARSH, 0000
AARON C. MARX, 0000
GREGORY K. MAVOR, 0000
ARTHUR C. MCLEAN, 0000
BRIAN D. MCGOWAN, 0000
PAUL F. MEAGHER, 0000
CRAIG G. MERRIMAN, 0000
THOMAS B. MERRITT JR., 0000
TODD M. MILLER, 0000
JOHN E. MING, 0000
CHARLES A. MIRACLE, 0000
TIMOTHY B. MISSLER, 0000
ROBBY J. MITCHELL, 0000
CHRISTOPHER S. MOELLER, 0000
DONALD B. MOOR, 0000
THOMAS L. MOORE II, 0000
DAVID E. MOORE, 0000
NICHOLAS A. MORRIS, 0000
TANYA M. MURNOCK, 0000
STEVEN B. MURPHY, 0000
DONNA J. MURRAY, 0000
LISA B. MUSCARI, 0000
PATRICK L. NEILL, 0000
MELISSA J. NELSON, 0000
JONATHAN E. NEUMAN, 0000
JOSEPH L. NEWCOMB, 0000
THOMAS F. NICHOLS, 0000
JASON L. NICKERL, 0000
CHRISTOPHER M. NIEMANN, 0000
JAMES A. NOEL, 0000
JOHN C. NORTON JR., 0000
TILEY R. NUNNINK, 0000
CHADWIC G. OAKLEY, 0000
DOUGLAS B. OGDEN, 0000
WILLIAM C. OLIVER, 0000
FELIPE PAEZ, 0000
GREGORY M. PAGE, 0000
KEITH A. PARRELLA, 0000
BREVEN C. PARSONS, 0000
CHRISTOPHER D. PATTON, 0000
JASON L. PAYNE, 0000
MICHAELA C. PEARSON, 0000
DARIEN A. PEDOTA, 0000
CARL J. PEECHER II, 0000
TROY M. PEHRSON, 0000
MICHAEL J. PEITZ, 0000
NORA E. PENCOLA, 0000
PETER A. PETERSON, 0000
KRISTIAN D. PFEIFFER, 0000
MARK A. PICKETT, 0000
PAUL E. PINAUD, 0000
JEFFREY S. POOL, 0000
RUSSELL M. POOL, 0000
CHRISTOPHER A. POWERS, 0000
EDWARD L. QUINN JR., 0000
MARK A. RAFFETTO, 0000
WILLIAM L. RANEY II, 0000
WALTER D. REECE, 0000
KEVIN P. REILLY, 0000
DAVID S. RENTZ, 0000
JOHN D. REYES, 0000
JON C. RHODES, 0000
PHILLIP R. ROBERSON JR., 0000
STEPHEN A. ROBERSON, 0000
MATTHEW G. ROBINSON, 0000
PATRICK R. ROBINSON, 0000
JUSTIN J. RONNING, 0000
MICHAEL S. ROSEBERRY, 0000
WILLIAM H. ROTHERMEL, 0000
JEFFREY A. ROTHSTEIN, 0000
JOHN P. RUFFINI, 0000
MATTHEW R. SALE, 0000
BENJAMIN W. SAMMIS, 0000
ALFRED M. SANCHEZ, 0000
MARK K. SAUER, 0000
BRIAN S. SCHENK, 0000
KURT J. SCHILLER, 0000
KEVIN A. SCHLEGEL, 0000
SCOTT D. SCHOEMAN, 0000
ROBERT T. SCHWEIGER, 0000
ERIC S. SEUBRING, 0000
JAMES B. SEVERSON JR., 0000
ERIC M. SHAMBORA, 0000
MICHAEL A. SHAYNE, 0000
BRAD J. SHERMAN, 0000
JOSEPH J. SINELLI, 0000
PHILIP B. SMITH, 0000
REGINALD J. SMITH, 0000
STEPHEN M. SMITH, 0000
TRES C. SMITH, 0000
PAUL F. SPANGENBERGER, 0000
MARK J. STANTON, 0000
DAVID M. STEELE, 0000
JERRY A. STEVENSON II, 0000
KARL J. STOETZER, 0000
JEFFREY D. STONE, 0000
MATTHEW W. STOVER, 0000
MICHAEL A. STROUD, 0000
MICHAEL S. SWINGLER, 0000
DANIEL E. TARBUTTON, 0000
MATTHEW J. TAYLOR, 0000
CARL C. TILLMAN, 0000
CAMERON J. THRALL, 0000
CHRISTOPHER G. TOLAR, 0000
DEAN A. TOTH, 0000
JAMES J. TOTH, 0000
JAMES R. TRAVER, 0000
STEPHEN A. TYNAN, 0000
MARK L. UNGER, 0000
ANDREW E. VELLENGA, 0000
JOSE A. VERDUZCO JR., 0000
ROBERT S. VOLKERT, 0000
WOLFGANG W. VONASPE, 0000
TIMOTHY J. WALKER, 0000
CHRISTOPHER B. WALTERS, 0000
JAMES L. WARNER II, 0000
JOHN I. WASCHER, 0000
TIMOTHY B. WATERBURY, 0000
JAMES M. WEIS, 0000
DANIEL J. WEISNER, 0000
GARRETT R. WELCH, 0000
TIMOTHY E. WERNIMONT, 0000
JEFFREY A. WHITE, 0000
JAMES A. WHITLEY, 0000
DAVID E. WILKERSON, 0000
ABAXES A. WILLIAMS, 0000
ANTHONY H. WILSON, 0000
CRAIG A. WINGARD, 0000
MATTHEW D. WINKELBAUER, 0000
WILLARD E. WINKENHOFER III, 0000
BRIAN D. WIRTZ, 0000
ALAN R. YANKOWSKY, 0000
BRIAN C. YOUNG, 0000
ANTHONY J. ZIMMERMAN JR., 0000
SEAN E. ZUKOWSKY, 0000

To be first lieutenant

AARON D. ABDULLAH, 0000
ERIK R. ABRAHAMSON, 0000
CEASAR M. ACHICO, 0000
DAVID M. ADAMIEC, 0000
RAYMOND L. ADAMS, 0000
JOHN J. AHN, 0000
LOUIS M. ALBIERO JR., 0000
BRIAN S. ALBON, 0000
GREGORY J. ALLAN, 0000
EZIEKEL E. ALLEN, 0000
TIMOTHY E. ANDERSON, 0000
JOHN T. ANDRESS, 0000
AARON A. ANGELL, 0000
BRIAN ANTONELLI, 0000
ARTHUR D. ANZALONE, 0000
TOBEI B. ARAI, 0000
JONPAUL C. ARCHER, 0000
JOSEPH D. ARICO, 0000
JAMES F. ARMAGOST, 0000
ERICK M. ARMELIN, 0000
ADRIAN D. ARMOLD, 0000
MICHAEL J. ARPAIO JR., 0000
JASON D. ARTHAUD, 0000
LANCE R. ATTAWAY, 0000
SCOTT K. ATWOOD, 0000
BLAS AVILA JR., 0000
JULIE L. AYLWIN, 0000
SHERIF A. AZIZ, 0000
JOHN T. BADAMI, 0000
BROCKLYN D. BAHE, 0000
EDWARD BAHRET, 0000
GREGORY T. BAKER, 0000
THOMAS A. BAKER, 0000
GREGORY R. BAMFORD, 0000
ROBBI J. BANASZAK, 0000
JOHN J. BANCROFT JR., 0000
ROZANNE BANICKI, 0000
CHRISTOPHER T. BATES, 0000
BARTHOLOME BATTISTA, 0000
PAUL J. BATTY, 0000
JOHN P. BAZYLEWICZ, 0000
JOSEPH T. BEALS, 0000
BRADLEY P. BEAN, 0000
RYAN A. BEAUPRE, 0000
ERIC M. BECKMANN, 0000
ERIN S. BENJAMIN, 0000
TIMOTHY R. BENNETT, 0000
CHRISTOPHER E. BENSON, 0000
CHARLES H. BERCIER III, 0000
PETER M. BEREZUK, 0000
FREDERICK L. BERNIER, 0000
JOHN K. BEST, 0000
GREGORY S. BIAGI, 0000
MICHAEL J. BISSONETTE, 0000
EDUARDO C. BITANGA II, 0000
TROY B. BLACK, 0000
PAUL J. BLAIR, 0000
DONALD P. BLAND, 0000
DAVID R. BLASSINGAME, 0000
ANDREW C. BLOCKSIDGE, 0000
MICHAEL A. BOCCOLUCCI, 0000
BRAD P. BOITNOTT, 0000
BRANDON M. BOLLING, 0000
JOHN A. BONDS, 0000
JONATHAN A. BOSSIE, 0000
STEPHEN C. BOUCHER, 0000
TYLER E. BOUDREAU, 0000
CHRISTOPHER J. BOWER, 0000
JONATHAN L. BRADLEY, 0000
SEAN P. BRADLEY, 0000
BRANDON C. BROOKS, 0000
GARY D. BROOKS, 0000
CHRISTOPHER L. BROWN, 0000
MEREDITH E. BROWN, 0000
SHANNON M. BROWN, 0000
CHRISTOPHER A. BROWNING, 0000

AARON J. BRUNK, 0000
JOHN P. BRUZZA, 0000
CHRISTIAN J. BUCHANAN, 0000
WYNDHAM K. BUERLEIN, 0000
ERNEST L. BULLICRUZ, 0000
GREGORY S. BURGESS, 0000
RUSSELL A. BURKE, 0000
DOUGLAS W. BURKMAN, 0000
BRIAN M. BURNS, 0000
ERIC G. BURNS, 0000
LOUIS V. BUSH, 0000
GREGORY K. BUTCHER, 0000
BRADLEY J. BUTLER, 0000
SCOTT P. BUTTZ, 0000
DANIEL R. CAMPBELL, 0000
TAMARA L. CAMPBELL, 0000
RAFAEL A. CANDELARIO II, 0000
RONALD M. CANNIZZO, 0000
CHRISTOPHER P. CANNON, 0000
ROBERT A. CANO, 0000
PETER J. CAPUZZI, 0000
CONLON D. CARABINE, 0000
DAVID M. CAREY, 0000
FOSTER T. CARLILE, 0000
WILLIAM L. CARR, 0000
CHARLES A. CARTE, 0000
THOMAS CATUOGNO, 0000
MICHAEL R. CHALLGREN, 0000
JEREMY P. CHAPMAN, 0000
JEFFERY M. CHIOW, 0000
JAMES M. CHITTENDEN, 0000
DAVIS R. CHRISTY, 0000
DARIN A. CHUNG, 0000
JOSHUA D. CLAYTON, 0000
C R. CLIFT, 0000
DARIUS COAKLEY, 0000
LLONIE A. COBB, 0000
COLIN P. COCKRELL, 0000
WILLIAM J. CODY, 0000
BRIAN W. COLE, 0000
JAMES B. COLLINS, 0000
RYAN M. CONNOLLY, 0000
JUSTIN CONSTANTINE, 0000
LEE K. COOPER, 0000
ROBERT L. CORL, 0000
LESTER M. CORPUS, 0000
JEFFREY C. CORRIVEAU, 0000
STEPHEN L. COSBY, 0000
CHRISTOPHER G. COVER, 0000
BRADLEY S. COWLEY, 0000
CHRISTOPHER S. COX, 0000
LUKE A. COYLE, 0000
MICHAEL L. CRAIGHEAD, 0000
THOMAS R. CRELLIN, 0000
BRENT A. CREWS, 0000
MICHELLE E. CROFTS, 0000
KRISTOPHER M. CRONIN, 0000
CLINTON A. CULP, 0000
THOMAS P. CUNNINGHAM, 0000
CHRISTOPHER C. CURRAN, 0000
IAN C. DAGLEY, 0000
JEFFREY R. DANSIE, 0000
MEHDI A. DARAKJY, 0000
CARLOS M. DAVILA JR., 0000
CHRISTOPHER C. DAVIS, 0000
MARK S. DAVIS, 0000
ROBERT B. DAVIS, 0000
SCOTT R. DAVIS, 0000
TIMOTHY A. DAVIS, 0000
TIMOTHY R. DAVIS, 0000
NORMAN T. DAY, 0000
DAVID K. DECARION, 0000
MICHAEL J. DEDDENS, 0000
JOSE M. DELEON JR., 0000
ANDREW M. DELGAUDIO, 0000
BRYAN C. DELIA, 0000
GERALD DELIRA, JR., 0000
JOSEPH T. DELLOS, 0000
VINCENT A. DELPIDIO III, 0000
CHARLES W. DELPIZZO III, 0000
GREGORY P. DEMARCO, 0000
GREGORY R. DEMIK, 0000
COLLEEN R. DEMOSS, 0000
SAMUEL N. DEPUTY, 0000
CHRISTIAN T. DEVINE, 0000
PATRICIA M. DIENHART, 0000
MICHAEL C. DIETZ, 0000
JASON F. DIJOSEPH, 0000
ERIC C. DILL, 0000
ANDREW P. DIVINEY, 0000
ERIC L. DIXON, 0000
GILBERT F. DMEZA, 0000
WILLIAM DOCTOR, JR., 0000
KEVIN M. DOHERTY, 0000
HENRY DOLBERRY, JR., 0000
JOHN H. DOUGLAS, 0000
STEWART L. DOWNIE, 0000
DOUGLAS A. DOWSON, 0000
TERESA J. DRAG, 0000
ANDREW S. DREIER, 0000
JONATHAN A. DREXLER, 0000
STEPHEN D. DRISKILL, 0000
CHARLES E. DUDIK, 0000
CHRISTOPHER M. DUKE, 0000
JOSEPH R. DUMONT, 0000
JASON K. DUNCAN, 0000
CHRISTOPHER M. DUNDY, 0000
DOUGLAS R. DUNLAP, 0000
SEAN R. DUNN, 0000
TANYA M. DURHAM, 0000
MICHAEL E. DWYER, 0000
JONATHAN J. ECKHARDT, 0000
SCOTT C. EDWARDS, 0000
DAVID I. EICKENHORST, 0000
PHILIP E. EILERTSON, 0000
RYAN M. ELLER, 0000
JOHN M. ENNIS, 0000
RYAN J. ERISMAN, 0000
WILLIAM R. ERRETT, 0000
BRYAN M. ESPRIT, 0000
MICHAEL F. ESTORER, 0000
DANIEL J. EVANS, 0000
MATTHEW S. FAHRINGER, 0000
DAVID D. FAIRLEIGH, 0000
ROBERT B. FARRELL, 0000
TIMOTHY F. FARRELL, 0000
WILLIAM A. FEEKS, 0000
MATTHEW D. FEHMEL, 0000
DANIEL C. FELICIANO, 0000
WILLIAM T. FELTS IV, 0000
WILLIAM B. FENWICK, 0000
SCOTT E. FERENCE, 0000
ERNEST D. FERRARESSO, 0000
SHANNON R. FIELDS, 0000
FRANK E. FILLER, 0000
JAMES F. FINNEGAN, 0000
ROBERT C. FITZBAG, 0000
CHARLES N. FITZPATRICK III, 0000
ROBERT J. FITZPATRICK, 0000
MARY K. FLATLEY, 0000
PHILIP E. FLECHER, JR., 0000
MICHAEL C. FLEMMING, 0000
FREDERICK D. FOLSON, 0000
RYAN P. FORD, 0000
TRAVIS A. FORD, 0000
JUAN F. FORERO, 0000
BRYAN J. FORNEY, 0000
VINCENT P. FORTUNATO, 0000
MARC H. FOSTER, 0000
MARK E. FRANKO, 0000
AARON T. FRAZIER, 0000
CHRISTOPHER A. FRY, 0000
JASON A. GADDY, 0000
JER J. GARCIA, 0000
JOANNA L. GARCIA, 0000
KENNETH C. GARDNER, JR., 0000
JOSHUA T. GAUGHEN, 0000
SCOTT A. GEHRIS, 0000
LESTER R. GERBER, 0000
MICHAEL J. GERVASONI, 0000
PAUL M. GHIOZZI, 0000
PETER M. GIBBONS, 0000
JASON L. GIBSON, 0000
GINGER E. GIERMAN, 0000
TARRELL D. GIERSCH, 0000
JOHN S. GILBERT, 0000
JESSE J. GIPSON, 0000
RICHARD L. GLADWELL JR., 0000
IAN T. GLOVER, 0000
PATRICK M. GLYNN, 0000
MICHAEL B. GOLDSTEIN, 0000
CARLO J. GONZALEZ, 0000
GILBERTO C. GONZALEZ, JR., 0000
MATTHEW J. GORBATY, 0000
JAMES H. GORDON, 0000
DUSTIN B. GORZYNSKI, 0000
GREGORY F. GOULD, 0000
KENNETH B. GRAF, 0000
GRAHAM R. GRAFTON, 0000
BRANDON W. GRAHAM, 0000
KEVIN P. GRAVES, 0000
MICHAEL A. GRAZIANI, 0000
MAX S. GREEN, 0000
BRANDON C. GREGOIRE, 0000
ADAM W. GRESHAM, 0000
BRIAN R. GRIFFING, 0000
CHRISTOPHER M. GRIFFITH, 0000
JASON D. GROSE, 0000
CHRISTOPHER D. HAFER, 0000
DANIEL M. HAJEK, 0000
MICHAEL S. HALL, 0000
JASON M. HAMILTON, 0000
ALFRED B. HAMMETT II, 0000
JEFFREY L. HAMMOND, 0000
MARK A. HAND, 0000
MICHAEL F. HAND, 0000
PETER C. HANTELMAN, 0000
KEVIN B. HARBISON, 0000
ETHAN H. HARDING, 0000
TODD A. HARDING, 0000
JEFFREY M. HARRINGTON, 0000
RYAN E. HARRINGTON, 0000
CLINT C. HARRIS, 0000
GEORGE D. HASSELTINE, 0000
HOWARD H. HATCH, 0000
CORY M. HAVENS, 0000
MICHELLE L. HEATH, 0000
BRENDAN G. HEATHERMAN, 0000
WILLIAM C. HENDRICKS IV, 0000
ADAM G. HENRICH, 0000
ARTURO HERNANDEZLOPEZ, 0000
PHILIP R. HERSCHELMAN, 0000
DREW R. HESS, 0000
JASON W. HEUER, 0000
DOUGLAS P. HIBSHMAN, 0000
AARON P. HILL, 0000
RICHARD J. HOFHEINS, 0000
CHRISTOPHER L. HOLLOWAY, 0000
CHRISTOPHER M. HOLLOWAY, 0000
FRANKLIN R. OOKS II, 0000
JAMES B. HOOVER, 0000
JOSHUA D. HOPFER, 0000
MAX H. HOPKINS, 0000
WILSON M. HOPKINS III, 0000
BRYAN T. HORVATH, 0000
ALEJANDRO R. HOUSE, 0000
WILLIAM C. HOWLETT, 0000
JAMES B. HUNT, 0000
PER D. HURST, 0000
HENRY E. HURT III, 0000
JAY D. HUSBANDS, 0000
ANDREW J. HUSMAN, 0000
BRET M. HYLA, 0000
JOHN C. ILLIA, 0000
TIMOTHY W. IRWIN, 0000
VICTOR R. ISLAS, 0000
JOSHUA E. IZENOUR, 0000
CARLOS T. JACKSON, 0000
REGINALD L. JACKSON, JR., 0000
JOHN J. JAESKI, 0000
ROBERT E. JAMES, 0000
JASON M. JANCZAK, 0000
RYAN P. JANOSEK, 0000
DONALD A. JANVRIN, 0000
MIKE K. JERON, 0000
FERNANDO V. JIMENEZ, 0000
CHRISTOPHER H. JOHANSEN, 0000
THOMAS V. JOHNS, 0000
BRENT A. JOHNSON, 0000
CHRISTOPHER L. JOHNSON, 0000
GRANT M. JOHNSON, 0000
KIMBERLY A. JOHNSON, 0000
MICHAEL J. JOHNSON, 0000
PAUL K. JOHNSON III, 0000
RANDALL C. JOHNSTON, 0000
KEMPER A. JONES, 0000
SYDNEY F. JORDAN, JR., 0000
DAVID C. JOSEFORSKY, 0000
MICHAEL C. KAHN, 0000
DANIEL B. KALSON, 0000
TIMOTHY A. KAMB, 0000
ANDREW D. KARAMANOS, 0000
DOV KAWAMOTO, 0000
MARTIN P. KAZANJIAN, 0000
CHRISTOPHER F. KEADY, 0000
BRIAN K. KELLER, 0000
SHAWN M. KELLY, 0000
TIMOTHY L. KELLY, 0000
CHRISTOPHER A. KENNEDY, 0000
ERIN M. KEWIN, 0000
MATTISON J. KIDD, 0000
MARK A. KIEHLE, 0000
TROY O. KIPER, 0000
THOMAS F. KISCH, 0000
MICHAEL C. KLINE, 0000
AARON R. KNEPEL, 0000
TOMIS M. KNEPPER, 0000
JOHN D. KNUTSON, 0000
NOAH J. KOMNICK, 0000
VINCE W. KOOPMANN, 0000
PAUL B. KOPACZ, 0000
CHRISTOPHER M. KOREN, 0000
JEFFERSON L. KOSICH, 0000
SPEROS C. KOUMPARAKIS, 0000
CHARLES B. KROLL, 0000
LORI KRSULICH, 0000
MATTHEW B. KUCHARSKI, 0000
ADZEKAI M. KUMA, 0000
JOSEPH B. LAGOSKI, 0000
PHILIP C. LAING, 0000
JEFFREY K. LAMB, 0000
JUSTIN D. LAMORIE, 0000
SAMUEL W. LANASA, JR., 0000
CARROLL K. LANE, 0000
DEREK E. LANE, 0000
JEFFREY J. LARSON, 0000
GOTTFRIED H. LAUBE, JR., 0000
SCOTT A. LAUZON, 0000
ANDREAS D. LAVATO, 0000
GARY R. LAWSON II, 0000
DUSTIN T. LEE, 0000
SAMUEL K. LEE, 0000
ADAM V. LEFRINGHOUSE, 0000
JOEL T. LEGGETT, 0000
MATTHEW E. LEYMAN, 0000
DOUGLAS A. LINDAMOOD, 0000
JONATHAN B. LINDSEY, 0000
JOHN W. LITTON, 0000
JON B. LIVINGSTON, 0000
ANDREW J. LOCKETT, 0000
ANTHONY W. LOIGNON, 0000
BRYAN A. LOORYA, 0000
CARL M. LOWE, 0000
JOSH R. LOWE, 0000
JAMES T. LOWERY, 0000
MICHAEL R. LUCIANI, 0000
HAROLD Q. LUCIE, 0000
JONATHAN C. LUTTMANN, 0000
SCOTT J. MABEE, 0000
DAVID C. MAIER, 0000
SEAN W. MAITA, 0000
MAREK Z. MAKAREWICZ, 0000
MICHAEL J. MANIFOR, 0000
WILLIAM M. MAPLES, 0000
WILLIAM J. MARKHAM III, 0000
JON S. MARONEY, 0000
MICHAEL F. MARTIN, 0000
MICHAEL D. MARTINO, 0000
JUSTIN E. MARVEL, 0000
TAMARA A. MASON, 0000
RENEE L. MATTHEWS, 0000
STEPHEN W. MATTHEWS, 0000
CHRISTOPHER J. MAYFIELD, 0000
ADAM W. MCARTHUR, 0000
JAMES K. MCBRIDE, 0000
MICHAEL D. MCCARTY JR., 0000

MICHAEL M. MCCLOUD II, 0000
DANIEL G. MCCOLLUM, 0000
LUCAS M. MCCONNELL, 0000
GARY A. MCCULLAR, 0000
KEVIN M. MCDONALD, 0000
MARK J. MCDONALD, 0000
JOHN G. MCGARRY, 0000
GREGORY C. MCGEE, 0000
BRIAN T. MCGONAGLE, 0000
JAMES P. MCGONIGLE III, 0000
AMY M. MCGRATH, 0000
JAMES R. MCGRATH, 0000
RODRICK H. MCHATY, 0000
ADAM T. MCHENRY, 0000
CAMERON M. MCKAY, 0000
BRYAN T. MCKERNAN, 0000
ADAM T. MCLENDON, 0000
MICHAEL T. MCQUADE, 0000
JOHN P. MCSHANE, 0000
JEFFREY L. MEEKER, 0000
CHRISTOPHER M. MERRILL, 0000
CHRISTOPHER M. MESSINEO, 0000
CHRISTOPHER V. MEYERS, 0000
SHARRON M. MICHAEL, 0000
ADAM E. MILLER, 0000
BRIAN M. MOLL, 0000
JOHN M. MOORE, 0000
ELLIOT MORA, 0000
DAVID M. MOREAU, 0000
JENNIFER B. MORRIS, 0000
STEPHEN H. MOUNT, 0000
ROGER O. MOUSEL JR., 0000
JOHN P. MULKERN, 0000
BRIAN T. MULVIHILL, 0000
RAMON J. MUNOZ, 0000
SETH MUNSON, 0000
GERALD E. MURPHY, 0000
CHRISTOPHER M. MURRAY, 0000
SEAN M. MURRAY, 0000
MICHAEL R. NAKONIECZNY, 0000
YOHANNES NEGGA, 0000
NICHOLAS O. NEIMER, 0000
ANDREW J. NELSON, 0000
ISAAC D. NELSON, 0000
CHRISTINA F. NESMITH, 0000
JAMES D. NEUSHUL, 0000
DAVID E. NEVERS, 0000
VICTOR NEWSOM, 0000
DEREK J. NEYMEYER, 0000
CHRISTOPHER M. NICHOLSON, 0000
JONCLAUD A. NIX, 0000
MARVIN L. NORCROSS JR., 0000
WADE H. NORDBERG, 0000
BRIAN M. NORDIN, 0000
EDWIN NORRIS, 0000
RUSSELL H. NORRIS, 0000
ELTON D. OBRIEN, 0000
WILLIAM E. OBRIEN, 0000
CHRISTOPHER P. ODONNELL, 0000
JEFFREY M. ODONNELL, 0000
JEFFREY W. OLESKO, 0000
DONALD W. OLIVER JR., 0000
BERNARD J. OLOUGHLIN, 0000
READ M. OMOHUNDRO, 0000
PATRICK J. OROURKE, 0000
PAUL J. OVALLE, 0000
QUINTON S. PACKARD, 0000
SPENCER L. PADGETT, 0000
MARK A. PAOLICELLI, 0000
VASILIOS E. PAPPAS, 0000
JASON D. PARDUE, 0000
YOUNG K. PARK, 0000
GREGORY S. PARKER, 0000
TERENCE L. PARKER, 0000
THOMAS W. PARKER, 0000
RICHARD E. PARKINSON, 0000
RICHARD H. PARRISH, 0000
BRIAN C. PATE, 0000
ANGELA D. PATERNA, 0000
MATTHEW R. PEARCE, 0000
ERIC J. PENROD, 0000
CHRISTOPHER R. PERKINS, 0000
NATHAN T. PERKKIO, 0000
TRINITY D. PERSFUL, 0000
DAREN R. PETERSON, 0000
ROBERT C. PETERSON, 0000
MATHEW J. PFEFFER, 0000
TUANANH T. PHAM, 0000
BRADLEY W. PHILLIPS, 0000
NATHALIE C. PICADO, 0000
NEAL P. PLASKONOS, 0000
ROBERT J. PLEAK, 0000
CLAY A. PLUMMER, 0000
JAMES P. POPPY, 0000
CHERYL L. PORAK, 0000
AARON E. PRICE, 0000
CARL C. PRIECHENFRIED, 0000
ROBERT C. PRIJATELJ, 0000
JAMES PRUDHOMME III, 0000
RYAN A. PYKE, 0000
EUGENE A. QUARRIE III, 0000
MATTHEW M. RAFFERTY, 0000
GEORGE P. RAMSEY, 0000
ROBERT P. RANDAZZO, 0000
MILAN K. RATKOVICH, 0000
GUY W. RAVEY, 0000
HUNTER R. RAWLINGS IV, 0000
WILLIAM G. RAYNE, 0000
JAMES D. REDDING, 0000
ANDREW P. REED, 0000
MATTHEW L. REGNER, 0000
ROBERT B. REHDER JR., 0000
DAVID M. REILLY, 0000
PETER O. REITMEYER, 0000
KIMBERLY A. REITZ, 0000
JACOB L. REYNOLDS, 0000
PATRICK J. REYNOLDS JR., 0000
SHELTON RICHARDS, 0000
BRYAN D. RICHARDSON, 0000
JAMES E. RICHARDSON JR., 0000
JASON P. RICHTER, 0000
THOMAS A. RICKS, 0000
JASON P. ROBERTS, 0000
RICHARD C. ROBERTS, 0000
BENJAMIN C. ROBERTSON, 0000
EDWARD N. ROBINSON, 0000
NATHANIEL K. ROBINSON, 0000
RANDY L. RODEN, 0000
VICTOR G. ROEPKE, 0000
CHRISTOPHER B. ROGERS, 0000
DAVID M. ROONEY, 0000
OMAR W. ROSALES, 0000
AARON M. ROSE, 0000
ERIK M. ROSENBERRY, 0000
DAWN C. ROSENBLAD, 0000
MICHAEL RUSH, 0000
WILLIAM A. RUSHE IV, 0000
MICHEAL D. RUSS, 0000
TRAVIS G. RUSSELL, 0000
JOHN T. RYAN, 0000
RUSSELL C. RYBKA, 0000
STEVEN A. SABLAN, 0000
CHRISTI L. SADDLER, 0000
ANDRE P. SALVANERA, 0000
JOHN E. SAMPSON, 0000
TIMOTHY J. SANCHEZ, 0000
ERIC T. SANEHOLTZ, 0000
KURT M. SANGER JR., 0000
JOHN S. SATTELY, 0000
KEVIN T. SAUNDERS, 0000
KARL T. SCHMIDT, 0000
ZACHARY T. SCHMIDT, 0000
PAUL M. SCHNEIDER, 0000
TIMOTHY W. SCHNELLE, 0000
WILLIAM M. SCHRADER, 0000
SEAN D. SCHROCK, 0000
WILLIAM M. SCHWEITZER, 0000
DANIEL R. SCOTT, 0000
ROBERTO C. SCOTT, 0000
WILLIAM T. SCOTT, 0000
ROBERT C. SELLERS, 0000
MICHAEL J. SHEA, 0000
THOMAS M. SHEA, 0000
DAVID B. SHEALY, 0000
AARON P. SHELLEY, 0000
BRIAN O. SHELLMAN, 0000
JOHN E. SHEPARD, 0000
CHRISTOPHER J. SHIMP, 0000
LESLIE A. SHIOZAWA, 0000
ALAN D. SILVA, 0000
LOUIS P. SIMON, 0000
ADAN E. SISNEROS, 0000
JOSEPH G. SKRYD, 0000
DANIEL J. SKUCE, 0000
RICHARD T. SLACK, 0000
SAMUEL L. SLAYDON, 0000
DAVID B. SLAY, 0000
MARC R. SLEDGE, 0000
TIMOTHY M. SLINGER, 0000
GRAHAM F. SLOAN, 0000
DAVID P. SMAY IV, 0000
ANTHONY L. SMITH, 0000
ERIC D. SMITH, 0000
ROGER A. SMITH, 0000
STEFAN R. SNEDEN, 0000
SEAN P. SMITH, 0000
TRACI L. SNIVELY, 0000
WILLIAM R. SNOWMAN, 0000
KIRK M. SPANGENBERG, 0000
DAVID W. SPANGLER, 0000
RAYMOND V. SPAULDING, 0000
BENJAMIN O. SPIELER, 0000
MATTHEW A. SPURLOCK, 0000
RANDY J. STAAB, 0000
JAMES F. STAFFORD, 0000
JAMES R. STARR JR., 0000
RICHARD R. STEELE, 0000
ROBERT A. STEELE, 0000
JEFFREY S. STEPHENS, 0000
BLAIR A. STEVENSON, 0000
KENRIC D. STEVENSON, 0000
ALYSSA R. STEWART, 0000
JOHN E. STEWART II, 0000
ALEXIS G. STOBBE, 0000
STEVEN W. STORMANT, 0000
DEAN T. STOUFFER, 0000
KEVIN M. STOUT, 0000
WAYNE E. STUETZEL, 0000
JOSEPH C. SWANSON, 0000
THOMAS C. SWEATMAN, 0000
MICHAEL N. SWIFT, 0000
TROY S. SYBESMA, 0000
GREGORY V. SZEPE, 0000
DAVID C. SZWED, 0000
ERIK C. TAUREN, 0000
BARRON S. TAYLOR, 0000
BRIAN J. TAYLOR, 0000
BRIAN R. TAYLOR, 0000
COREY M. TAYLOR, 0000
JOHN S. TAYLOR, 0000
STEPHEN J. TAYLOR, 0000
JOSEPH D. TEASLEY, 0000
BRADLEY J. TEEMLEY, 0000
PATRICK K. TEMPLE, 0000
HAMARTRYA V. THARPE, 0000
AMY N. THOMAS, 0000
CHARLES G. THOMAS JR., 0000
PATRICK F. TIERNAN, 0000
JOHN W. TINNING, 0000
EMMANUEL V. TIPON, 0000
PETER M. TITTERTON, 0000
CURTIS J. TOMCZAK, 0000
ROBERT A. TOMLINSON, 0000
JOHN E. TOWN, 0000
MATTHEW W. TRACY, 0000
HEATHER A. TROUT, 0000
GAYLEN D. TRUSLOW, 0000
JOSEPH B. TURKAL, 0000
SHAWN S. TURNER, 0000
HANORAH E. TYERWITEK, 0000
JOSEPH S. UCHYTIL, 0000
EDWARD L. USHER, 0000
JAMES D. UTSLER, 0000
DAVID A. VALDEZ, 0000
JAMES D. VALENTINE, 0000
JOSHUA M. VANCE, 0000
CHAD D. VANDENBERG, 0000
MARK R. VANDERBEEK, 0000
TOBIAS K. VANESSELSTYN, 0000
CHAD I. VANSOMEREN, 0000
JAMES A. VAUGHAN, 0000
QUENTIN R. VAUGHN, 0000
ANTONIO E. VELASQUEZ II, 0000
WILLIAM M. VESSEY, 0000
SEAN M. VIEIRA, 0000
ROMAN P. VITKOVITSKY, 0000
JARED C. VONEIDA, 0000
PAT P. VONGSAVANH, 0000
PHILIP E. WAGGONER, 0000
THOMAS O. WAGNER II, 0000
MATTHEW B. WAGNER, 0000
JASON A. WALKER, 0000
WAYNE J. WALTRIP, 0000
THOMAS M. WARREN, 0000
GREGORY WARRINGTON, 0000
ALTON A. WARTHEN, 0000
ANTONIO H. WATERS, 0000
WILLIAM S. WEIS, 0000
ERIC E. WEISS, 0000
VINCENT J. WELCH, 0000
MICHAEL P. WESTHEAD, 0000
TASHA D. WESTINGHOUSE, 0000
JASON L. WHALEN, 0000
EDDIE R. WHEELER, 0000
JODY E. WHITE, 0000
VAN E. WHITE, 0000
DANIEL M. WHITLEY, 0000
VERNON C. WILKENS JR., 0000
DANIEL L. WILLIAMS, 0000
JAMES R. WILLIAMSON, 0000
BRETT M. WILSON, 0000
BRYAN D. WILSON, 0000
TIMOTHY E. WILSON, 0000
LYNN M. WISEHART, 0000
BRIAN E. WOBENSMITH, 0000
DOUGLAS N. WOLFE, 0000
BRIAN P. WOOD, 0000
WADE L. WORKMAN, 0000
RICHARD S. WORTHINGTON JR., 0000
ALEXANDER B. WRIGHT, 0000
NEAL B. WYNN II, 0000
JAMISON YI, 0000
LUKE R. YLITALO, 0000
NEBYOU YONAS, 0000
JEFFERSON T. YOUNG III, 0000
MATTHEW S. YOUNGBLOOD, 0000
AMGAD H. YOUSSEF, 0000
DANIEL R. ZAPPA, 0000
JUSTIN R. ZAPPA, 0000
BRIAN M. ZIEGLER, 0000
DANIEL M. ZONAVETCH, 0000

To be second lieutenant

RICHARD J. ALLAIN, 0000
BRENT J. BOMBACH, 0000
VINCENT H. BRIDGEMAN, 0000
PATRICK B. BYRNE, 0000
ERICK T. CLARK, 0000
LAWRENCE S. DIBBLE, 0000
PHILIP J. DYKEMAN, 0000
BRIAN S. GAHAGAN, 0000
WILLIAM E. GRANT, 0000
STEPHEN S. GRUBBS, 0000
JASON S. GUTTENBERG, 0000
CHARLES E. HAWTHORNE JR., 0000
MARTIN L. HEMBREE, 0000
MATTHEW M. HODGES, 0000
MICHELLE M. HOESING, 0000
MICHAEL M. HOFFMAN, 0000
DANIEL R. HOPKINS, 0000
JOSEPH M. JENNINGS, 0000
STEPHEN A. KINTZLEY, 0000
GARY K. KOON, 0000
ANDREW J. LAWLER, 0000
MATTHEW D. LUNDGREN, 0000
STEAN W. MAAS, 0000
SEAN P. MULLEN, 0000
WILLIAM M. MURPHY, 0000
MATTHEW A. NIELAND, 0000
ERIK V. ORIENT, 0000
WILLIAM F. PELLETIER III, 0000
STEPHEN M. PIRROTTA, 0000
JASON M. RUEDI, 0000
TEDD R. SHIMP, 0000
TODD M. SIEBERT, 0000
KEITH P. TIGHE, 0000

JEFFREY D. WALSH, 0000
EDWARD J. WITKOWSKI, 0000
MICHAEL T. ZIEGLER, 0000

HOUSE OF REPRESENTATIVES—*Tuesday, July 24, 2001*

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 24, 2001.

I hereby appoint the Honorable ERIC CANTOR to act as Speaker pro tempore on this day.

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

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2001, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 25 minutes, and each Member except the majority leader, the minority leader or the minority whip limited to not to exceed 5 minutes, but in no event shall debate continue past 9:50 a.m.

The Chair recognizes the gentlewoman from California (Ms. SOLIS) for 5 minutes.

INTRODUCTION OF THE GABRIELENO/TONGVA NATION ACT

Ms. SOLIS. Mr. Speaker, a long time ago the Gabrieleno and Tongva Nation of California occupied the entire LA Basin and the islands of Santa Catalina, San Nicholas and San Clemente, from Topanga Canyon to Laguna Beach, from the San Gabriel Mountains to the sea. It was their land.

The California Gold Rush and railroad expansion assured that their land was taken and today is one of the largest urban centers in the world, but some things have not changed.

According to the Census figures, California's Native American population of over 309,000 became one of the largest in the State of California. Many of these Native Americans populate the area, making it the city with the largest concentration of Gabrieleno Indians. Yet they are not a federally recognized tribe.

It is not because they are not there. They are. They have been there for many centuries. In fact, dating as far back as the 1700s, 1771 to be exact, this Federal Government recognized the Gabrieleno and Tongva Nation.

Back in 1851, the U.S. Government sent Commissioner Barbour to establish a treaty with the Indians of Los Angeles but was suddenly called away, so that effort failed.

Back in 1852, the Superintendent of Indian Affairs, E.F. Beale, noted numerous Indian populations within Los Angeles County.

Numerous scholars and academics have also noted the existence of this nation, namely, Helen Hunt Jackson. In the mid-1880s she noted that the Gabrieleno/Tongva were continuing to live in the San Gabriel area as day laborers.

At the turn of the century, Hart Merriam and J.P. Harrington indicated that there were some groups of the nation living at the Tejon Reservation. It was further noted that one of the tribes represented at the reservation was the Tongva of San Gabriel.

In the early 1900s, the Federal Government allowed nation members, most of whom were one-half Indian blood, to register at the Sherman Indian School in Riverside, California.

The United States purchased land for the nation back in 1913, but by 1928 many nation members were still living in their traditional areas of San Gabriel and identifying themselves as tribal members, as evidenced by the California Indians' Jurisdictional Act.

Since 1928, the nation has participated in lobbying Congress via the Mission Indian Federation and was even a plaintiff in the Indian Claims Commission case.

Therefore, today I stand here to hopefully recognize and formalize this relationship that Commissioner Barbour was sent to treat back in 1851. Over and over again the Gabrieleno Indians have been the victims of bad timing or unfortunate circumstances, but nevertheless they exist today.

The bill federally recognizes the Gabrieleno Indians as a federally recognized tribe that will be eligible for current grants and services awarded to these entities. In a district like mine, this is a very significant and historical piece of legislation. In the 31st District of California, which is where I live and represent many, many constituents who live in poverty, this is no strange thing for us to be here today to recognize this very important tribe.

While Federal recognition would not guarantee necessarily food on their table, it would make this community eligible for housing, education, funds to clean the environment, and healthy care grants that would undoubtedly make their lives better.

It is important to note that this State-recognized tribe is not interested in gaming. In fact, they have turned away large companies that would have paid for their attorneys to fight for this Federal recognition. The tribe wants what is rightfully theirs, the recognition that they are always and have always been original citizens and we should treat them as such.

I ask my congressional colleagues here today to join me in providing Federal recognition of the Gabrieleno/Tongva Indians.

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

PATIENTS' BILL OF RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Indiana (Mr. PENCE) is recognized during morning hour debates for 5 minutes.

Mr. PENCE. Mr. Speaker, waiting on the horizon of this legislative week is the debate over the Patients' Bill of Rights. There has been much heat about this subject but very little light.

As Dr. Daniel Johnson memorably wrote in the July issue of the Wall Street Journal, ''The debate over the patients' bill of rights is predictable. The Democrats favor more regulation. The Republicans favor less regulation. The insurers are holding on to their wallets, and trial lawyers smell blood.''

Mr. Speaker, Dr. Johnson went on to write, ''Now that the Senate has passed its bill, we can expect another bloody clash in the House, but beyond today's battle lies the possibility of a system that will make life easier for all concerned, not only employers and insurers but patients and physicians.''

It is, Mr. Speaker, seizing on that opportunity that I rise in this Chamber today.

I came to Congress earlier this year anxious to support a Patients' Bill of Rights. The one that has captured my imagination and the one that I believe should capture the majority in the House of Representatives is that offered by my friend and colleague, a physician and the gentleman from the State of Kentucky, (Mr. FLETCHER).

The Fletcher bill offers three key factors that I believe the people of East Central Indiana need in a Patients' Bill of Rights. First, the Fletcher bill expands access to medical savings accounts so that more Americans can

save money to pay for health care. This provision, Mr. Speaker, will drastically reduce the ranks of the uninsured in our country and will give patients more control over their health care decisions.

Secondly, the Fletcher bill holds the right people responsible when patients are denied care or receive poor care. If an insurer or health plan makes a decision that harms a patient, the plan or the insurer will be held accountable in Federal and in State courts.

Finally, the Fletcher bill provides increased access to health insurance through associated health plans, allowing small businesses to join together to purchase health insurance. This will permit them to receive the same benefits of uniform regulation, economies of scale and administrative efficiency that large companies currently enjoy.

As I said, Mr. Speaker, there has been and likely this week will continue to be a great deal of heat and just a little bit of light in the debate over a Patients' Bill of Rights. But I rise today to urge my colleagues to strongly support the Fletcher legislation, a Patients' Bill of Rights that will protect not only patients and physicians but also our employer-based health insurance system in America.

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

ORDNANCE AND EXPLOSIVE RISK MANAGEMENT ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, for over two centuries the United States has been the stage for military action in training, beginning with the Revolutionary War. As a result, bombs and shells that did not go off as intended litter the countryside. Unexploded ordnance is an issue that deserves great attention and priority by this Congress.

It is difficult to find a congressional district across America that does not have a problem with unexploded ordnance. Well over 1,000 sites are known or suspected to be contaminated. They range from extremely remote areas in Alaska to dense urban environments such as Spring Valley here in Washington, DC, adjacent to the American University campus where the gentlewoman from Washington, D.C. (Ms. NORTON) and I led a tour this spring.

The number of acres within the United States contaminated with UXO is estimated at 20 million acres to perhaps 50 million acres or more. One of the most unsettling facts is that there is no accurate estimate. Even so, we know the price tag for cleaning this problem up is huge. According to the General Accounting Office in a report earlier this year, the Department of Defense estimates that its liability may be $100 billion or more just for cleaning up training ranges.

Today, the gentleman from Alabama (Mr. RILEY) and I are introducing the Ordnance and Explosive Risk Management Act to help the Department of Defense do its job. The bill would establish a single point of contact for policy and budgeting regarding former military ranges and other sites around the country. It puts someone in charge by establishing a program manager for UXO who is directly accountable to the Secretary of the Army.

It requires an inventory of explosive risk sites at former military ranges. This provision requires the Department of Defense to complete and annually update an inventory it started as part of an earlier process and establishes criteria for site prioritization among these many sites that need our attention.

The bill protects the public with the requirement of enhanced security measures at former military ranges and public awareness efforts regarding the dangers associated with these sites. It requires the Department of Defense to develop education and site security plans for former ranges in cooperation with property owners and other agencies.

The broad interest in Congress has helped us shape this bill. The gentleman from California (Mr. FARR), who has been working with the Fort Ord cleanup for years, understands and has urged the provision in our bill that creates the separate Department of Defense account for the removal and cleanup. Because it is so fundamentally different, this provision enables everybody who cares to be able to follow the issue.

One of the most important elements of our bill is a result of the experience of the gentleman from Alabama (Mr. RILEY) in dealing with the chemical demilitarization program. He feels strongly, and I agree, that it is important to have an independent panel to be able to look at the problems associated with cleaning up these contaminated sites. This advisory and review panel will include the National Academy of Science, nongovernmental organizations, the U.S. Environmental Protection Agency and representatives of the States. They will report annually to Congress on the progress made by the Department of Defense and make further recommendations for program improvements.

I appreciate the contributions of people like the gentleman from California (Mr. FARR) and the gentleman from Alabama (Mr. RILEY). This is a problem that is not going away. At least 65 people have been killed as a result of accidents from this military waste. Recently, American University just filed a lawsuit against the United States for almost $100 million because of problems related to the contamination of that campus when it was used as a site for the development and testing of chemical weapons during World War I and still has not been cleaned up thoroughly.

We have a responsibility in Congress to address this issue. I strongly urge my colleagues to join me in co-sponsoring this legislation, along with the gentleman from Alabama (Mr. RILEY), and make sure that this Congress is not missing in action when it comes to dealing with the consequences of environmental military contamination.

THE REAL PATIENTS' BILL OF RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from New Jersey (Mr. PALLONE) is recognized during morning hour debates for 5 minutes.

Mr. PALLONE. Mr. Speaker, let me say this morning as I did last evening that I am very hopeful that the Republican leadership will bring up HMO reform this week. We are hearing this perhaps Thursday or maybe Friday.

My greatest fear is that the true HMO reform, the real Patients' Bill of Rights, the Dingell-Ganske-Norwood bill, will not have an opportunity for a clean vote.

What we are hearing is that the President is coming back from Europe today. He is going to make one final effort to try to convince my Republican colleagues who voted for the Dingell-Norwood-Ganske bill in the last session to come off that bill and to vote for what I consider a very weak alternative sponsored by the gentleman from Kentucky (Mr. FLETCHER), one of my Republican colleagues.

Let me stress again that there is a real difference between the Patients' Bill of Rights that almost all Democrats and a significant number of Republicans support that we voted on 2 years ago and would make the real reforms that are necessary to correct the problems and the abuses of HMOs, as opposed to this alternative bill that the Republican leadership is putting up sponsored by the gentleman from Kentucky (Mr. FLETCHER), which is a lot weaker and does not really achieve HMO reform.

Let me explain that a little bit. The two main focuses of HMO reform, one is to make sure that decisions about what kind of care you get, what kind of medical care you get, whether you are able to have a particular medical procedure, whether or not you are able to stay in the hospital for a certain length of time, these kinds of medical decisions should be made by the physician and the patient, not by the HMO, not by the insurance company. We need to switch that around.

Right now, unfortunately, many Americans are denied the care that they really need that is medically necessary because the HMO is not willing to pay or denies the care.

The second point that we are trying to achieve with true HMO reform is to make sure that if your care has been denied, if your doctor says that you need an operation and the HMO says we are not going to pay for it, that you have a way to redress that grievance, which is that you can go to an external review board quickly that can overturn that decision that can make sure that you get the procedure or operation; or, ultimately, if that does not work, that you can go to court.

The problem is that the Fletcher bill, the bill that the Republican leadership wants to bring up and supports, really does not guarantee those two points, does not achieve what is necessary for HMO reform in those two major areas. Let me explain why.

The decision about what is medically necessary, about whether or not you are going to be able to get a particular type of treatment, well, unfortunately, the standard of review for what is medically necessary in the Fletcher bill is a lot weaker. It allows for the HMO to use all the kinds of bureaucratic tricks to make sure that they still control the process or the standard as to what kind of care that you get.

The Dingell-Ganske-Norwood bill, the real Patients' Bill of Rights, guarantees that that standard of review is one that is the normal practice by medical practitioners, by doctors in your community, and also with regard to specialty care.

For example, if you need a cardiological procedure, if it is a child and a pediatrician has to come into play, that that specialty care, the standard of review of what is medically necessary is made by the physicians by the standard in the medical community, by the standard in that specialty care community. You do not have that guarantee under the Fletcher bill.

On the second point, which is that if you are denied the care that you have the ability quickly to overturn that decision. Once again, the Fletcher bill falls short. It does not have the guarantee that we have in the real Patients' Bill of Rights that says that you have to be able to act quickly. That if you need an operation and you are being denied or you are in an emergency room and you are being denied something, that you can quickly go to an outside review board and have that overturned.

There are so many procedural roadblocks to your ability to overturn the decision in the Fletcher bill that you really do not have the ability to effectively address your grievances and to overturn that denial of care.

Mr. Speaker, I do not want anybody to be confused about what is going on here. What is going on here is that, once again, the Republican leadership is trying to deny the majority, most Democrats and enough Republicans that make up the majority for the real Patients' Bill of Rights, the opportunity to have a vote, a clean vote on that bill. That is what we want. That is what we demand. That is what we hope the Committee on Rules will achieve when we vote on this bill later this week. My greatest fear is we will not have this that clean vote, and I would ask that that be accomplished.

RECESS

The SPEAKER pro tempore. There being no further requests for morning hour debates, pursuant to clause 12, rule I, the House will stand in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 20 minutes a.m.) the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CANTOR) at 10 a.m.

PRAYER

The Reverend Timothy N. Armstrong, Crossroads Community Church, Mansfield, Ohio, offered the following prayer:

Gracious God and Heavenly Father, we come to You this day, conscious of our own shortcomings, but nevertheless with great confidence, knowing that our trust in You is a faith well founded.

You alone understand the difficulties and hardships of these men and women who serve You and our country. You alone understand the weight of responsibilities, both personal and professional, which they must carry. You alone know of the private sacrifices which Your servants have bore in their pursuit of patriotism.

I ask that You bless them. Watch over them and their families. Strengthen them with courage and peace. May they be endowed, above all things, with Your sovereign grace and wisdom.

On this day, at every chair in this Chamber, may there be the whisper of Your wisdom. May these men and women hear Your still small voice and follow Your guidance for the good of all people.

Empower these representatives to be the relentless crusaders for righteousness in the lives of the people of our Nation. For whatever is true, whatever is noble, whatever is right, whatever is pure, whatever is lovely, whatever is admirable, whatever is excellent and praiseworthy, may they be passionate about these things.

We ask this in the strong name of Jesus Christ, for His sake and for His glory alone. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New York (Mr. ISRAEL) come forward and lead the House in the Pledge of Allegiance.

Mr. ISRAEL 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.

WELCOMING PASTOR TIMOTHY N. ARMSTRONG, CROSSROADS COMMUNITY CHURCH, MANSFIELD, OHIO

(Mr. OXLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OXLEY. Mr. Speaker, it is my privilege today to welcome one of my constituents as our guest chaplain, Pastor Timothy N. Armstrong of Mansfield, Ohio.

Pastor Armstrong is the founding and senior pastor of Mansfield's Crossroads Community Church. He started this interdenominational, independent evangelical church in a school gymnasium in 1996. With only 30 people in attendance initially, the church swelled to 200 within a month. Today, after less than 5 years, Crossroads welcomes more than 1,700 people per weekend.

Pastor Armstrong is an inspiration to the Mansfield community, bringing a unique and meaningful preaching style to his congregation. Through practical application of the Bible's truths to everyday living, he reaches out to the unchurched in and around Mansfield in a most effective way.

A graduate of Dallas Theological Seminary, Pastor Armstrong initially pursued a business degree in college, ultimately realizing his calling to the ministry. He and his wife, Michelle, are the proud parents of twin girls, McKenna Kate and Isabelle Grace.

Mr. Speaker, I want to thank Father Coughlin for giving Pastor Armstrong the opportunity to open today's session; and on behalf of my colleagues, I want to thank Pastor Armstrong for his spiritual guidance as we begin our work today.

REFLECTING ON OUR FALLEN FRIENDS

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.

Mr. DELAY. Mr. Speaker, 3 years ago have now passed since the hot, sad day that an act of senseless violence took our friends, Detective John Gibson and Officer J.J. Chestnut, from us. The tragic shock of their loss is gradually receding and the weight of their absence is settling on us more deeply. It weighs on us because of the special men that they were.

And when we reflect back on our lost friends, their bearing, conduct and commitment reminds us of David's words to Solomon. He said, ''Be strong and courageous, and do the work. Do not be afraid nor discouraged, for the Lord God, my God, is with you.''

As we know, David charged his son Solomon to build a great temple for the Lord. Officer Chestnut and Detective Gibson were the protectors of a great tradition: open and accessible democracy.

Our fallen fellows and friends served their country and the cause of freedom in the United States Capitol, a building that stands as the world's foremost temple of liberty. But the Capitol could never have been built without an older American tradition of sacrifice and defense of the core freedoms that support our society. No less than other heroes who fell far from American soil, J.J. Chestnut and John Gibson are a part of that noble group.

Three years ago, hundreds of people were in grave danger. And as they operated under dire circumstances, Officer Chestnut and Detective Gibson stood tall for all of us. When America needed them to be courageous and strong, they were. And I know that they are with the Lord now.

They have our deepest respect and our deepest gratitude. We will never forget them or the values that they embodied. Today our hearts and prayers go out to the Chestnut and Gibson families. God bless them.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to make an announcement.

On July 24, 1998, at 3:40 p.m., Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police were killed in the line of duty defending the Capitol against an intruder armed with a gun.

At 3:40 p.m. today, the Chair will recognize the anniversary of this tragedy by observing a moment of silence in their memory.

SOCIAL SECURITY SYSTEM IS SECURE

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEFAZIO. Mr. Speaker, this is a $5 billion Treasury Note. More than $1 trillion of these are on deposit. Let me read from it: ''This bond is incontestable in the hands of the Federal Old Age and Survivors Insurance Trust Fund,'' Social Security. This bond is supported by the full faith and credit of the United States of America. The United States of America is pledged to the payment of the bond with respect to both principal and interest. More than $1 trillion is on deposit.

Americans will pay $93 billion this year more in FICA taxes than is necessary to support the system, with the idea they are being deposited to pay for their retirement. In 2016, there will be $6 trillion on deposit, and Secretary O'Neill of the Treasury and the Bush Privatization of Social Security Commission is downtown right now like a hive of termites trying to undermine the system and say we might not honor that $6 trillion of debt.

Well, if the bonds on deposit backed by the full faith and credit of the United States of America will not be paid for Social Security, what other debts will this government default on?

ECONOMIC OPPORTUNITY IN THE 21ST CENTURY

(Mr. ARMEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARMEY. Mr. Speaker, I want to go on record as saying I, for one, do not believe that former Senator Moynihan is a termite.

Mr. Speaker, I am worried about the left wing of the Democrat party. Mr. Speaker, I think they are losing it. In all corners of the Washington liberal establishment, there is panic. War has been declared on the people's tax relief. Just as the checks are in the mail, dire predictions and horrifying stories are being told about a government doing without, catastrophe for the economy, all because we sent a small portion of record surpluses back to the taxpayers who sent their money to Washington.

Good grief, Mr. Speaker. What are we to do with this kind of panic on the left?

Over the weekend, they put their foot down. A very distinguished Member of this body announced with pride his belief that the tax increases of 1993 were the right thing to do and that he would do it again.

Mr. Speaker, in a fine bit of revisionist history, the Democrat leadership has proclaimed that 1993 budget, Bill Clinton's first budget, as a huge boon to the American economy and the American people.

Let me say this about that budget. It did do three very important things: it did raise taxes on energy; it did raise taxes on seniors; and it raised taxes on the working middle class, that is, Mr. Speaker, working moms trying to move up the economic ladder. And this Member said he would do it again. I give him credit for brutal honesty, that is, it is honest and it is brutal.

What a view of the world. What a denial of basic economics.

Tax relief is good for the American economy, good for American families. The refund checks being delivered today to American homes even as we meet will help buy school clothes, help pay bills, maybe even help with home improvement projects to make a house more energy efficient.

Mr. Speaker, I call on my friends from the other side of the aisle, reject this view that the Government needs this money more than real people do. Come out into the light. Reject this war on tax relief and embrace the sunshine of economic opportunity for the 20th century. Try it once. Try it once. Cut taxes for real people; and I bet you will feel so good you will say, I will do it again.

SUPPORT THE GANSKE-NORWOOD-DINGELL PATIENTS' BILL OF RIGHTS

(Mr. PASCRELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PASCRELL. Mr. Speaker, I have always been a strong advocate of the Patients' Bill of Rights and am proud to be part of cosponsorship of the Ganske-Norwood-Dingell bill, which is the bill that we will be debating this week, and no other bill.

There are protections within the Patients' Bill of Rights. The Patients' Bill of Rights creates an external appeals process that, once exhausted, allows the patient to pursue claims against the HMO in State or Federal court, depending on the cause of their harm.

What is getting those opposed to patient protection all hot under the collar? Because opponents do not want hard-working Americans to have access to their State courts when HMOs deny them proper health care. This hypocrisy escapes no one. No one is paying attention to the fact that the great defenders of ''States' rights'' in this Chamber are the ones opposed to allowing Americans access to State courts.

And why is it? Because they are afraid. They are afraid to let juries and State courts make decisions about what an HMO owes a patient who has been harmed as a result of the HMO's heartless, bottom-line-driven cost-cutting.

ALLOWING HANNAH TO LIVE

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, right now the White House is trying to decide whether or not to allow scientists to kill living human embryos to harvest their stem cells. The debate, of course, is over whether or not living human embryos are people or property. If they are property, you can do anything you want with them. If they are people, they deserve protection.

Take a look at this chart of the life of Hannah, a 2½-year-old girl who was adopted as a frozen embryo. Here shortly after she was conceived; here when she was adopted and then implanted into her mother's, adoptive mother's womb; here on New Year's Eve, 1998, when she was born; and over here on the right you can see when she was a toddler, a baby.

□ 1015

Where on this chart did Hannah become a person? Where on this chart does she deserve protection?

Many of us believe that she deserves the right to protection, that she deserves to continue to live from the start. We hope the White House will make sure that all unborn girls and boys have the same chance to live and grow.

MESSAGE FROM THE SENATE

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

H.R. 2131. An act to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2004, and for other purposes.

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

S. Con. Res. 16. Concurrent resolution expressing the sense of Congress that the George Washington letter to Touro Synagogue in Newport, Rhode Island, which is on display at the B'nai B'rith Klutznick National Jewish Museum in Washington, D.C., is one of the most significant early statements buttressing the nascent American constitutional guarantee of religious freedom.

The message also announced that pursuant to section 2761 of title 22, United States Code, as amended, the Chair, on behalf of the President pro tempore, and upon the recommendation of the Majority Leader, appoints the Senator from Vermont (Mr. LEAHY) as Chairman of the Senate Delegation to the British-American Interparliamentary Group during the One Hundred Seventh Congress.

The message also announced that in accordance with sections 1928a–1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the Senator from Delaware (Mr. BIDEN) as Chairman of the Senate Delegation to the North Atlantic Treaty Organization Parliamentary Assembly during the One Hundred Seventh Congress.

FBI GETTING AWAY WITH PERJURY

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute.)

Mr. TRAFICANT. Mr. Speaker, the FBI did not steal guns nor computers? Beam me up. The FBI destroyed incriminating evidence that would have whacked the FBI right out of the box. Even Chief Inspector Clouseau can smell out this diversion. From Waco to Ruby Ridge to Boston, the FBI has not only suborned perjury, they have lied to the courts, they have lied to Congress, they have lied to the American people, and they are getting away with it.

Mr. Speaker, I yield back the fact that the FBI destroyed evidence deliberately. They had no intention and no need to take any guns or any computers.

WALK FOR HOPE AGAINST BREAST CANCER

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, on Sunday, October 7, hundreds of south Florida residents will participate in the third annual Walk for Hope Against Breast Cancer at Aventura Mall. Walk For Hope Against Breast Cancer will help raise funds for lifesaving research at the City of Hope Medical Center and at Beckman Research Institute, a National Cancer Institute Designated Comprehensive Cancer Center.

Despite education on preventative measures and on early detection, the rate of cancer among women has continued to increase at an alarming rate. Current statistics indicate that 2.6 million women have breast cancer. Today, one in eight women will be diagnosed with breast cancer, and this year we will lose more than 40,000 women to this devastating disease.

Mr. Speaker, I congratulate the event cochairs of the walk, Michael Yavner and Mason Mishcon who, through their efforts, will enable City of Hope Medical Center to continue to provide care, regardless of a patient's ability to pay. Funds from this walk at Aventura Mall will also benefit clinical trials and hereditary and genetic-associated research.

I congratulate City of Hope and all involved in Walk for Hope for their dedication to fighting breast cancer.

KOREAN WAR MIA'S SUPPORT INTERNET-BASED INITIATIVE CALLED FINDING THE FAMILIES

(Mr. ISRAEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ISRAEL. Mr. Speaker, we recently celebrated the 51st anniversary of the beginning of the Korean War, and among those that we honored were the 6,000 soldiers in that war who were designated as Missing In Action.

The cooling of tensions on the Korean Peninsula have allowed an unprecedented opportunity for the repatriation of the remains of those lost servicemen. At the same time, recent advances in DNA technology have made it possible to identify those remains once a DNA sample is obtained from a living descendent.

An organization called the Korean War Project has set up an Internet-based initiative called Finding the Families to locate the 6,000 families of servicemen missing in action from the Korean War. I have placed a link on my government Web site to their homepage so that the citizens of my district can search the directory of missing soldiers from their area in an attempt to find a living descendant who can provide a DNA sampling. I urge my colleagues to provide matching support in tracking down those missing families by providing similar links on their own Web sites, in addition to generating more public awareness of this important issue.

Mr. Speaker, our missing heroes deserve more than just our passive pledge not to forget, they deserve our active support. Supporting the Finding Families program is a way to do just that.

KEEPING PROMISES TO AMERICA'S PATIENTS

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, Napoleon Bonaparte once said that ''if you wanted to be a success in the world, promise everything, deliver nothing.'' But we all know how successful Napoleon fared.

Yet, the supporters of the Ganske-Dingell Patients' Bill of Rights and its Senate equivalent seem to have forgotten the lessons of Napoleon Bonaparte. They are promising American families new patient protections and rights to health care. But, like Napoleon, they are promising everything and delivering nothing.

The unlimited liability in their ''lawyer's right to sue'' bill will result in over 6 million Americans losing their health care insurance. What type of patient protection is that? Rather than doctors taking care of their health needs, Americans will be finding trial lawyers taking them to the cleaners.

Americans deserve to get the health care they need and when they need it, a real promise we can keep and must deliver.

Mr. Speaker, I encourage all of my colleagues to support a real Patients' Bill of Rights, the bipartisan Fletcher-Peterson Patients' Bill of Rights.

DEMAND THE RELEASE OF GAO ZHAN FROM CHINA

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, after a 1-day trial, China convicts a U.S.-based scholar of spying. Let me tell my colleagues who that is. Gao Zhan lives in this area. She is a mother, she is a wife, she is a researcher at the American University. She went to China to simply visit her relatives. She has a 5-year-old son that is a citizen. She has a husband that is a citizen of the United States. They would not allow the United States to sit in her trial and observe.

Gao Zhan needs to be released now. China needs to come into the world arena of friendship and understanding of human rights.

Secretary Colin Powell must demand her release, and we must pass a private bill in this Congress to make sure that Gao Zhan is a citizen of the United States. I have filed such a bill. There is a bill filed in the United States Senate. This bill must be brought forward, and we must demand that China understands that academics is not synonymous to spying. It is unfair. It is a tragedy. Unite this mother with her child; unite this wife with her husband. Unite this legal resident of the United States with her community. Demand Gao Zhan's release now.

SUPPORT A REAL PATIENTS' BILL OF RIGHTS

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, a CNN/USA Today/Gallup poll released last week shows that most Americans would oppose the McCain-Kennedy trial lawyers' bill because they know it would increase health costs. When asked point-blank if they are more concerned about suing HMOs or lawsuits driving up their health insurance costs, the majority of Americans said they feared the prospect of skyrocketing costs caused by lawsuits.

This is yet more proof that Americans want a Patients' Bill of Rights that ensures they get the care they need from a doctor they know. Americans want, need and deserve health care reform, not a trial lawyers' bill that would drive people into the ranks of the uninsured.

In short, I am with the American people who favor the responsible health care reform principles of the Fletcher-Peterson Patients' Bill of Rights. Under this bill, more Americans will be insured.

TRIBUTE TO FALLEN OFFICERS J.J. CHESTNUT AND JOHN GIBSON

(Mr. GEPHARDT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEPHARDT. Mr. Speaker, I rise first to thank the Speaker of the House and the majority whip and all of the Members of the House who today, with one voice, rise on this floor to pay tribute to the brave, courageous heroes who gave their lives so that others could live: Officers Gibson and Chestnut. I rise today in sorrow at the loss that occurred here in the people's House 3 years ago today.

In the aftermath of this event, as we gathered around the families of both officers Gibson and Chestnut, we voted never to forget their acts of bravery and to memorialize what they did for us and their country on that day.

Officers Gibson and Chestnut literally saved the lives of countless Members of Congress, our staffs, and countless visitors who pass through our halls every day to visit this shrine to our American democracy. We owe them a gratitude for which words alone do no justice.

These two men, strong and decent, rank in the legion of honor of those who died so that freedom may live in the everyday lives of all Americans. They remind us that all of the officers who work in this building are real heroes of our democracy; they are guardians of our way of life. They are the men and women who face danger every day, and who are pledged to protect this citadel of freedom so that the people's business can be conducted, and so that people can visit this site of our government and take part in our democracy.

Mr. Speaker, let me say that I have the honor of being served by two similar plain-clothes officers, and I want to again, as I did 3 years ago, take this opportunity to thank them and all of their colleagues who protect this building and all of us on a daily basis. We will never forget the sacrifice of these two officers. We will always cherish them and their families, and we will never forget that they died so that others could live and be free.

ANWR TECHNOLOGY III

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, opponents of ANWR often hold up a picture of big, grimy, old oil rigs; and they ask this question: Do we want one of these on our precious wildlife refuges? Of course not, but that is the wrong question. The question should be: Can modern technology allow us to drill in the Arctic with absolutely no impact on the wildlife or plant life there? The answer is a resounding yes.

Cutting-edge technology, like horizontal drilling, allows us to reach oil 4 miles away from a surface location. Thirty years ago, it took a 65-acre drill site to slant drill only 3 square miles. Today, a 16-acre drill site can now drill 50 square miles of subsurface. That means that today we can drill 15 times further on a drill site one-fifth the size of what we used when we started developing oil in the Arctic.

We no longer build gravel roads in for oil development there. Instead, companies build ice roads that melt away with spring, leaving no hint that they were ever there. Let us use this amazing technology to help stabilize gasoline prices and make this country more self-reliant.

SOCIAL SECURITY

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, instead of strengthening Social Security, the President has used the surplus for tax cuts that overwhelmingly benefit the wealthiest Americans. The President's Commission on Social Security has issued a report that tries to scare the public into thinking that sacrificing their guaranteed income is the only solution.

Social Security has allowed generations of retirees to live with independence and dignity, and in more than 60 years Social Security has never once missed a paycheck. Unfortunately, the President wants to privatize Social Security, a proposal that removes a promise that Social Security will be there. Under privatization, funds in the Social Security Trust Fund would be diverted into the stock market, subject to an unpredictable outcome.

Contrary to the report's claims, women and minorities do not do better under privatization. Because women and minorities tend to earn less during their lifetimes, they have less money to invest and accrue for retirement. Social Security guarantees that they will have a secure pension that grows with inflation. Privatization erases that guarantee and replaces it with a fixed, limited income.

Social Security's financial challenges are manageable. They do not warrant the President's radical restructuring. We need measures to preserve and strengthen Social Security, not rescind its guarantee.

□ 1030

TRIBUTE TO RON UNDERWOOD, UNITED STATES PROBATION OFFICER

(Mrs. MYRICK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MYRICK. Mr. Speaker, Mr. Ron Underwood will conclude 23 years of distinguished service to the Federal judiciary as a U.S. Probation Officer on August 31 of this year.

He grew up in Charlotte, North Carolina and earned a Bachelor of Arts degree from UNCC and a Master's from North Carolina State. He put his education on hold while he went to serve his country in the U.S. Air Force from 1967 until 1971. He began his career as a U.S. Probation Officer on November 6 of 1978. As an officer, he showed great concern for his community and also compassion for the criminal offenders with which he dealt.

Throughout his military service, employment as a U.S. Probation Officer, family and civic responsibilities, Ron has been a model of integrity, hard work and professionalism. His service to his country has been outstanding and deserving of thanks by all of us in Congress.

THE FLETCHER BILL, THE BEST HEALTH CARE PLAN FOR AFFORDABILITY AND ACCESSIBILITY

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, one of the goals that I wanted to accomplish as a Member of Congress is to help make health care more affordable and more accessible.

This week we have a choice between two bills. One of them is the Dingell-Norwood-Ganske bill. That bill seems to be an inner baseball game, intramural game between the affluent trial lawyers, the affluent medical community and the affluent insurance companies on who can sue who. As a result, health care costs, of course, are sure to rise.

On the other hand, we have the Fletcher bill that, unlike the other bill, addresses the issues of affordability and accessibility. It offers a Medical Savings Account so that the insured individual will become responsible and have an incentive to save money on his or her health care. That is one element, a key element, that is missing in our health care delivery service today.

It also helps the uninsured. That brickmason back home who has two or three people on his crew, right now he is priced out of health care. Under the Fletcher bill, there will be more competition and more opportunity for him to buy health care.

I urge my colleagues to vote for the Fletcher health care bill for affordability and accessibility.

THE PRESIDENT'S ENERGY POLICY WILL STEER AMERICA SAFELY THROUGH ENERGY CRISIS

(Mr. PETERSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PETERSON of Pennsylvania. Mr. Speaker, America needs more energy. The West needs more electricity. The East will need heating oil this winter, just like it did last year. The entire Nation needs more natural gas.

We saw natural gas prices quadruple last winter. We saw seniors and low-income families struggling to heat their homes and still afford groceries. It is likely to happen again this year.

We must conserve energy. Conservation efforts have already made a big difference. They are part of the reason gasoline prices have been dropping.

Yes, we must rely more heavily on clean, renewable fuels. Yes, we must build our energy future around emerging technologies. Yes, we must produce more energy. We must produce more oil. We must produce more natural gas. Our cars still run on gasoline, and many of our homes are heated with natural gas and heating oil. Virtually all of the new generating plants built in the last 10 years in this country use natural gas.

Next week, the House will consider a comprehensive package that does all of this. The bill implements the President's natural energy policy. It creates a blueprint for steering us safely through the energy challenges we face now and the energy challenges we will face this winter and next summer.

There is only one sure way to prevent spikes in energy prices that hurt us all: ample supply.

URGING THE PRESIDENT TO TAKE MEANINGFUL ACTION ON GLOBAL WARMING

(Mr. INSLEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, 2 weeks ago I was at the Arctic Wildlife Refuge, where the Bush administration wants to drill for oil.

While we will be debating whether to change that precious intact ecosystem, I wanted to advise Members that we are already changing the Arctic Wildlife Refuge. The reason we are changing it is that we are already causing global climate change, global warming.

What I found at the Arctic ocean is that the ice pack in the Arctic Ocean is shrinking significantly, almost a 50 percent reduction in depth, a 10 percent reduction in coverage.

I went to Denali National Park. The rangers told me that the tree line is moving north already due to global climate change. We are already changing the Arctic.

When the world met in Bonn 2 days ago to try to do something about it, the Bush administration sent the United States to the bench and did absolutely nothing. We as a leader in democracy abdicated, due to the Bush administration's ostrich like-proposals to do anything about global climate change.

I am urging the Bush administration to act, to lead the country and lead the world to do something meaningful about climate change so we do not destroy the world.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore (Mr. CANTOR). Pursuant to House Resolution 199 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. 2506.

□ 1035

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. 2506) making appropriations for foreign operations, export financing and related programs for the fiscal year ending September 30, 2002, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Thursday, July 19, 2001, the bill had been read through page 1, line 6.

The Clerk will read.

The Clerk read as follows:

TITLE I—EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: *Provided*, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act that has

detonated a nuclear explosive after the date of the enactment of this Act.

SUBSIDY APPROPRIATION

For the cost of direct loans, loan guarantees, insurance, and tied-aid grants as authorized by section 10 of the Export-Import Bank Act of 1945, as amended, $753,323,000 to remain available until September 30, 2005: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such sums shall remain available until September 30, 2020 for the disbursement of direct loans, loan guarantees, insurance and tied-aid grants obligated in fiscal years 2002, 2003, 2004, and 2005: *Provided further*, That none of the funds appropriated by this Act or any prior Act appropriating funds for foreign operations, export financing, or related programs for tied-aid credits or grants may be used for any other purpose except through the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds appropriated by this paragraph are made available notwithstanding section 2(b)(2) of the Export Import Bank Act of 1945, in connection with the purchase or lease of any product by any East European country, any Baltic State or any agency or national thereof.

AMENDMENT NO. 60 OFFERED BY MR. VISCLOSKY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 60 offered by Mr. VISCLOSKY:

In title I, in the item relating to ''SUBSIDY APPROPRIATION'', after the aggregate dollar amount, insert ''(reduced by $15,000,000)''.

In title I, in the item relating to ''ADMINISTRATIVE EXPENSES'', after the aggregate dollar amount, insert ''(reduced by $3,000,000)''.

In title II, in the item relating to ''CHILD SURVIVAL AND HEALTH PROGRAMS FUND''—

(1) after the aggregate dollar amount, insert ''(increased by $18,000,000)''; and

(2) in the 4th proviso—

(A) after the dollar amount allocated for vulnerable children, insert ''(increased by $5,000,000)''; and

(B) after the dollar amount allocated for HIV/AIDS, insert ''(increased by $13,000,000)''.

Mr. VISCLOSKY. Mr. Chairman, what does the amendment that I and the gentleman from West Virginia (Mr. MOLLOHAN) are offering do today? Our amendment will cut $3 million from the Ex-Im Bank's administrative expenses and $15 million for the Bank's subsidy appropriations.

I would, first of all, point out to all of my colleagues that the remaining subsidies and dollars in this bill for the Ex-Im Bank would still be $100 million more than the President of the United States requested in his budget this year. So even given the cut that the gentleman from West Virginia (Mr. MOLLOHAN) and I seek, we will be over the President's request by $100 million.

It is my understanding that with the change in how we will score for loan subsidies, that the range estimated to be provided under this bill will be between $12 and $12.5 billion compared to about $10.5 this year.

Why are we offering this amendment? We are offering this amendment because last year, over the objections of the administration and many Members of this House, the Ex-Im Bank approved an $18 million loan guarantee to Benxi Iron and Steel in China.

This loan increases Benxi's hot roll steel capacity by 11.5 million metric tons at a time when the world capacity is in excess of 280 million tons. Benxi Steel is currently involved in an antidumping case before the International Trade Commission because the Department of Commerce has already found that Benxi has dumped steel, and their margin of dumping on hot roll carbon steel dumping is 67.44 percent. This is also the highest margin found by the Commerce Department of six Chinese companies currently being investigated.

The American Iron and Steel Institute in April of last year wrote to the Ex-Im Bank and explained that China is increasing its government subsidies to steel in preparation for that country's entry into the WTO.

What is the consequence of this loan guarantee? This is a bad loan, and it has put American citizens out of work. Since 1998, 23,000 steel workers have lost their jobs. We now have 19 steel companies that are in bankruptcy, interestingly enough, one of whom declared bankruptcy last Monday when the Ex-Im Bank said they should revise some of their rules as to how these loan guarantees are made.

Within those companies, 42,556 Americans are now in jeopardy. Over 21 percent of all the steel capacity in the United States today is in bankruptcy; and, again, I emphasize there is already a 280-million ton excess capacity on the world market; and the Ex-Im Bank completely ignored that.

The industry has done everything possible to help itself. They have modernized. They have invested billions of dollars. They have closed 30 million tons of steel in the United States of America.

Hot roll products today sell for less than they did 20 years ago. Where are these employees and these bankrupt companies? They are in States like New York, Georgia, Connecticut, Alabama, Missouri, South Carolina, Minnesota, Arizona, Ohio, Indiana, Illinois, Pennsylvania, Michigan, Tennessee, Georgia, West Virginia, Texas, Utah, and now the State of California.

I find it interesting that Monday of last week, the week when people assumed this amendment would be debated in the House of Representatives, the President of the Ex-Im Bank proposed that they would sharpen their criteria in consideration of loans such as this. The President of the Bank said that they should apply to all products where there could be conceivable oversupply with the potential of harming domestic industry. What a terrific coincidence.

The gentleman from West Virginia (Mr. MOLLOHAN) and I and others are offering an amendment today. Last Monday, the Ex-Im Bank found religion. The fact is, under their rules and under their policy handbook, they do not have to change the rules. The rules say they never should have made that loan guarantee in the first place, and they ignored their own handbook.

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

Mr. VISCLOSKY. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, it seems to me that the gentleman has accomplished his mission here. He has gotten them, the Ex-Im Bank, to take seriously his point of view here on this particular matter.

It seems to me that to punish the Ex-Im Bank, this is what the gentleman would be doing, and they would be punishing the exporters of this country, many of which are small businesses who are struggling to stay in business, and take $3 million of their funds, which are for salaries.

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

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

Mr. MOLLOHAN. Mr. Chairman, the gentleman's argument is based on if we could count on the Ex-Im Bank to be serious about their reviews.

In February 9 of 2001, they wrote a letter to me saying that in 1999, the Ex-Im Bank amended its economic impact procedures to make them more restrictive in order to minimize any potential negative impacts on companies.

The CHAIRMAN. The time of the gentleman from Indiana (Mr. VISCLOSKY) has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. VISCLOSKY was allowed to proceed for 2 additional minutes.)

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

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

Mr. MOLLOHAN. Then they granted this loan guarantee. Then they came out and said, ''Another review of this policy has already been planned to begin shortly.''

We are waiting forever for the Ex-Im Bank to review its plans not to hurt American manufacturers as they finance this overcapacity around the world.

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

Mr. VISCLOSKY. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, the gentleman is an experienced legislator here. Obviously, if he is going to change the law, he has to change the substantive law here.

This is an appropriations bill, where we are trying to provide money to run the agency. What the gentleman needs to do is amend the legislation.

Mr. VISCLOSKY. Mr. Chairman, I have to reclaim my time.

I would simply respond to the gentleman that we want to drive home the point, because it is not a coincidence that the Ex-Im Bank found religion on Monday of last week. The fact is, and it is not a coincidence, that today and yesterday and last year the Ex-Im Bank, under their policy handbook and under the law, were prohibited from making a loan like that.

It is a fact that the Secretary of Commerce wrote to the Ex-Im Bank and said, ''Do not make this loan. You have 280 million excess tons. You have lost 23,000 jobs in this country. You have 18 companies in bankruptcy, and another one went over the cliff last Monday.''

They do not listen. The only thing they are going to understand is this entire House today voting to cut the recommendation that is contained in this bill, which I again would emphasize would leave the Ex-Im Bank at $100 million more than the President of the United States asked for in his budget request.

I would implore my colleagues to vote for the Mollohan-Visclosky amendment.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Indiana (Mr. VISCLOSKY).

Mr. Chairman, I do rise in opposition to this. I think, as the gentleman from Washington explained very well, this is an attempt to try to take a baseball bat and hit Ex-Im Bank over the head. I understand. We do that a lot around here. But it does not get at the substance of it. It does not really get at the issue that the gentleman from Indiana and the gentleman from West Virginia really want to address, because of course it does not deal with a specific loan to a specific entity at all.

As the gentleman from Indiana has explained, it would take $18 million from the Export-Import Bank and transfer it to some other very worthy programs, like HIV/AIDS. It does so in the exact same amount as the Bank lent to the Benxi Iron and Steel Company in China.

Let me just address for a moment what the impact of this amendment would be on the work that the Ex-Im Bank does.

□ 1045

First of all, it needs to be noted that while the gentleman from Indiana referred to this as being still well above what the President had requested, this is the area that has taken the biggest decrease from last year in terms of what the President requested.

The President asked for a 25 percent cut to the Ex-Im Bank, $229 million less than the 2001 level of $927 million. We provided for $118 million more than that, but it is still $107 million less than last year. So there is no question that this amendment will significantly cut in to the work that the Ex-Im Bank does.

Fewer funds are in the Ex-Im Bank in their subsidy program this year, because if there are fewer funds, it relates directly to a lower volume of bank export financing. In fact, we cannot translate this and say this is $18 million, because the fact is this would result directly in $275 million less in Ex-Im Bank loan guarantees for next year. That is the result of taking this amount of money, $18 million of guarantees out, and what it translates into in terms of the impact on the Export-Import Bank.

We already have exporters in this country that are hurting because of the very strong dollar. A strong dollar is good for us, good for the economy, but it really hurts when it comes to our exporters, and we are hurt in that area. Alan Greenspan just last week testified in the Senate that the U.S. economy still faces a number of weaknesses. The capital spending is lagging, and unequivocally this demonstrates the pain we are feeling in today's economy. So this is not the time to be cutting one of the few tools that we have to help to promote exports and to help export-related jobs, specifically export-related jobs in the gentleman's district, and export-related jobs in all the other districts around this country.

Now, let me also point out the impact a $3 million cut to the Ex-Im Bank's administrative expenses would have. It disproportionately hurts small businesses. We have already recommended a level that is $2 million below what the President's request is. So this would cut into the technological upgrades that Ex-Im Bank is trying to do, and those are essential if we are going to process small business transactions, especially insurance transactions.

So let me summarize by saying that the gentleman's amendment is going to cut the work of the Ex-Im Bank. It is not going to have anything to do with the particular loan the gentleman is concerned about; but it is going to cut out jobs in his district, it will cut out jobs in West Virginia, it will cut out jobs around the rest of the country, because companies that want to do business overseas will not be able to compete with the work that other countries are able to do and to subsidize their companies in those countries.

So this is the wrong amendment at the wrong time, and I would urge we not do this.

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

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

Mr. MOLLOHAN. The gentleman has said this is about export-related jobs. Indeed, it is about export-related jobs. We have exported 23,000 steel workers' jobs because of the insensitivity of the American Government, and particularly this institution, over the last 3 years.

This particular loan was egregious, and we should be expressing as much concern about the export of jobs from this country. That is what we ought to be interested in. Those are the export jobs we ought to be interested in.

Mr. KOLBE. Reclaiming my time, Mr. Chairman, in the brief time that is remaining, I would just say I would challenge the figure that the gentleman has used as to whether that kind of job loss is a direct result of giving loans to the companies in question. But there is no doubt that cutting out Ex-Im all together, by cutting out the loans that they do, does result in a loss of sales and that does result in a loss of jobs.

Mr. MOLLOHAN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I rise today to join my colleague from Indiana (Mr. VISCLOSKY), who has done such a tremendous job in this area in offering this amendment. The substance of our amendment is simple: we are seeking to cut $18 million in funds from the Export-Import Bank. Our amendment cuts $3 million from the $63 million provided for the administration expenses of the bank and $15 million from the approximately $753 million provided for the bank's subsidy.

Now, understand that the President only requested $633 million for the subsidy account. The committee has appropriated $753. So there is about a 120 million dollars between what the President requests. We are only taking $18 million from what the committee has appropriated, far higher than the President's request is still remaining.

The Visclosky-Mollohan amendment then takes the $18 million and places it in good places, Mr. Chairman, in the Child Survival and Health Programs fund, with $13 million targeted to the HIV–AIDS subaccount and $5 million targeted to the Vulnerable Children's subaccount that provides money for displaced children, orphans and blind children.

Mr. Chairman, why $18 million? Why an $18 million cut? The Export-Import Bank guaranteed an $18 million loan made by the Deutsche Bank of North America to the Industrial and Commercial Bank of China for purposes of modernizing the Benxi Iron & Steel Company's hot strip mill located in China. The Benxi hot strip mill located in China.

A letter from the Secretary of Commerce opposing this loan at the time it was being considered dated December 13, 2000, says ''Imports of hot rolled steel from China have increased dramatically over the past several years from less than 6,000 metric tons in 1997 to possibly more than 450,000 metric tons by the end of 2000.'' We need to

loan money so that China can increase its capacity in hot rolled steel? I think not, Mr. Chairman.

I want to offer my colleagues here in the House the following time line, which explains the climate in which the Export-Import Bank approved this particular loan guarantee:

November 13 of 2000, nine U.S. companies who produce hot rolled steel, including five integrated producers, one of whom is in my congressional district, four mini-mills, the Independent Steelworkers of America, and the United Steelworkers of America filed antidumping cases against China and 10 other countries. Benxi was cited in the case as an exporter of a product dumped in the United States.

December 3, 2000, the U.S. Department of Commerce decided to initiate the case based on the belief that there was evidence of dumping.

December 19, 13 days later, the Export-Import Bank, in its wisdom, approved the $18 million loan guarantee in spite of the evidence of dumping from China, and Benxi was a producer.

Two days later, December 22, the International Trade Commission made a preliminary determination that the imports of dumped hot rolled steel from China were causing injury to the United States industry.

Hello!

A Department of Commerce final determination will be issued in September, and the ITC will vote by the end of October on whether to impose duties. As my colleagues can see, the evidence of illegal dumping was overwhelming; yet nonetheless, the Export-Import Bank arrogantly ignored the fact that the world does not need any more steel capacity.

The steel report issued last July by the Department of Commerce correctly points out that there is significant overcapacity in the global steel industry. The report further points out that the London-based Iron and Steel Statistics Bureau estimated world excess capacity to be 250 and 275 million metric tons in 1997 and 1998. These figures have not fallen significantly, Mr. Chairman.

All of this information was available to the Export-Import Bank when they made this loan. We cannot allow an institution that is funded by American taxpayers' dollars to use that money to guarantee loans to support projects that put Americans out of work. Mr. Chairman, the 19th steel company has just declared bankruptcy, as the gentleman from Indiana (Mr. VISCLOSKY) pointed out a few moments ago, at the beginning of the week; 23,000 steelworkers have lost their jobs as a result of this crisis.

This loan was egregious, Mr. Chairman. This loan was outrageous, and we cannot let it stand.

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

Mr. Chairman, I rise to oppose the Visclosky-Mollohan amendment to cut the Export-Import Bank, and I urge my colleagues to do likewise and to join me in voting against it.

The Export-Import Bank provides crucial support for America's exporting businesses, especially small businesses and the workers that those businesses employ. Support for Ex-Im means real jobs for real people. In fiscal year 2000, Ex-Im Bank financed more than 2,500 U.S. export sales, supporting $15.5 billion of U.S. exports to markets worldwide. Eighty-six percent of these transactions directly supported small business.

In my district alone, since 1996, Ex-Im has supported 76 million in exports. Eleven of the 15 businesses supported are small businesses. Without Ex-Im, these transactions simply would not go forward. Ex-Im only gets involved when the private sector will not. Cutting Ex-Im means eliminating opportunities for American businesses and their employees.

Especially with our economy wavering, this is simply the wrong thing to do. Exports are crucial to the U.S. economy. Exports account for over one-quarter of U.S. economic growth over the last decade and support an estimated 12 million American jobs. In order to grow the U.S. economy and also to increase the number of jobs, export opportunities need to grow as well.

However, when it comes to international trade, the U.S. is falling rapidly behind. There are over 130 preferential-treatment trade agreements in effect in the world today. The European Union has 27, 20 of which they finalized in the last 10 years. Meanwhile, the U.S. is a party to only two, NAFTA and a free trade agreement with Israel. Exporting countries and other countries therefore have advantages in markets around the world that U.S. companies do not. In this environment, Ex-Im is increasingly important to support exports for U.S. businesses. Cutting Ex-Im will only push us further behind.

Mr. Chairman, this amendment is especially troubling because it cuts $3 million from Ex-Im's administrative budget. That is a direct blow to small business. Eighty-five percent of Ex-Im's administrative budget is comprised of fixed costs. Out of the remainder, Ex-Im uses a significant portion for seminars and other efforts to reach out to small business. In reality, transactions involving small businesses are the most labor intensive. Therefore, cutting Ex-Im's administrative budget has the real effect of cutting out export opportunities for small businesses.

I understand the sponsors of this amendment have concerns about a specific transaction. They want to make sure, and I understand this, that Ex-Im has appropriate economic impact protections in place. However, this amendment is clearly not the means to achieve that goal. First of all, Ex-Im does indeed have economic impact protections in place. More importantly, Ex-Im has responded to the concerns raised by the sponsors of this amendment by going through an extensive review of its economic impact procedures. The methods of evaluating economic impact are being reformed. In fact, the bank has released new draft procedures that are currently open for comment. So there is a process under way to address the concerns being raised by this amendment.

Mr. Chairman, cutting Ex-Im means cutting U.S. exports, and cutting Ex-Im's administrative budget means squeezing out opportunities for small businesses. I believe this is the wrong thing to do, is not necessary, and should be defeated. I urge my colleagues to join me in voting against it.

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

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

Mr. MOLLOHAN. I appreciate the gentleman's yielding to me, and I appreciate the statistics that the gentleman cites, these general statistics about the benefit of exporting to the American economy. Obviously, the benefit of exports to the American economy are great and very important to its well-being. I will stipulate to that.

What does concern me when we have this debate and there are those who cite the statistics, and stand up and do so so eloquently, is when do we talk about the downside? When do we talk about concern for the 23,000 steelworkers who have lost their jobs because of this kind of importing and the outrageous impact of the loan?

Mr. KNOLLENBERG. Reclaiming my time, Mr. Chairman, I would just say to the gentleman that there is a review process in place. They are looking at the gentleman's concerns.

Mr. MOLLOHAN. They said that in February of this year.

Mr. KNOLLENBERG. Reclaiming my time, I think it would be out of line to cut now because that does not do anything for the gentleman's problem.

Mr. DICKS. Mr. Chairman, I rise in strong opposition to the amendment, and I move to strike the requisite number of words.

(Mr. DICKS asked and was given permission to revise and extend his remarks.)

□ 1100

Mr. DICKS. Mr. Chairman, I rise in very strong opposition to the Visclosky-Mollohan amendment. I believe my colleagues are well intentioned here today. I would argue that they should take their case to the authorizing committee, and I would join them in trying to change the law so we would not be in this position in the future.

I also think that the Department of Commerce in the anti-dumping case is already directing real attention at this problem. That is what we should be focusing on.

Mr. Chairman, to come in here today and take $18 million out of the Export-Import Bank, $3 million of which comes from the administrative funds which were only increased by $1 million over last year's level, means an actual cut of 2 percent. This is salaries. This is health care. This is the fixed cost of the agency. I would say that is a very brutal cut.

The other money would come out of the money that is used by small businesses and large businesses to support U.S. exports. My concern with this amendment is we are punishing America's exporters who are also creating jobs. I feel for the gentleman for the loss of jobs to steelworkers. The gentleman has to admit that not all of their losses are due to the Export-Import Bank.

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

Mr. DICKS. Mr. Chairman, if the gentleman gets me additional time, I will yield to the gentleman.

Mr. Chairman, my concern is we are punishing another sector of the economy which is crucial to our economic health. In my State of Washington, one out of every three jobs is an export job. So my State would be punished by this amendment. In fact, we are $100 million below last year's level in terms of the loan guarantees. This administration has cut it. I would also point out that this is a new administration that is not responsible for what the previous administration did on this particular loan; and they have said that they are going to review this matter.

Mr. Chairman, I would say to the gentleman he has won his victory here today. The gentleman has convinced the new administration that this is something which should not be done in the future; and so do not punish the Export-Import Bank where jobs in my State will be lost.

(On request of Mr. MOLLOHAN, and by unanimous consent, Mr. DICKS was allowed to proceed for 2 additional minutes.)

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

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

Mr. MOLLOHAN. Mr. Chairman, first of all, the gentleman speaks in terms that this cut is going to have a disastrous impact on exporters who are assisted by the Export-Import Bank and people in his congressional district, perhaps. Hardly. The President requested $633 million. This committee is appropriating $753 million, which is $120 million more than the President requested. We are simply taking $18 million.

Mr. DICKS. Reclaiming my time, but $100 million less than last year.

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

Mr. DICKS. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. Mr. Chairman, to follow up on the point of the gentleman from West Virginia (Mr. MOLLOHAN), the word ''cut'' has been used here a lot. I used it myself.

Mr. Chairman, we are over the President's request; but my understanding is that the dollars appropriated, and the way it will be budgeted will provide for about 12 to $12.5 billion worth of subsidies.

Mr. DICKS. Mr. Chairman, reclaiming my time, if we had gotten last year's level, we would be at $15 billion in export support, so it is about a $2.5 billion cut which the gentleman will make worse with this $18 million cut.

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

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

Mr. MOLLOHAN. Mr. Chairman, we have had, in the last 3 years, 19 steel companies go bankrupt. That is sobering. Nineteen steel companies in this country. We have had 23,000 steelworkers, real jobs for real people, laid off. This is here and now.

Mr. DICKS. Reclaiming my time.

Mr. MOLLOHAN. Mr. Chairman, if I may finish. When the gentleman talks about going to the authorizing committee, we are not talking about dealing with an imminent danger. The gentleman serves on the Committee on Appropriations. The Committee on Appropriations can make a statement here and now. If we were to go to the authorizing committee, it may be 2 more years and another 19 steel companies going bankrupt.

Mr. DICKS. Mr. Chairman, reclaiming my time, the gentleman makes a mistake if he does not consider trying to change the law so the Export-Import Bank has to take into account the impact on the domestic economy of these exporters.

Mr. MOLLOHAN. Mr. Chairman, I look forward to joining the gentleman in that effort.

Mr. DICKS. Mr. Chairman, I told the gentleman I would be glad to help in that effort. But the point here today is this is a meat-axe approach. Coming in here and cutting $18 million out of Export-Import Bank does not make any sense. The new administration says they are going to take the gentleman's position into account. I would urge the gentleman to withdraw his amendment, he has made his point, and not hurt another sector of the economy.

Mr. MOLLOHAN. Mr. Chairman, the gentleman should urge something else because he knows that is not going to happen. Maybe the gentleman from Washington (Mr. DICKS) should urge his colleagues who might support his position to vote with him.

Mr. DICKS. Mr. Chairman, I always think my colleagues have good judgment.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair requests Members follow regular order.

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

Mr. Chairman, I rise in strong support of this amendment. This is a token amount of money being cut from the Export-Import Bank. The President asked for a $120 million cut. This is only $18 million. There was $120 million added over the present request. This is not a project that is a favorite of the President, and he has referred to this as a form of corporate welfare.

This is just a small effort to rein in the power of the special interests, the powerful special interests. It has been mentioned that jobs could be lost. In the debate, there has been emphasis on jobs, and the truth is that it may happen. Jobs could be lost. But what Members fail to realize is that the jobs lost are special interest jobs. If my colleagues take that same funding, and we never talk about what would happen to that $75 billion line of credit of the Export-Import Bank if it were allowed to remain in the economy. Other jobs would be created, so my colleagues cannot argue half of the case. We have to look at the whole picture. Special interest jobs would be lost. True market jobs would be increased.

Mr. Chairman, last week we had a vote on trade with China. I supported that vote. I believe in free trade and low tariffs. I believe in the right of people to spend their money where they please, and I believe it is best for countries to be trading with each other. But the very same people today arguing for these corporate subsidies claim they are for free trade. If my colleagues are for free trade, they should not be for corporate subsidies. They are not one and the same. They are different.

Free trade means there are low tariffs, but we do not subsidize any special interests. To me it is rather amazing, the paragraph that we are dealing with is called Subsidy Authorization. There is no pretension anymore. We just advertise, this as a subsidies. When did we get into the business of subsidies? A long time ago, unfortunately. I do not think that the Congress should be in the business of subsidies.

Mr. Chairman, this amendment has something to do with campaign finance reform. I am in favor of some reforms, that is, less control. People have the right to spend their own money the way they want; and when we have the problem of big corporations coming here and lobbying us, that is a secondary problem.

If my colleagues look at the corporations that get the biggest subsidies from the Export-Import Bank, they really lobby us.

Mr. Chairman, what I say is let us have some real campaign finance reform and let us get rid of the subsidies and the motivation for these huge corporations to come here and influence

our vote. That is what the problem is. We do not need to get the money out of politics, we need to get the money out of Washington and out of the business of subsidizing special interests. That is where our problem is.

Last week we voted to trade with China, and I said I supported that. But anybody who voted against that bill because they do not like what is happening in China should vote for this amendment and also my amendment that is likely to come up.

China gets $6.2 billion, the largest subsidy to any country in the world from the Export-Import Banks. China gets it. So why do we first want to trade with China, then subsidize them as well, and then complain? I would suggest that those who claim they believe in free trade, they need to support this amendment because we are getting into the interference and manipulation of trade, the subsidy to big corporations.

Those who do not like China should vote for this because there is a suggestion that the Export-Import Bank serves the interest of China. So to me it should be an easy vote. The only problem with this amendment is that it is so small. It does not really address the big subject on whether or not the Congress should be in this business. Obviously they should not be. Where do you find the authorization to give subsidy appropriations in the Constitution? It is not there.

This is a charade. This is fiction when it comes to looking at constitutional law.

I would strongly urge a yes vote on this amendment and do not support this effort to benefit the big companies and hurt the little guys. The little guys are the ones who lose this line of credit and push their interest rates up.

Who gets the risk under this situation? The taxpayer. There is a lot of insurance in the Export-Import Bank. The risk goes to the taxpayer, but the profits go to the corporations. What is fair about that? The big corporation cannot lose. So why would the banks not loan to the big special interest corporations?

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

Mr. Chairman, I have not seen such obfuscation in all my life as I have seen here this morning. Somehow they want us to believe that if we take $18 million out of their budget, that the whole import/export budget will collapse. The President's budget has $687 million in it. The House budget is $805 million.

Mr. Chairman, I rise in support of the Visclosky-Mollohan amendment which cuts $15 million from the Export-Import Bank subsidy appropriations and $3 million from their administrative expenses. It troubles me that the Ex-Im Bank approved an $18 million loan guarantee to modernize and improve production for a Chinese steel company. Yes, you heard it correctly. We are using American taxpayer dollars to modernize a Chinese steel company so that it can produce more steel for import into the United States, thereby, putting more steel workers on the unemployment line.

To add insult to injury, Benxi, the Chinese steel company, is currently involved in an anti-dumping case before the International Trade Commission. Once again, you heard it correctly. We are guaranteeing a loan for a Chinese steel company which has been charged with dumping steel on the American market.

Does the Ex-Im Bank not know that our domestic steel industry has been hurting since the flood of imports began in the late 1990s? In fact, since December of 1997, 18 steel companies, and I understand one more steel company with a combined total of 36,000 employees, have declared Chapter 11 bankruptcy which means 36,000 steel worker jobs could be in jeopardy. Since 1998 over 20,000 steel workers have lost their jobs.

Mr. Chairman, I recognize the competitiveness of the international marketplace, and I know our companies can compete if the playing field is level. In fact, we have the most efficient and productive steel workers in the world. However, not only do we lack a level playing field, but American taxpayers are now being asked to subsidize our competitors.

As John Stosel says on ABC's 20/20, ''Give me a break.'' This must stop and Congress needs to send a message that it will not tolerate these misguided policies. I ask my colleagues on both sides of the aisle to support the Visclosky-Mollohan amendment.

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

Mr. MASCARA. Yes, I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I wanted to point out that on December 15, 2000 the board of directors of Ex-Im approved a guarantee for an $18 million credit to support export sales from General Electric in Salem, Virginia; Carlen Controls in Roanoke, Virginia; and CIC Company in Glenshaw, Pennsylvania for software control systems and main drive power supplies and it does go for this project. These are U.S. companies that got the loan guarantees.

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

Mr. MASCARA. Yes, I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, the gentleman just made our point.

The lack of wisdom is in paying off these companies to support investments of the Benxi steel facility in China in order to enable the production of tremendous excess capacity in that plant. The gentleman just made the point.

Mr. DICKS. Mr. Chairman, if the gentleman from Pennsylvania will continue to yield, the point I was trying to make was that the gentleman said that the guarantee was given to the Chinese company. It was not given to the Chinese company. It was given to these three American companies.

□ 1115

Mr. MASCARA. Mr. Chairman, I think all of us agree that the Ex-Im Bank is valuable, that it is valuable to small businesses, that it is important for trade, but we are sick and tired of throwing it in our face. I represent steelworkers as well as the gentleman from Indiana (Mr. VISCLOSKY) and the gentleman from West Virginia (Mr. MOLLOHAN), and we are sick and tired of this country in our face, our workers being put out of work and using our taxpayers' dollars to do it.

Mr. Chairman, I am asking all my colleagues to support the Visclosky-Mollohan amendment.

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

Mr. Chairman, I rise in opposition to the Visclosky-Mollohan amendment as the chairman of the authorizing subcommittee on the Committee on Financial Services. The ranking member of that subcommittee is the gentleman from Vermont (Mr. SANDERS). While I have served for 21 years on the Banking Committee, now the Financial Services Committee, this is the first year that I have been the chairman of the authorizing subcommittee that relates to the Export-Import Bank.

I would say to the gentleman from West Virginia and the gentleman from Indiana that the authorization for the Export-Import Bank expires on September 30, 2001 and there is broad and bipartisan concern with the case that the gentlemen have brought to our attention. It has also been brought to our attention by all of the members of the Steel Caucus. In fact, the gentleman from Vermont (Mr. SANDERS) and I introduced legislation last week at this time, H.R. 2517 and we have a section in that legislation specifically related to Benxi Steel and the transaction approved by the Export-Import Bank in December of 2000.

I would tell the gentlemen that the Export-Import Bank and Treasury, which has exercised veto authority over the transactions of the Export-Import Bank, also has this Member's attention, and I want to make changes. If the Banks think they are going to have a straight, clean reauthorization bill, they are not going to do it with my approval or my active involvement. I very much think we need to give some very specific direction to the Export-Import Bank in many areas, and I will welcome these gentlemen and other Members' concerns about this specific transaction and on other issues.

I also think it is crucial that the industries that uses the export credit guarantee programs of the Bank understand we need to build a base of support for the Bank within the small business community. Currently the small business community has about 18 percent of the transactions in dollars allocated. That is probably only because Congress pushed the Bank to move ahead in its 1996 authorization legislation.

Furthermore, the Export-Import Bank has this Member's attention because the Treasury stepped in earlier this year and vetoed two transactions, one of which is in my home State, on the use of the tied aid war chest. An Austrian firm got that contract for $7–9 million; and we lost $100 million worth of follow-up sales annually in irrigation equipment—all for no good reason.

So the Export-Import Bank deserves plenty of scrutiny. We need to give them very specific directions. The gentleman from Vermont (Mr. SANDERS) and I have begun that effort with section 16 in the legislation we introduced. If after examining it you do not think it is strong enough, we will listen to your ideas in a further way.

I also would say this, that you have had an impact already—at least potentially. As already pointed out, the Export-Import Bank is now going through a process of enlarging and clarifying and getting it right in terms of the Ex-Im Bank's impact procedures that they will consider. In short, and this is a quote from the Bank's statement of objectives, they want to make sure they have more information on the following: one, indicators of oversupply that could impact the long-term economic health of the potentially affected U.S. industries. They go on to clarify that objective. Secondly, to consider the broad competitive impact to U.S. industries. Here they are proposing to consider both direct and indirect impacts. And, third, to consider the views of interested parties, including the affected U.S. industry, labor organizations, U.S. manufacturers, Congress, nongovernment organizations and other U.S. Government agencies, to allow each group's view to be weighed in Export-Import Bank's deliberative process.

I cannot under House rules specifically speak about what the other body is going to do about this steel case, but let me just say it has their attention as well, and I think it should.

Now, I would like to ask my colleagues to think long and hard about what you are asking the House to do in addressing what is an appropriate redress of a very real grievance. Right now, the Export-Import Bank is dramatically underfunded, underresourced as compared to our competitors. The rationale escapes me, but this administration proposed to further cut the Bank's resources by 25 percent. The Committee on Appropriations has made up some of that difference.

One of the concerns I have is about the limit on the administrative budget of the Bank, not the transaction budget. The authorizing limitations are too skimpy. By this amendment you are cutting back the administrative accounty by $3 million. It should be going the other way. In fact, in our legislation, I would establish a sub-line item for funds for the administrative activities and boost such an authorization.

The CHAIRMAN. The time of the gentleman from Nebraska (Mr. BEREUTER) has expired.

(By unanimous consent, Mr. BEREUTER was allowed to proceed for 2 additional minutes.)

Mr. BEREUTER. Mr. Chairman, this agency also needs more information technology capabilities. They are obsolete. The past chairman and the present chairman will admit that is a reality. We need to make changes in that respect. We need to make sure that they upgrade. That is particularly important for small business. If small business is going to take advantage of the opportunities or resources of the Export-Import Bank, they are the ones that really need to have good information technology in place in this agency. We push the Bank directly ahead in that area through the authorization legislation we have offered.

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

Mr. BEREUTER. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I would simply ask the question that, with the bill that we have today, is it not true that the subsidies that are going to be able to be provided with the Ex-Im Bank, even though we have an amendment to cut $18 million, is going to be increased substantially?

Additionally, I would ask the Member, is it not true that the Ex-Im Bank is required by law to assess whether its loans and guarantees are likely to cause substantial, direct injury to U.S. industry today?

I trust the gentleman's intention. I believe what he says. The law today says they are not supposed to do what they did last year. We need to drive home that point, and someone at the Ex-Im Bank ought to know what it is like to lose a job.

Mr. BEREUTER. I think the gentleman is accurately describing the language that is there. I think it does not go far enough. I think a clarification or elaboration or additional kind of limitations are appropriate. Now, they itemize in their proposed review process some of the things that might be considered. I hope that that gentleman, like this gentleman, will make his comments known to the Export-Import Bank during the comment period now underway.

Is there a cut in the resources of the Export-Import Bank? There is a dramatic cut in the resources proposed for the next fiscal year, despite the fact that the appropriators have restored some of that cut. A 25 percent cut was the original figure that came with the administration's budget. That would dramatically reduce our ability to compete with the export credit and guarantee agencies of other countries. It is the wrong direction. I can understand why these gentlemen want to see a change. I do, too.

The CHAIRMAN. The time of the gentleman from Nebraska (Mr. BEREUTER) has again expired.

(By unanimous consent, Mr. BEREUTER was allowed to proceed for 30 additional seconds.)

Mr. BEREUTER. We have this deadline coming up on the reauthorization of the Export-Import Bank, September 30. This is an issue that has to be resolved. It is a time for us to make the kind of changes, not to do something which punishes the Bank and not some changes which they can ignore, anyway. We need to give very specific guidelines and make sure that in fact acting in a fashion which is beneficial to American industry. We need to assure that the Bank does creates jobs in this country and that it does not have the opposite effect. We need to assure that the Bank is particularly attractive for the use of small business as well as for some of the largest firms in the United States.

I ask my colleagues, therefore, to reject this amendment and work with us when the authorizing legislation comes to the floor.

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

Mr. Chairman, it is always interesting to listen to these discussions about the Export-Import Bank. Every nation in the world, the industrialized world, has an equivalent organization. The United States has the least of that kind of organized support of the business community through the Export-Import Bank. I hear Members come out here on the floor and deplore the trade deficit, that the United States takes everything in and never exports anything.

One of the problems with exporting into the Third World or to even other parts of the industrialized world is the question of whether or not they can pay back the debt. Now, if a bank wants to lend money to General Electric to sell some equipment to whatever country, all the Export-Import Bank does is guarantee that if the money is not paid back, they will pay the money. They have not lost any money in this process. But they need the capital as a backup for all the loans that go out into the world.

We have changed the Export-Import Bank. When I came to the Congress

back in 1988, it used to be called the Boeing Bank. It is not the Boeing Bank anymore. It is a whole lot of other things. In fact, as we heard the list of people in this particular one, Boeing is not in it. It is General Electric and a lot of other things.

Last year, fiscal year 2000, there were loans to 2,176 small businesses. If you make one loan for Boeing for $100 million, it only takes one person, but if you are going to take 2,176 small business loans and help small business people get into the international economy, you have got to have people who can help them through that process. That is why the staff has gotten larger and why taking money out of the staff simply makes no sense.

I see the reason for the size of this amendment, $18 million. It fits the $18 million that already went out the door for the Chinese loan guarantee. But we are not canceling the loan. It is still going to go ahead. This is not the place to fight the argument that you have here.

If you want to make a change, the gentleman from Nebraska (Mr. BEREUTER) has said it more correctly, get in the authorizing bill and decide which industries you are not going to lend to. ''We are not going to lend to any foreign steel industry because they compete with the United States.'' Then General Electric will not bother going out trying to sell anything to them. They will know at the beginning.

But this coming in afterward and saying to the bank, ''Well, you lent to the wrong people so we're going to take your money back,'' I do not know what message they get out of that. I guess the message is, we should not loan to anybody who makes steel. Maybe we should not loan to anybody who makes cars. I mean, the Koreans make cars, the Indonesians make cars and other people. Maybe we should never lend any money to a country that has carmaking because it competes with Detroit.

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

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

Mr. MOLLOHAN. I think the message is that you do not approve a loan guarantee that undermines an industry that is being already devastated by imports.

A point that we made earlier in the debate that Secretary Mineta made when he was Secretary of Commerce to the Export-Import Bank on this very subject was that China has gone from 6,000 metric tons in 1997 of hot-rolled production to 450,000 tons, and they did not need any more capacity. In that same time period we had nine bankruptcies and 23,000 unemployed steelworkers. That is the message that we are trying to send.

Mr. McDERMOTT. Reclaiming my time, I understand the gentleman's point, but the fact is the message has been sent and received. We have heard the gentleman from Nebraska (Mr. BEREUTER) already talk about it. That is going to be dealt with. But taking this money out of the bank is only going to cripple their ability to aid small businesses.

Big businesses can take risks. They do. It is nice to have the comfort of the Export-Import Bank. But little businesses who make a deal in some country, in Africa or Asia, are very much at risk and they need the capital. I do not see, unless you want to say that the Export-Import Bank cannot lend to any industry that is in competition with the United States, anything made in the United States, why pick on steel? Why should you protect steel? I do not think that you should protect steel any more than you should protect anybody else. We can do that in the authorizing bill.

The CHAIRMAN. The time of the gentleman from Washington (Mr. McDERMOTT) has expired.

Mr. MOLLOHAN. Mr. Chairman, I ask unanimous consent that the gentleman be allowed to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

Mr. KOLBE. Mr. Chairman, reserving the right to object, and I will not object, I just want to put Members on notice, we have been very generous here in extending the 5-minute debate continually here. At some point we are going to have to insist that each Member get their 5 minutes and speak. But I will not object at this point.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Without objection, the gentleman from Washington (Mr. McDERMOTT) is recognized for 1 additional minute.

There was no objection.

□ 1130

Mr. McDERMOTT. Mr. Chairman, I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, we are not trying to protect the steel industry in the sense the Member has used. I think, to my understanding, he has used that phrase. We are trying to protect the steel industry from unfair foreign competition, on the one hand; and we are definitely trying to protect it from an agency that is funded with the people's money going out and empowering China, which has a tremendous excess capacity at this point, from developing greater excess capacity.

Yes, we are trying to protect them from that kind of conduct and a major American agency that we fund being instrumental in making that possible.

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

Mr. McDERMOTT. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, as a member of the Committee on Ways and Means, the gentleman knows that a 201 case has been filed on steel, and Benxi Steel is one of the companies named in that pending International Trade Commission case on steel products being imported into the U.S. from a variety of countries. So I think there is another potential area where redress can be pursued. A ruling is to be made on August 17, 2001.

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

Mr. Chairman, I would like to say to the gentleman from Nebraska (Mr. BEREUTER), we are glad we have the attention of his committee and other Members of the Congress with regard to the steel industry.

I hail from the great city of Cleveland, the home of LTV Steel. Let me just give you some statistical information about how important LTV Steel is to my community and the fact that it, along with 17 other steel companies in the United States, are currently in bankruptcy.

It is estimated that $2.27 billion of the 2001 gross State production in Ohio comes from LTV, an impressive amount given the total gross State product of Ohio is about $400 billion.

LTV employs 5,200 persons in Cuyahoga County and 6,600 Ohioans, including both organized and exempt positions.

Based upon the 2000 tax rates, LTV has 3,607 employees in local municipalities and provides tax revenue of $4,474,276 generated from the workers at LTV.

Based upon estimates, an additional 12,970 Cuyahoga County jobs are dependent on LTV operations and employees. Statewide, 27,020 jobs are relying on LTV. These jobs generate an additional $1.1 billion in wages.

LTV pays $338 million in annual wages and salaries and $68 million in benefits to current employees in Cuyahoga County, which amounts to about $406 million annually in the county.

Statewide, LTV represents $430 million in annual wages and $85 million in benefits to employees.

More than 34,000 employees, retirees and dependents across northeast Ohio rely on LTV for more than $72 million in medical benefits annually.

There are 15,000 retirees in Greater Cleveland alone receiving pension benefits.

Annually, LTV purchases $1 billion in goods and services from 1,600 Ohio companies.

The steel industry has about 1.75 percent of all the jobs in northeast Ohio, with LTV providing nearly 22 percent of the region's steel jobs, according to the latest information.

Why are we standing in support of the Visclosky-Mollohan amendment?

Because we are standing in support of the steel industry in this country. The real dilemma is, and I heard someone talk about Alan Greenspan talking about the fact that the steel industry, or industry, was not in a dilemma. Alan Greenspan is the one who said last week that we should get rid of minimum wage.

Why are we talking about this issue right here on the floor of the House? Because where else do we stand up for workers in the United States but on the floor of the House of Representatives of the United States?

There have been a rising tide of layoffs and bankruptcies, driven in large part by our government's failure to enact trade policies that are important and support the steel industry.

Why are we after Ex-Im Bank? Because it has in fact supported the steel industry in another country while the steel industry is dying in the United States. Steelworkers built our country, and we need to let the steelworkers continue to work and the steel industry to continue to prosper. In other countries, they subsidize the steel industry. In our country, we do not. Therefore, we should not be using public dollars in these United States, other United States taxpayers, to subsidize a country, a steel industry in another country like China.

Now, you are arguing to me these dollars go to American companies in the United States to support a steel company in China. I say to you we should not subsidize American companies that subsidize steel companies in foreign countries when we are in fact at a trade deficit in the steel industry.

Let me give you just a few more statistics. By the end of last year, the industry was operating at less than 65 percent of its capacity in the United States, the lowest operating level in more than 15 years.

Steel imports, which totaled less than 16 million tons in 1991, more than doubled in 10 years to an annual total in 2000 of 39 million tons. Where are they making the 39 million tons of imported steel? In companies like Benxi, which is subsidized by money from Ex-Im Bank.

More than 15,000 steelworkers have lost their jobs since January of 1998; 84,000 in the last 6 months.

Mr. Chairman, I say support the Visclosky-Mollohan amendment.

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

Mr. Chairman, let me begin by thanking my friend, the gentleman from Nebraska (Mr. BEREUTER), for the work that he has done as chairman of the authorizing committee. The problem is that while he has conducted that subcommittee in a very nonpartisan way, and I think we have done some very, very good work to fundamentally reform the Export-Import Bank in terms of making it more responsive to American workers rather than multinational corporations, it remains to be seen whether the effort that we have labored for will in fact become law or even be heard. We were supposed to have a meeting of the subcommittee, which was canceled, I gather by the chairman of the committee. So we will learn more about that later.

Having said that, I rise in support of the amendment, because I am not at all sure that the reforms that need to be happening will in fact happen. Let me basically talk about the main concern that I have and why I support this amendment.

This amendment is right unto itself, but it touches on a broader issue. If American taxpayers are going to be laying out money to create decent-paying American jobs, then we have a right to expect that the companies who receive that money in fact are expanding their American workforce. That is not a very difficult proposition. The truth of the matter is that many of the major recipients of Export-Import funds have been some of the major companies in this country who are laying off American workers. In fact, according to Time Magazine, the top five recipients of Export-Import subsidies over the last decade have reduced their workforce by 38 percent.

So you take large corporations who go running to the Export-Import Bank, and they say, hey, we need this corporate welfare, and they get the support. And the next day they say, oh, by the way, thank you for the money; but we are now moving our factories to China or Mexico and laying off tens of thousands of American workers.

Our current trade policy, in my view, is a disaster. We have over a $400 billion trade deficit. We have close to a $100 billion trade deficit with China. To the degree that American taxpayers' money is to be used to subsidize American companies, the taxpayers of this country have a right to know that those companies are doing everything they can to increase jobs in the United States.

If a company like General Electric, and let me be specific about General Electric, says, and they advertise it to the world, they say, gee, we wish that we had a barge so that we could take all of our factories to the cheapest-labor countries in the world and layoff more American workers, that is what we want to do, that is what they say. And then they come to the Export-Import Bank and they say, here is a check for you. Go out, take your jobs to China, take your jobs to Mexico, use American taxpayer dollars for that purpose. The average American taxpayer is outraged by this behavior.

What the gentleman from Nebraska (Mr. BEREUTER) and I have attempted to do is to craft legislation which does two things: it says to companies that are hell-bent on taking our jobs to China and Mexico, you can do it; but do not come in and ask taxpayers of this country to subsidize it.

Second of all, we believe that small businesses are the engines for job creation in this country, and Export-Import has got to put more money into small businesses.

The issue of the steel company in China is just one of many examples. Taxpayer money, American taxpayer money, should not be used to hurt American workers.

In my view, in terms of the Export-Import Bank, we could do one of two things: we could kill the whole thing and say we are not giving any more subsidies, because it is corporate welfare. That would not be an irrational thing to do. The other thing that we can do, and the gentleman from Nebraska (Mr. BEREUTER) and I are attempting to do that, is to make the Export-Import Bank work for American workers, to support those companies that want to grow American jobs.

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

Mr. SANDERS. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I appreciate the gentleman yielding.

Mr. Chairman, the only thing I would say to the gentleman, over the last few years the Export-Import Bank has created $60 billion of exports from the United States. That means that those were jobs created.

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

Mr. Chairman, I rise in opposition to the amendment. Let me say, this has been a spirited debate; and I want to first say that the gentleman from Indiana, I have great respect for, and I am a member of the Steel Caucus and I come from a steel State. But I have to tell you, this does not help the steel industry. It does not help our ability to create export-related jobs. This is an amendment that would severely cripple the Export-Import Bank's ability to create jobs, particularly in small business.

We have to understand that 80 percent of the transactions of the Export-Import bank deal with small business and help small business creating export markets all over the world. Every dollar of taxpayer money that is invested in Export-Import's program has seen historical returns of some $15 for every $1 in credit support for export transactions.

So the result of this amendment, whether we like it or not, and it is great to get up here and waive the bloody shirt about the steel industry, is it is going to cost us jobs, it is going to shrink our ability to export in other markets; and while this budget that we are dealing with is critical to creating export jobs, the amendment does quite the opposite.

Let us not try to punish the Export-Import Bank or do what we are trying to do here because of one controversial loan. I would say to my friend from Vermont, that was an aberration, not certainly something that is business as usual in regard to the China steel issue.

As the chairman of the authorizing committee, I am here to say that our committee is working assiduously on Export-Import reauthorization with the chairman of the subcommittee, the gentleman from Nebraska (Mr. BEREUTER); and I fully expect that we will report a bill that is balanced and fair and promotes exports all over the world.

Let me just say also to my friend from Vermont, who pointed out General Electric specifically, let me tell my friend from Vermont about a plant that I have in my congressional district in Bucyrus, Ohio, that is a General Electric plant. They make fluorescent lighting tubes. They currently create and build millions of those that are exported to Japan. They make a specific kind of smaller tube than that used over here that fits into the Japanese architecture and their homes and businesses; and, as a result of using Export-Import facilities, they are able to increase that market substantially. Those General Electric jobs in my congressional district are very, very important to me and to our community.

I would point out before the gentleman from Vermont makes what would appear to be a bad example of General Electric, I would say that the General Electric situation certainly that I pointed out is a very positive one and points out how good the Export-Import Bank can be.

□ 1145

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

Mr. OXLEY. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I thank the gentleman for yielding.

I just wanted to mention to my friend that between 1985 and 1995, the workforce, the American workforce of General Electric went down from 245,000 to 150,000, precisely because it is the policy of General Electric to take American jobs to China and Mexico in order to get cheap labor. Does my friend not agree with me that we should use institutions like the Export-Import Bank to tell General Electric to reinvest in America so that we can create more good jobs like the one the gentleman referred to?

Mr. OXLEY. Mr. Chairman, reclaiming my time, I think the last thing the Export-Import Bank needs, and certainly the private sector needs, is micromanaging on the part of Congress dealing with a worldwide global economy.

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

Mr. OXLEY. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, the point I would like to make is what they are doing here today with this amendment is punishing the export segment of the economy that creates thousands of jobs. In the State of Washington, the Boeing Company is the Nation's largest exporter. We are in a life and death struggle with Airbus. Airbus is subsidized by foreign governments. They have all kinds of loan programs to sell their exports all over the world.

What we are trying to ask for here is a level playing field. Let our American exporters compete. I want to protect the steel workers, but not at the expense of the machinists in the State of Washington. That is what we are talking about here.

Let us protect them both. Let us protect the steel workers and the machinists.

Mr. OXLEY. Mr. Chairman, reclaiming my time, let me thank the gentleman from Washington for his strong comments. Indeed, we are trying to expand the pie here. We are not trying to get in a situation, hopefully, that the gentleman from Vermont wants, which is the Congress determines what private industry hires and fires and then punishes the Export-Import Bank or successful exporters as a result.

The CHAIRMAN. The time of the gentleman from Ohio (Mr. OXLEY) has expired.

(On request of Mr. MOLLOHAN, and by unanimous consent, Mr. OXLEY was allowed to proceed for 1 additional minute.)

Mr. OXLEY. Mr. Chairman, I yield to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Chairman, I appreciate the gentleman's comments. The gentleman describes the situation, I think, inaccurately; and I would like to calibrate his comments a little bit. The gentleman suggests and uses the word ''cripple''; that the gentleman's amendment would severely cripple the Export-Import Bank.

I would like to point out to the gentleman in the short time we have that the President requested $120 million in the subsidy account less than the House appropriated. We are taking $18 million from the House. So, therefore, there is about $100 million left more in this bill than the President requested to do the good things that the gentleman is talking about and that the gentleman from Washington is talking about so that the government can support Boeing in its efforts against Airbus around the world.

We are not getting at the good things and the good jobs that are created by the Export-Import Bank. What we are getting at are the policies that undermine domestic industries that are extremely vulnerable at this period of time by financing projects that incredibly enhances capacity.

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

Mr. Chairman, I have come to the floor on the abstract, idealogical, theoretical underpinnings of this debate which others have been eloquent on. I have just come to a very parochial, prosaic but, in my district, very meaningful position: this amendment is going to cost jobs of people who do work and export products around the world if it passes.

Now, I know that does not sound like a very high-falutin' argument couched in great economic theory, but the fact of the matter is, we are truly, as the gentleman from Washington (Mr. DICKS) said, in a life and death struggle in the aeronautics industry to see whether we are going to remain dominant internationally, or whether we will lose the dominant position in the world. It is just real simple. It is meat and potatoes. The fact of the matter is, if this amendment passes, we are going to lose the opportunity to export $275 million worth of products which means thousands of jobs.

Because the fact of the matter is, this is, and since a lot of people look at the Ex-Im Bank and think, if we just cut the Ex-Im Bank, these other entities will not have products. People are not going to just stop buying airplanes if we cut the Ex-Im Bank. They are just going to buy them someplace else. This is help for the American worker, not the foreign worker.

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

Mr. INSLEE. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, the gentleman from West Virginia has talked about all the steel companies that are gone. McDonnell Douglas used to build commercial airplanes; they are gone. Lockheed used to build commercial airplanes; they are gone. We have suffered in this area. We have one commercial airplane producer left in America: the Boeing Company. And they are in a life and death struggle against four governments that underwrite Airbus. I wish my friend from Vermont were as passionate in supporting the American companies trying to export as we are trying to protect the steel companies. I want to protect them as well.

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

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

Mr. MOLLOHAN. Mr. Chairman, is the gentleman suggesting that all of the money that we are funding in the Export-Import Bank is going to go to Boeing?

Mr. INSLEE. Well, that would be acceptable, of course.

Mr. MOLLOHAN. Mr. Chairman, I am not sure how many votes the gentleman can get for it. Does the gentleman know how much money the committee is appropriating?

Mr. INSLEE. Mr. Chairman, reclaiming my time, clearly, Boeing and Boeing workers are not the only ones who have a stake in this controversy.

What I am trying to point out is that this has an immediate, real-life ramification for people who this morning got up and went to work in an industry that we are going to have a great chance of losing if we do not use the one very modest tool in our tool box to compete with this international conspiracy, if you will, to gain international dominance in this industry. And this is a very small tool we have. If we look at this compared to the subsidization of Airbus by the European community, this is almost nothing. Yes, Boeing is not the only player in this. But I came here to say that I have people in my district who care about it.

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

Mr. INSLEE. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I just want to answer the gentleman's question. Twenty-five hundred small businesses last year got Ex-Im Bank loans, totaling about $2.3 billion. Yes, the Boeing Company is a major user of this thing, and we finance sales that could not be financed any other way and the money is paid back. So what is wrong with that? I want to support the gentleman. I hope some day the American steel industry can export as well, and then the gentleman will be with me in supporting the Export-Import Bank.

Mr. INSLEE. Mr. Chairman, reclaiming my time, the other thing I want to point out is, although Boeing is a significant player in this, there are small businesses, we are talking 5- and 20-person shops, who can avail themselves of this benefit. Those jobs are just as important as the machinist jobs in Seattle. They may not be as visible, but they are just as important.

I also want to point out that I believe the future of the Ex-Im Bank is not just manufacturing, it is services. Because when we design various functions for financial services, insurance and the like, those are going to be small businesses as well dealing with intellectual capital. I believe that is more in the future of the Ex-Im Bank.

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

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

Mr. MOLLOHAN. Mr. Chairman, the gentleman describes legitimate purposes and missions of the Export-Import Bank. What the gentleman may not understand if he did not hear the very beginning of the debate is we are going after with this amendment some egregious decisions made by the Export-Import Bank in subsidizing three of these small companies that empowers the Chinese.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. VISCLOSKY).

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

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

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana (Mr. VISCLOSKY) will be postponed.

AMENDMENT NO. 56 OFFERED BY MR. PAUL

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 56 offered by Mr. PAUL:

Page 2, strike line 21 and all that follows through line 17 on page 3.

Mr. PAUL. Mr. Chairman, my amendment strikes the paragraph on page 2, line 21 entitled ''subsidy appropriation.'' I do not believe this Congress should be in the business of subsidizing anyone. We should be protecting the American taxpayer, and we should be protecting the individual liberty of all American citizens, not dealing in subsidies.

This paragraph is found in the bill which is called ''foreign operations.'' It is a subsidy to large corporations, and it is a subsidy to foreign entities and foreign governments. The largest foreign recipient of the foreign aid from this bill is Red China, $6.2 billion. So if one is for free trade, as I am, and as I voted last week to trade with China, one should be positively in favor of my amendment, because this is not free trade. This is subsidized, special interest trade, and I think that is wrong.

There has been a lot of talk today on the previous amendment dealing with jobs, and jobs are important. We have an economy now that is turning downwards and jobs are being lost. In this bill, this particular paragraph and the Export-Import Bank does deal with jobs.

Those in opposition to my amendment make the point that jobs are enhanced in the big corporations like Boeing. That is true, to a degree, but there is a net loss of jobs because the same entity, the Export-Import Bank, literally exports jobs by subsidizing and loaning money to foreign entities that compete with us. Not only does some of this money end up in the hands of our competitors and hurt us here at home, but it ends up in the hands of our potential enemies. This is the reason why we should be out of the business of the Export-Import Bank.

It has been said that this is a benefit to so many small corporations. In the last 2 years, more than half of the Export-Import Bank money went to Boeing. So it is not surprising that the gentleman early on mentioned that yes, he would not mind it if all of it went to Boeing. It is said that 85 percent of the money in the individual loans goes to smaller corporations. That is true, but 86 percent of the money goes to the giant corporations. So the big bucks serve the big interests who lobby us and spend a lot of time influencing Washington.

There is a lot of mal-investment in the economy, misappropriation of money and investments that generates overcapacity, which is a consequence of monetary policy. It is a serious problem; and we are today facing the consequence, because we are now moving into a rather severe recession. But at the same time, export financing compounds that problem. It adds on to it because it is an allocation of credit.

This argument that we create jobs is fictitious. We do not create jobs; we shift jobs, from the weak to the powerful. We do not create a new job by stealing, taking out $75 billion worth of a line of credit from the banks and giving it to special interests. Yes, it looks like they are getting a benefit, but the little guy does not have access to that amount of money. Why should the banks not loan Export-Import Bank money to the large corporations. They are protected. They are insured. Who insures them? The taxpayer. It is a rip-off. The taxpayer suffers all of the risks.

Now, if the deal is successful and there is no economic calamity in the country where we go and there is no political crisis, then who makes the profits? Corporations make the profits. It is the best deal going for large corporations.

If we oppose corporate welfare and think we ought to address it on principle and decide whether or not the Congress and the U.S. Government and the taxpayers should be in this type of business, we have to vote for my amendment to get us out of this business. This does not serve the interests of the general welfare of the people. This is antagonistic toward the general welfare of the people. It costs the taxpayers money, it puts the risk on the taxpayer, it serves the interests of the powerful special interests. Why else would they come with their lobbying funds? Why else would they come with their huge donations to the political action committees, unless it is a darn good deal for them?

□ 1200

They say it is a good deal for Boeing workers, but in 1995 there was a strike by the machinists against Boeing because Boeing agreed to buy the tail portion of the 737 from Red China.

We are certainly losing jobs to Red China, Mexico, and other places. I do not mind it if that is a market consequence, but when it is done at the expense of the American taxpayer and it hurts us, we should not do it.

Mrs. LOWEY. Mr. Chairman, I rise in opposition to this amendment. The Export-Import Bank is a vital tool for

helping United States businesses export United States goods. It should not be eliminated.

In an ideal world, governments around the world would not subsidize their exports, and the United States would not, as well. However, we all know that other countries sometimes engage in ruthless trading practices, and we must give the United States exporters the tools to compete. As long as exporters in Europe and elsewhere are getting assistance, the Export-Import Bank will be a vital tool for American exporters.

Recent trends show that export financing is becoming more, rather than less common, and major trading nations increased their government-provided export credit by 30 percent between 1993 and 1998. Total credit reached $488 billion in 1988 from other nations, while Export-Import Bank credits totaled just $14 billion.

Given the huge and growing trade deficits we face, it is imperative, in my judgment, that we give our exporters assistance to remain competitive in world markets.

I have questioned and will continue to question some of the Bank's practices and procedures, and the committee will continue to recommend appropriate funding levels for the Bank based upon our oversight and review of these practices.

However, eliminating them entirely, as this amendment proposes to do, would inflict serious harm on United States exporters, and I urge my colleagues to oppose this amendment.

Mr. BEREUTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the gentlewoman from New York has just given some of the reasons, with data, to oppose this amendment. This is a draconian amendment. It eliminates the Export-Import Bank's transaction program altogether. It ends it. It is abject, total, unilateral disarmament.

Mr. Chairman, the American Export Credit and Guarantee Agency of the Export-Import Bank is already underfunded as compared to the similar institutions from other major export countries of Europe, Japan, and even elsewhere. We are outstripped as it is.

In a perfect world, we would not have to have subsidy, but we are dependent to a major extent in our economy on our job base, on being able to export. We have negotiated, with some success, rules for the use of subsidies by the major export countries through the OECD. We have not completely tied that down, if I may use that down, on tied aid. We still have to have a war chest the administration is about to use.

But this is not a perfect world. If our exporters are to compete, if we are to build and sustain a job base in this country, we must have an effective, properly funded Export-Import Bank in this country. This would totally eliminate it.

I would say that the gentleman is not guilty of doing things halfway. He goes all the way on a proposal.

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

Mr. BEREUTER. I yield to the gentleman from Texas.

Mr. PAUL. I thank the gentleman for yielding, Mr. Chairman.

The gentleman makes the point that we fund in our Export-Import Bank less compared to other nations. That possibly is true.

Mr. BEREUTER. In absolute terms.

Mr. PAUL. The gentleman argues for an increase. But is it not true that the United States has had a healthier economy in the last 10 years than most of our competitors, indicating that it probably has not done us that much harm by not doing the same things that other countries do by penalizing their people with high taxation and making these subsidies?

Mr. BEREUTER. Reclaiming my time, our economic health relies on a lot of things, but we cannot confuse cause and effect. If we lost our export sector, we would be in deep trouble.

Take my own home State, for example, agriculture being one of the two major largest exporters. One-third, maybe even more, of everything we grow, like the rest of this country, is export. If we lose that base, if we would write off 95 percent of the world's people, we are in a hopeless condition.

I would say to the gentleman, I understand his ideological reasons for offering this. I happen to dramatically disagree. I think American citizens do not support the unilateral disarmament.

Mr. PAUL. If the gentleman will continue to yield, Mr. Chairman, why is it assumed that there would be no export funds available to export goods if we did not subsidize the exports?

Mr. BEREUTER. I would say to the gentleman, it does not totally cut off exports, but it does cut off a very significant base if we unilaterally disarm. Because in many areas, of course, we are competing for third-country markets where the subsidy from the French or the Germans or Japanese or some other major export company make the difference.

Without us being there, we certainly do not have a chance to effectively compete for those jobs, for those products to be exported abroad.

Mr. Chairman, I urge strong opposition to the gentleman's amendment.

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

I will be brief. Let me just say that I think the arguments have been laid out by my colleague, the gentlewoman from New York (Mrs. LOWEY) and by the gentleman from Nebraska (Mr. BEREUTER), the arguments against this.

I have a lot of respect for the gentleman from Texas; and his position on these matters. He is very consistent on these kinds of amendments. I do appreciate that.

Mr. Chairman, I find myself conflicted in the sense that I am a free trader and I oppose many of the things that many of my colleagues around here do endorse. However, in this case, the case of the Export-Import Bank, I do not go as far as the gentleman from Texas. The reason for not doing so I think is fairly simple.

As the gentleman from Nebraska pointed out, in a perfect world, in a perfect world we would not have an Export-Import Bank. The Europeans and the Japanese and all the other countries would not have the kinds of export subsidies that they have.

But the world is not perfect. The world of trade between countries is not perfect. There is taxation, there are regulations, there are export subsidies, there are a whole variety of things that go into making it a totally imperfect world.

So in this imperfect world, we have to deal with the reality of what we have. I believe that the Export-Import Bank helps us, helps particularly our small- and medium-sized businesses, not only the very large who ones who do get some of the money. They are not the ones who would not have access. They would have access. But it is the small and medium businesses that I think are very important to the United States, and it is very important particularly to smaller communities around the country that they are able to have access to this export financing credit that enables them to make a sale overseas, to close the deal.

The final thing that closes the deal is this Export-Import Bank subsidy. It enables them to do that where they would not otherwise be able to do it. Many of the other countries in the world use their aid very much as tied aid, and we have gotten away from that.

But the idea that you would have a specific loan given only if it buys a product from that country, we have tried to get away from doing that with our economic assistance, and I am glad to see that we have. The export financing, however, is absolutely critical for our companies that try to do this business overseas and are dealing in the imperfect world out there.

So I think it is very important that we keep that. Abolishing it completely, as the gentleman from Texas would have us do, abolishing that completely and taking away all of our ability to do that I think would simply be the wrong thing for us to do.

Mr. Chairman, I urge my colleagues to defeat this amendment and for us to continue to reform the Export-Import Bank, to continue to reform the whole process worldwide so we can rely less on these kinds of subsidies.

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

Mr. KOLBE. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I just want to associate myself with the gentleman's remarks and rise in strong opposition to the Paul amendment.

Mr. KOLBE. Mr. Chairman, I urge my colleagues to oppose this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. PAUL).

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

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

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas (Mr. PAUL) will be postponed until disposition of all perfecting amendments to this paragraph.

AMENDMENT NO. 48 OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 48 offered by Ms. EDDIE BERNICE JOHNSON of Texas:

Page 2, line 25, after the dollar amount, insert the following: ''(reduced by $25,000,000)''.

Page 36, line 26, after the dollar amount, insert the following: ''(increased by $25,000,000)''.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, the amendment restores $25 million that was cut by the Committee on Appropriations from the administration's request of $107.5 million for the Global Environment Facility administered by the World Bank.

In considering this amendment, Mr. Chairman, I would like to remind my colleagues of the motto ''Think globally, act locally.''

The GEF was established to forge international cooperation and help to finance efforts to address four environmental threats that transcend borders: climate change, degradation of international waters, biodiversity laws, and ozone depletion. It is administered jointly by the World Bank, the U.N. Development Program, and the U.N. Environmental Program, with a mission of bringing together governments, developing institutions, the scientific community, the private sector, and the NGOs toward a common goal of bringing about sustainable economic development.

In the period 1991 to 1999, GEF oversaw more than $2.7 billion in grants, which helped to leverage billions more in co-financing from partners, that is, recipient nation NGOs, the private sector, et cetera. More importantly, these projects are usually small in scale. However, when we add them altogether, they have a large, cumulative benefit to the global environment.

The United States is the leading donor to the GEF, and it is essential that we continue to lead the way in fostering sustainable development and sound environmental practices in developing countries.

Mr. Chairman, my amendment would help to ensure that the U.S. pays its full 2002 contribution of $107.5 million. GEF funding is especially critical in the area of global climate change, where we have tended to focus on alleged flaws in the Kyoto Treaty that place too much of a burden on industrialized nations, such as the U.S., and not enough on developing countries.

Whether one agrees with this proposition or not, we should all be in agreement when it comes to providing funds to help the developing world to do their part in reducing the risk of global climate change while providing the energy that is necessary for vigorous, sustainable economic development.

The GEF also will play a critical role in the implementation of the Convention on Persistent Organic Pollutants. So-called POPs include PCBs, DDT, and dioxins. Most have already been banned or are severely limited here in the U.S. However, since these chemicals do stay in the environment for a long time and have a tendency to spread around in the food chain, our own restrictions will be undermined if we do not also help developing nations reduce their use of these chemicals.

My amendment is supported by the leading environmental groups and organizations, including the NRDC, Friends of the Earth, US PIRG, LCV, Environmental Defense, American Oceans Campaign, and the World Wildlife Fund.

My proposed increase for the GEF is offset by the cuts to the Export-Import Bank subsidy appropriation. I am proposing this offset not because I have any particular animus toward the Export-Import Bank. I have always supported it. I personally come from a State that relies heavily on exporting goods to other countries.

However, we are putting more in that budget than the administration requests, and we are cutting this part of the budget below the administration request. The administration seems to believe that the Export-Import Bank can successfully carry out its mission with less funding, and I am willing to go along with that recommendation.

Mr. Chairman, I move the adoption of the amendment.

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

Mr. Chairman, let me just say that I appreciate the comments that the gentlewoman from Texas has made and the substance of her amendment. I know what she is looking for, as she has said, is a full request for the Global Environment Facility.

Mr. Chairman, I would just say that I think this matter is one that is going to continue to be discussed between the House and Senate. Historically, the other body has usually funded this at a higher level, and I know we are going to be reviewing this in conference.

Certainly the issue is an important one, as recent debate worldwide and on the Kyoto matter just this last weekend has highlighted the importance of environmental issues; and having a body that looks at these issues and also one that helps to fund some of the projects dealing with the environment, I think that is very important. So I would just say to the gentlewoman that I believe that we will be reviewing this matter in the conference. I think she is probably going to be much happier when the conference report comes back as it relates to the Global Environment Facility.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, in view of that commitment and interest, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment offered by the gentlewoman from Texas is withdrawn.

There was no objection.

□ 1215

AMENDMENT NO. 12 OFFERED BY MR. CROWLEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. CROWLEY:

Page 2, line 25, after the dollar amount, insert ''(reduced by $1)''.

Page 11, line 11, after the dollar amount, insert ''(increased by $10,000,000)''.

Page 25, line 7, after the dollar amount, insert ''(reduced by $10,000,000)''.

Mr. CROWLEY. Mr. Chairman, I am offering this amendment in conjunction with my colleagues, the gentleman from California (Mr. ROYCE) and the gentleman from Washington (Mr. MCDERMOTT). As cochairmen of the Congressional Caucus on India and Indian-Americans, the gentleman from California (Mr. ROYCE) and the gentleman from Washington (Mr. MCDERMOTT) have been leaders in their work with India and the Indian-American community.

Mr. Chairman, in January of this year, the Indian state of Gujarat was decimated by a devastating earthquake that killed thousands of people and turned its infrastructure into rubble. In the aftermath of this tragedy, there was a lot of Monday-morning quarterbacking as to why so many people were killed and why so much damage was inflicted. The answer, Mr. Chairman, is simple: the Gujarati Government was not prepared to deal with a disaster of such magnitude, despite the fact that this region and the south Asian region as a whole is routinely subject to such natural disasters.

The Crowley-Royce-McDermott amendment seeks to provide sorely needed funds to the U.S. Agency for International Development Office of Foreign Disaster Relief, the Kathmandu office, so that it may work with the governments and communities of Southeast Asia to develop emergency response and disaster preparedness capabilities.

There is no FEMA in India, there is no FEMA in Bangladesh, there is no FEMA in Nepal, there is no FEMA in Sri Lanka. In many Indian states like Gujarat, there is a serious lack of emergency equipment such as ambulances and fire trucks; and as a result, many thousands of people in Gujarat died needlessly because of such shortages in sorely needed equipment.

The Gujarat earthquake was but one more in a long series of natural disasters that have plagued South Asia. South Asia is in a geographical and geological crossroads that makes it very vulnerable to disasters. Massive cyclones regularly batter not only Gujarat, but also Orissa, Maharashtra, Andhra, Pradesh, and Sindh. Drought is a periodic way of life in western India and Pakistan as well. Every season, countless thousands die in Bangladesh due to flooding. The instability of the Himalayan Mountains forces Nepal in northern India to constantly dig out from avalanches and other slides.

Earthquakes have been a fact of life not only in Gujarat but all across the subcontinent for years. No country in the region fully has the capability to institute disaster preparedness and response programs in a manner that will be sufficient to deal with these disasters. Several countries of the region have approached the United States Government for technical assistance in order to establish their own agencies for disaster management. The establishment of FEMA-like organizations in South Asia would greatly increase the capacity of nations to deal with such disasters.

USAID's Office of Foreign Disaster Assistance, OFDA, currently has a representative based in Kathmandu, Nepal, who is charged with covering the entire region. Over the past 15 years, OFDA has developed a strong working relationship with these countries to help them identify the best response and preparedness system for each of these countries. An increase to OFDA's funding will allow that representative to expand and enhance programs in the region to help these nations prepare the appropriate response and preparedness capability to deal with past and future natural disasters.

The $10 million for this enhancement would be offset by a $10 million decrease in the Andean initiative. This is a small price to pay to enable the people of South Asia to survive natural disasters. The countless lives that could be saved by enhancing disaster preparedness in South Asia far outweigh the small amount of arms and military training that would be sent to South America for the same funds.

The consequences of natural disasters are varied. They may be considered in terms of human lives, material goods, economic activities, political impacts, associate or psychological factors. Societal and economic consequences of such natural disasters are too countless to mention. The severe cyclone that developed in the Bay of Bengal in October of 1999 hit the eastern coast of India with tremendous force, causing floods and wind damage in Orissa, Andhra, Pradesh, and West Bengal states.

A second, larger cyclone, the worst storm in almost 30 years, struck India's eastern coastline further impacting those states and the Bengal states.

The Indian Ministry of Agriculture's Central Disaster Mitigation Center reported 9,465 persons killed, 2,260 persons injured as a result of the two cyclones. Infrastructure destruction was catastrophic. More than 15 million people were impacted, 1.5 million homes completely destroyed, and damage to the power grid totaled more than 300 million rupees. There was a loss of substantial grain storage and limited access to safe drinking water, as well as damage to sewer systems.

Basically, Mr. Chairman, the country was decimated. If we do not do this, there will be economies that may never recover.

Mr. ROYCE. Mr. Chairman, I rise in support of the amendment; and I want to thank my friend, the gentleman from New York (Mr. CROWLEY), and the gentleman from Washington (Mr. MCDERMOTT), who serves with me as the cochairman of the Congressional Caucus on India and Indian-Americans. I want to thank them for their leadership on this amendment.

The three of us have introduced this amendment basically to add $10 million to the international disaster assistance fund for USAID's Office of Foreign Disaster Assistance. And the reason we have done this is really in the wake of that earthquake that struck Gujarat. Our hearts go out to the people of Gujarat. We had a chance to visit Gujarat and see the devastation caused by a quake of a magnitude of 6.9. There was one town we were in, the town of Bhuj, where literally every building seemed to have collapsed. In Ahmadabad, apartment complexes had collapsed like accordions on the people inside.

I think we know of more than 17,000 people that lost their lives in Gujarat. There are at least 600,000 homeless. I had, as I said, the opportunity to visit the people there after that quake; and it is hard to put into words the feeling one gets seeing block after block of homes collapsed, seeing the fact that the relief work did not get in early enough to save the people, many of the people whose lives could have been saved. And the tragic fact is that natural disasters come often to South Asia, to that subcontinent. And after the disaster, to add insult to injury, comes the monsoon season. Summer brings those monsoon rains and the cyclones whipping through the coastal regions. And so in western India and Pakistan, where this quake occurred, drought is a constant.

And now in the wake of this earthquake, we have the destruction of the dams and so thousands now will die from flooding, and thousands will die from flooding in Bangladesh as well. And, unfortunately, no country in the region has the capability, Mr. Chairman, to institute disaster preparedness and response programs in a manner sufficient to deal with these catastrophes. If they did, if they did, tens of thousands of human lives would be saved.

Now, we are in a position to help ensure that the nations of South Asia will be prepared to deal with its next natural disaster, and let there be no doubt there will be another one, by passing this amendment. This amendment would enable south Asian nations to establish a FEMA-type organization that would greatly increase their capacity to deal with any of the disasters of this type.

When I traveled to India shortly after the earthquake, I heard from Indian Government officials and relief organizations about the importance of a long-term disaster management plan. There was great interest in India in developing a disaster response agency and learning from FEMA's expertise. Currently, USAID's Office of Foreign Disaster Assistance has a single representative in South Asia, only one, charged with covering the entire region of South Asia.

This increase in the budget in OFDA's funding would allow for the expansion and enhancement of our efforts to help these nations develop this much-needed program. I urge my colleagues to support this amendment. It honors America's humanitarian interests; it also reflects America's growing political relations with this area of the world.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word, and I rise in support of this amendment, which would help mitigate the effects of future disasters in South Asia.

We witnessed with horror the devastation caused by the recent earthquake in Gujarat, India; but this was not the first nor will it be the last such occurrence in Southeast Asia. As reconstruction from the earthquake continues, we must look to improve the capacity of countries in the region to deal with similar events. The central purpose of our foreign assistance program is to help other countries build the capacity to help themselves.

We help build vibrant NGO networks in the developing world, we help ministries of education train teachers and develop curricula to educate their children, and we help create health care infrastructures to allow poor countries to deliver medication and care efficiently and effectively. We should also be helping other countries build their capacity to handle unavoidable natural disasters.

FEMA does a wonderful job dealing with crises in the United States. Our friends in India, Bangladesh, and elsewhere in the region require similar agencies to help them manage the devastation wrought by earthquakes, cyclones, avalanches and other disasters. Better disaster management will save lives. It will allow countries that have experienced tragedies to recover and reconstruct expeditiously. In the long run, it will lessen the massive need for United States foreign disaster assistance. I urge my conclusion to support this amendment.

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

Mr. Chairman, I am very interested in this discussion of India, and I appreciate the sensitivities of it and feel great sympathy; but I have been watching on television this morning the debate that is occurring on the Ex-Im Bank and I really am very alarmed. So at this moment I rise in concern over the several amendments, two of which we will be voting on to cut or eliminate the Export-Import Bank.

Mr. Chairman, it is vital to restore this amount of money that already has been reduced by $107 million from the 2001's budget allocation. It is also important for us to think in terms of loans rather than subsidies. The Ex-Im Bank provides loan guarantees, not subsidies, to foreign nations. But the Ex-Im Bank support particularly is critical to the world's developing and emerging markets and nations that otherwise would not be able to receive private commercial lending guarantees to finance their sales.

I think anybody who lives in the Pacific Northwest has to be known as a fan of Boeing, and I am one of those. In fiscal year 2000 alone, the Export-Import Bank guaranteed aircraft loans for the sale of more than 60 aircraft to airlines in 15 different countries. In the last 2 years, Ex-Im Bank has guaranteed loans for 185 aircraft that are worth $11 billion. In my corner of the world, that means 17 percent of Boeing's commercial business.

The Ex-Im Bank is indispensable to the global competitiveness of United States exporters like Boeing and many other companies. I think this bank helps in its loan guarantees to level the playing field with our European competitors in many overseas markets. So I would certainly hope that the Members of this body, in their great wisdom and with great thoughtfulness, would maintain our competitive edge by opposing these amendments when they come to a vote.

Mr. PALLONE. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Crowley amendment to the foreign ops bill that would add $10 million to the Office of Foreign Disaster Assistance at USAID.

It is my understanding that this amendment is going to be changed somewhat so that it is $1 million instead of $10 million but that we will try in conference to get the larger amount. I know that there is likely to be more money available at that level in conference, so I commend the author of this amendment for his efforts here.

I think this is very important, and let me stress that those of us who have been around here for a few years know that there are many natural disasters that befall the South Asia area, whether it be cyclones in Bangladesh, or earthquakes in India, or some of the other natural disasters that we have seen over the years. And, of course, the U.S. is always there to help out and to provide assistance when those disasters occur in India and surrounding countries. But the bottom line is what we are trying to do here today is, I think in many ways, much more important than disaster relief, and that is preparedness.

□ 1230

The idea of having a FEMA-type organization in place in South Asia to address a long-term disaster management program is probably the best idea I have seen around here in years in trying to cope with these natural disasters.

I can tell you from my experience as I live along the shore in New Jersey, we have had FEMA many times coming down and helping us with hurricane or Northeasterner preparedness. It has saved millions of dollars and so many lives over the years because we have FEMA and we have preparedness in place.

I have to imagine that in the case of South Asia, this will make a tremendous difference. That is why I encourage this effort whether it is $1 million or the $10 million that we hopefully will get eventually.

Let me say South Asia's geographic location makes it very vulnerable to disaster. The Gujarat earthquake in January was just one in a long series of natural disasters that has plagued the subcontinent. In fact, many states in India alone are continually ravaged by massive cyclones; and drought is a way of life in western India. Bangladesh sees thousands die in flooding, and the instability of the Himalayan Mountains force Nepal and Northern India to constantly dig out from avalanches and other slides.

India, and certainly no other country in this region, fully has the capability to institute disaster preparedness and response programs in a manner that will be sufficient to deal with these disasters. Several countries in the region have approached the U.S. for technical assistance in order to establish their own agencies for disaster management. The establishment for a FEMA-like organization in South Asia would greatly increase the capacity of nations to deal with such disasters.

USAID's Office of Foreign Disaster Assistance currently has a lone representative based in Kathmandu, Nepal who is charged with covering the whole region. An increase in that office would allow that representative to expand in and enhance our programs in the region to help these nations develop the needed programs.

Mr. Chairman, this amendment is very important. I cannot stress how important it is. I offer my full support to the gentleman from New York (Mr. CROWLEY), the gentleman from California (Mr. ROYCE), and other Members of our India caucus and encourage all of my colleagues to do the same.

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

I rise in reluctant opposition to the gentleman's amendment to increase the amount available for international disaster assistance for South Asia for earthquake monitoring. While the Crowley initiative is important and well-intentioned, it is regrettable that he intends to find the needed resources by reducing the money set aside for the Andean Counterdrug Initiative. That portion of this initiative I cannot support.

The Andean Drug Initiative is critical to fighting the movement of illicit drugs coming into our Nation. Every community in our America has been touched by the pain and suffering that accompanies illicit drug usage. Having indicated these concerns, I understand that a compromise has now been worked out to reduce the $10 million portion to $1 million; and I will reluctantly support that compromise.

The recent earthquake in India did kill thousands of people and cause millions of dollars of damage. I would hope an appropriate amount is found to fund this much needed program.

If our Nation can help develop a monitoring system that will forecast future quakes, we would be greatly contributing to the safety of millions of South Asians. This is an important and worthy goal to achieve. Accordingly, I fully support the Kolbe compromise agreement.

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

Mr. Chairman, I come to the floor because I want to tell a tale of two cities. Seattle and Bhuj in Gujarat had earthquakes of about the same strength. Seattle lost one life, and a few buildings

had some cracks here and there. There was quite a bit of physical damage but nothing like what happened to the city of Bhuj, the area in which Bhuj exists, that is, Gujarat, had somewhere between 25,000 and 100,000 people die. About 100,000 homes were flattened, and it had to do with the system of preparedness we have in this country for disasters and the absence of such a system in India.

As you heard from a previous speaker, USAID presently has one person sitting in Kathmandu to cover all of the subcontinent, and it is clearly not enough when you are looking at situations like this.

It used to be, the first years I was in Congress, we were out here every year giving money to some disaster here or there or another place. Hurricane Mitch or the Mozambican floods or a whole bunch of things. But this administration has said there will be no disaster relief for India or for El Salvador, and they are cutting down the use of money from the Surplus Commodities Program. All of those used to be programs that were used to deal with human misery.

I originally started with $100 million for earthquake rehabilitation to help them build homes that would survive this kind of an earthquake. I am down to $10 million now, and I cannot get it into that. But at least we can help them establish a system of earthquake preparedness like our own.

One of problems when you have buildings fall down like that is, how do you get to the people who are underneath it? What is required is saws that will cut concrete. One of things we know in the United States is if we have a disaster anywhere, we can have cement cutting saws there within a few hours. The ones that went to India came from Switzerland. You can imagine how long it took them to get organized in Switzerland, get them on a plane, and fly them. By that time people have been lying in rubble for 12 to 24 hours.

Mr. Chairman, a person can only survive in most of these situations for about 72 hours. Occasionally they find somebody after 4 or 5 days; generally, however, it is a very short window. So the Office of Disaster Preparedness is really to have a list and a cataloging of where are the things that we can use for this.

Mr. Chairman, we also need cranes. If workers are going to lift a 20-ton slab of concrete, they have got to have cranes available. All of these things in the United States, we do not have them sitting someplace, but FEMA knows where they are. If there is a problem, the calls go immediately, and the equipment comes in. That is what we are talking about here with this money for India.

Mr. Chairman, I hear there is perhaps a compromise in the works for $1 million. I only have this to say about $1 million. We are the richest country in the world. For us to look at a country of a billion people and say hey, we can find $1 million, that is not even a rounding error in this place today.

In my view, $10 million is a minimal contribution that we should be able to make to this. I hope the chairman and the ranking member, when they get to conference, will see if they cannot get the number up.

Mrs. MORELLA. Mr. Chairman, I rise in support of the Crowley, Royce, McDermott Amendment. This Amendment will add $10 million to the International Disaster Assistance fund for USAID's Office of Foreign Disaster Assistance to help six South Asian nations prepare and increase response capabilities for natural disasters. In turn, a heightened state of readiness will help the governments of India, Pakistan, Sri Lanka, Bangladesh, Nepal, and Bhutan save much-needed monetary and natural resources as well as countless lives.

The earthquake that hit India in January was the latest in a long series of reminders that South Asia is in a geological crossroads, which makes it especially vulnerable to disasters. The 7.9-magnitude earthquake in the State of Gujarat shook office buildings 900 miles away in New Delhi and was felt 2,000 miles away in Calcutta. The deaths of 15,000 people were a sobering illustration of the lack of disaster preparedness in India and South Asia.

As the world's two largest democracies, India and the United States have enjoyed a common commitment to the rule of law and basic freedoms as well as longstanding cooperation in the economic, commercial, and agricultural fields. The U.S.-India friendship extends to the fight against terrorism, the protection of the environment, and the expansion of trade.

Furthermore, India's unwavering dedication to democracy; universal suffrage; freedom of religion, speech, and the press; and a deep-rooted tradition of nonviolence and tolerance, have demonstrated that nation's progress on human rights. As a linguistically, religiously, and ethnically diverse nation—home to more that one billion people—India presents its leaders with daunting challenges. Nevertheless, India's leaders have confronted all problems directly and have shown the world how to live with differences under trying circumstances. They have demonstrated that tolerance and respect are often the keys to our mutual survival.

At the dawn of the 21st Century, as India and the United States continue to grow closer in terms of economic and trade relations, joint efforts on counter-terrorism, and strategic cooperation, let us extend our hand of friendship and our commitment to strong relations to all South Asian nations.

As a member of the Congressional Caucus on India, I ask my colleagues to join me in supporting the Crowley, Royce, McDermott Amendment.

Mr. LANTOS. Mr. Chairman, I rise in support of this amendment and I want to thank my colleagues from the International Relations Committee—Mr. CROWLEY and Mr. ROYCE—as well as Mr. MCDERMOTT, the co-chair of the India Caucus for introducing this amendment to the Foreign Operations Appropriations bill. This amendment would add $10 million to the Office of Foreign Disaster Assistance at USAID to fund a disaster preparedness and prevention program in South Asia.

Mr. Chairman, we have seen over the last two years a series of natural disasters that have wreaked havoc in the countries of South Asia—everything from the droughts, cyclones and floods that regularly afflict the subcontinent to the devastating earthquake that hit India and Pakistan earlier this year.

The South Asia region is one of the most disaster prone parts of the world has some of the poorest and most densely populated countries. Experts believe that there is a very high likelihood that an earthquake similar to the Bhuj earthquake will strike Nepal within the decade. Pakistan and Afghanistan are even now experiencing a severe drought that is causing thousands to flee their homes and abandon their farms.

And yet we have first hand experience in how effective response and early warning systems can save lives and minimize destruction from natural disasters.

Our Federal Emergency Management Agency (FEMA) has established a worldwide reputation for fast and effective disaster response. When disaster strikes in America, FEMA works with state and local governments, non-governmental organizations like the Red Cross and the Salvation Army, military and police authorities, and a myriad other actors to coordinate an effective disaster response. Such capacity is clearly needed in South Asia.

By working with each of these countries individually and collectively, OFDA can help these countries improve their response capacity and reduce the devastation and loss of life that inevitably follow natural disasters in South Asia.

Furthermore, by helping to establish greater regional cooperation in disaster management will help the countries of South Asia access and deploy much needed assets in a more cost effective way and could lead to greater cooperation in other areas.

Mr. Chairman, clearly all of the countries of South Asia could benefit enormously from better emergency preparedness and mitigation programs.

However, USAID's Office of Foreign Disaster Assistance (OFDA) currently has a lone representative based in Kathmandu, Nepal who is charged with covering the whole region. An increase to OFDA's funding would allow that representative to expand and enhance programs in the region to help these nations develop the needed programs.

These programs will help save thousands of lives and will ultimately save U.S. taxpayer money over the long run as the countries of South Asia improve and build their own disaster management and response capacity, thereby reducing their need for American assistance when disaster strikes—as it inevitably will.

I urge my colleagues to vote in favor of this amendment.

Mr. HASTINGS of Florida. Mr. Chairman, I rise today in strong support of the Crowley-Royce-McDermott Amendment. It is difficult for

us to imagine the magnitude of destruction and loss caused by India's devastating earthquake in Gujarat. With over 30,000 dead, 500,000 homeless, and over $5.5 billion worth of damage, Gujarat desperately needs the resources to begin rebuilding and recovering from this tragic event. As India's largest trading partner and investor, the United States has a duty to help the people of Gujarat and ensure that natural disasters do not fracture the foundation of the world's largest democracy.

The key to avoiding the unnecessary deaths of thousands of individuals is to institute disaster preparedness and response programs throughout India. Many South Asian countries have asked our government for technical assistance so that they can develop disaster management programs. In order to be successful, however, these efforts need sufficient funds and resources. An additional $10 million in aid, a relatively modest contribution for the U.S., would not only provide relief to victims of the recent earthquake, but also help prevent future deaths should another earthquake strike this geographically vulnerable region.

With the proper resources, India can harness its manpower to surmount nature's greatest obstacles including cyclones, droughts, floods, and earthquakes. We cannot afford to see a repeat of January's tragedy, and we cannot watch as a nation which accounts for a quarter of the world's poor experiences needless suffering. I am certain that Congress will recognize that it would be inhumane not to vote in favor of this highly cost-effective amendment.

AMENDMENT OFFERED BY MR. KOLBE AS A SUBSTITUTE FOR AMENDMENT NO. 12 OFFERED BY MR. CROWLEY

Mr. KOLBE. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. KOLBE as a substitute for amendment No. 12 offered by Mr. CROWLEY.

In lieu of the pending amendment:

Page 2, line 25, after the dollar amount, insert ''(reduced by $1)''.

Page 11, line 11, after the dollar amount, insert ''(increased by $1,000,000)''.

Page 25, line 7, after the dollar amount, insert ''(reduced by $1,000,000)''.

Mr. KOLBE. Mr. Chairman, I have listened with great interest to the remarks that have been made here on the floor, most notably by the gentleman from New York (Mr. CROWLEY); and I associate myself fully with the remarks about the importance of providing disaster relief to India and South Asia and planning for this kind of thing in advance so the number of lives lost can be reduced so the damage can be reduced so that the recovery can be greatly speeded up. I think the gentleman from New York (Mr. CROWLEY) has proposed an excellent idea.

Mr. Chairman, let me say why I have my amendment here. First of all, we have $200 million in the disaster assistance account. Whether we add $1 million or $10 million more is not going to direct $1 more to India or South Asia. There are adequate monies in that fund to handle the disasters that are likely to occur during the course of the year.

My second point is our report has language in it that urges them to give attention to this problem of disaster mitigation. I think the discussion we have had here today reinforces that. My substitute amendment, by adding the $1 million that is included in our report language into this account, makes it even more abundantly clear.

Mr. Chairman, I think the substitute amendment avoids us getting into the issues such as the gentleman from New York (Mr. GILMAN) has pointed out, all of the issues where this money comes out of, and we will have those debates shortly, and still makes the point that we expect the Agency for International Development and the Disaster Assistance Program to look carefully at this issue of mitigation of disasters.

Mr. Chairman, I appreciate the gentleman's bringing this to our attention and would hope that Members would be able to support our amendment.

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

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

Mr. CROWLEY. Mr. Chairman, is it the intention of the gentleman's amendment to increase the funding for AID from $200 million to $201 million?

Mr. KOLBE. That is correct.

Mr. CROWLEY. And the gentleman has agreed to allocate through the conference process to work to ensure that $10 million will be allocated from the AID fund that will be directed to the South Asia region, the Kathmandu office?

Mr. KOLBE. Mr. Chairman, I would use the word ''direct'' rather than ''allocate.'' We do not earmark. We have a direction that they make this money available, and they look carefully at the mitigation issues in South Asia. I believe it accomplishes exactly what the gentleman is asking us to do.

Mrs. LOWEY. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, I am very pleased to accept the gentleman's substitute. I appreciate my colleague, the gentleman from New York (Mr. CROWLEY) expressing my views on the importance of the ability to respond to emergencies such as happened in India and Gujarat, and I am very pleased to work with the chairman to direct AID to direct the funds of $10 million towards this account. We both acknowledge the very important work of FEMA and the ability to respond to emergencies such as occurred in Gujarat, and working with countries to build that capacity.

Ms. JACKSON-LEE. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, this must be a real affirmation. As the gentleman recalls, we discussed this issue last week, and I support the gentleman from New York (Mr. CROWLEY) and thank him for his leadership and thank the gentleman for this amendment.

There are a number of Indo-Americans who have worked so hard on this disaster in India, among other places, and I think this is a very important step to help them in their efforts, and I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. KOLBE) as a substitute for the amendment offered by the gentleman from New York (Mr. CROWLEY).

The amendment offered as a substitute for the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. CROWLEY), as amended.

The amendment, as amended, was agreed to.

□ 1245

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed $30,000 for official reception and representation expenses for members of the Board of Directors, $63,000,000: *Provided*, That necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Export-Import Bank, repossession or sale of pledged collateral or other assets acquired by the Export-Import Bank in satisfaction of moneys owed the Export-Import Bank, or the investigation or appraisal of any property, or the evaluation of the legal or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, shall be considered nonadministrative expenses for the purposes of this heading: *Provided further*, That, notwithstanding subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) thereof shall remain in effect until October 1, 2002.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: *Provided*, That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed $35,000) shall not exceed $38,608,000: *Provided further*, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

PROGRAM ACCOUNT

Such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation noncredit Account and merged with said account.

FUNDS APPROPRIATED TO THE PRESIDENT

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $50,024,000, to remain available until September 30, 2003.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 60 offered by the gentleman from Indiana (Mr. VISCLOSKY); amendment No. 56 offered by the gentleman from Texas (Mr. PAUL).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 60 OFFERED BY MR. VISCLOSKY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. VISCLOSKY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 258, noes 162, not voting 13, as follows:

[Roll No. 260]

AYES—258

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baldacci
Baldwin
Barcia
Barr
Barrett
Barton
Bass
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop
Blagojevich
Boehlert
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Buyer
Cannon
Capito
Capps
Capuano
Cardin
Carson (IN)
Chabot
Clay
Clayton
Clement
Clyburn
Coble
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Culberson
Cummings
Davis (IL)
Davis, Jo Ann
DeFazio
DeLauro
Deutsch
Diaz-Balart
Dingell
Doggett
Doolittle
Doyle
Duncan
Edwards
Emerson
Engel
English
Etheridge
Evans
Everett
Farr
Fattah
Filner
Flake
Foley
Ford
Fossella
Frank
Frost
Gekas
Gephardt
Gibbons
Goode
Gordon
Graham
Green (TX)
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hart
Hastings (FL)
Hayworth
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hostettler
Hoyer
Hulshof
Hunter
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
King (NY)
Kleczka
Kucinich
LaHood
Lampson
Langevin
Lantos
Largent
LaTourette
Lee
Levin
Lewis (GA)
Lowey
Lucas (KY)
Luther
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McHugh
McInnis
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Miller, George
Mink
Mollohan
Moran (KS)
Murtha
Nadler
Napolitano
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Platts
Pombo
Price (NC)
Quinn
Rahall
Rangel
Regula
Rehberg
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Sanders
Sandlin
Sawyer
Schaffer
Schakowsky
Schiff
Scott
Sensenbrenner
Serrano
Sherman
Sherwood
Shimkus
Shows
Shuster
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Sweeney
Tancredo
Tanner
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Wamp
Waters
Watkins (OK)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Whitfield
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOES—162

Baird
Baker
Ballenger
Bartlett
Bentsen
Bereuter
Biggert
Blumenauer
Blunt
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Bryant
Burr
Burton
Callahan
Calvert
Camp
Cantor
Carson (OK)
Castle
Chambliss
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Cubin
Cunningham
Davis (CA)
Davis (FL)
Davis, Tom
Deal
DeLay
DeMint
Dicks
Dooley
Dreier
Dunn
Ehlers
Ehrlich
Eshoo
Ferguson
Fletcher
Forbes
Frelinghuysen
Ganske
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goss
Granger
Graves
Greenwood
Hall (TX)
Hansen
Harman
Hayes
Hefley
Herger
Hobson
Hooley
Houghton
Hyde
Inslee
Isakson
Israel
Issa
Istook
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kerns
Kind (WI)
Kingston
Kirk
Knollenberg
Kolbe
LaFalce
Larsen (WA)
Larson (CT)
Latham
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (OK)
Maloney (CT)
Manzullo
McCrery
McDermott
McKeon
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Moore
Moran (VA)
Morella
Myrick
Nethercutt
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Pitts
Pomeroy
Portman
Pryce (OH)
Putnam
Radanovich
Ramstad
Roukema
Ryun (KS)
Sanchez
Saxton
Schrock
Sessions
Shadegg
Shaw
Shays
Simmons
Simpson
Skeen
Smith (TX)
Smith (WA)
Snyder
Souder
Stenholm
Stump
Sununu
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Vitter
Walden
Walsh
Watson (CA)
Watts (OK)
Weldon (FL)
Weller
Wicker
Wilson
Young (FL)

NOT VOTING—13

DeGette
Delahunt
Gallegly
Hastings (WA)
Horn
Hutchinson
Kilpatrick
Lipinski
Meehan
Reyes
Sabo
Scarborough
Spence

□ 1310

Messrs. GANSKE, GILCHREST, WELLER and DEMINT changed their vote from ''aye'' to ''no.''

Messrs. SPRATT, RANGEL, SANDLIN, BISHOP, RUSH, BACHUS, EVERETT, PETERSON of Pennsylvania, JENKINS and WHITFIELD, Mrs. KELLY and Mrs. JO ANN DAVIS of Virginia changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. HORN. Mr. Chairman, on rollcall No. 260 I was inadvertently detained. Had I been present, I would have voted "aye."

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6, rule XVIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 56 OFFERED BY MR. PAUL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. PAUL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 47, noes 375, not voting 11, as follows:

[Roll No. 261]

AYES—47

Akin
Armey
Barr
Bartlett
Bass
Burton
Chabot
Coble
Conyers
Cox
Crane
Culberson
DeLay
Doolittle
Duncan

Edwards
Flake
Gibbons
Goode
Hayworth
Herger
Hilleary
Hilliard
Hoekstra
Hostettler
Hunter
Jones (NC)
McInnis
McKinney
Ney
Otter
Paul
Pence
Petri
Platts
Pombo
Rohrabacher
Royce
Schaffer
Sensenbrenner
Shadegg
Smith (MI)
Tancredo
Taylor (MS)
Taylor (NC)
Traficant
Wamp

NOES—375

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Barton
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Cooksey
Costello
Coyne
Cramer
Crenshaw
Crowley
Cubin
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hayes
Hefley
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pitts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Vitter
Walden
Walsh
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—11

DeGette
Delahunt
Gallegly
Hastings (WA)
Kilpatrick
Lipinski
Meehan
Reyes
Scarborough
Spence
Stenholm

□ 1319

Mr. HERGER changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE II—BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, to remain available until September 30, 2002, unless otherwise specified herein, as follows:

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961 and title I of Public Law 106–570, for child survival, reproductive health, assistance to combat tropical and other infectious diseases, and related activities, in addition to funds otherwise available for such purposes, $1,387,000,000, to remain available until expended: *Provided*, That this amount shall be made available for such activities as: (1) immunization programs; (2) oral rehydration programs; (3) health, nutrition, water and sanitation programs, and related education programs, which directly address the needs of mothers and children; (4) assistance for displaced and orphaned children; (5) programs for the prevention, treatment, and control of, and research on, tuberculosis, HIV/AIDS, polio, malaria and other infectious diseases; and (6) reproductive health: *Provided further*, That none of the funds appropriated under this heading may be made available for nonproject assistance, except that funds may be made available for such assistance for ongoing health programs: *Provided further*, That of the funds appropriated under this heading, not to exceed $125,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of child survival, maternal health, and infectious disease programs: *Provided further*, That the following amounts should be allocated as follows: $295,000,000 for child survival and maternal health; $25,000,000 for vulnerable children; $434,000,000 for HIV/AIDS; $155,000,000 for other infectious diseases; $120,000,000 for UNICEF; and $358,000,000 for reproductive health: *Provided further*, That of the funds appropriated under this heading, up to $60,000,000 may be made available for a United States contribution to the The Vaccine Fund and up to $10,000,000 may be made available for the International AIDS Vaccine Initiative: *Provided further*, That of the funds appropriated under this heading and under the heading ''Child Survival and Disease Programs Fund'' in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001, up to $100,000,000 may be made available for a United States contribution to a multilateral trust fund to fight HIV/AIDS, malaria, and tuberculosis: *Provided further*, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: *Provided further*, That none of the funds made available under this heading may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions; and that in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might

render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the Administrator of the United States Agency for International Development determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and to the Committee on Foreign Relations and the Committee on Appropriations of the Senate, a report containing a description of such violation and the corrective action taken by the Agency: *Provided further*, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: *Provided further*, That for purposes of this or any other Act authorizing or appropriating funds for foreign operations, export financing, and related programs, the term ''motivate'', as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: *Provided further*, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961.

AMENDMENT NO. 26 OFFERED BY MS. LEE

Ms. LEE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 26 offered by Ms. LEE:

In title II of the bill in the item relating to ''CHILD SURVIVAL AND HEALTH PROGRAMS FUND'', after the first dollar amount, insert the following: ''(increased by $60,000,000)''.

In title II of the bill in the item relating to ''CHILD SURVIVAL AND HEALTH PROGRAMS FUND'', after the third dollar amount in the fourth proviso, insert the following: ''(increased by $60,000,000)''.

In title II of the bill in the item relating to ''CHILD SURVIVAL AND HEALTH PROGRAMS FUND'', after the dollar amount in the sixth proviso, insert the following: ''(increased by $60,000,000)''.

In title II of the bill in the item relating to ''ANDEAN COUNTERDRUG INITIATIVE'', after the first dollar amount, insert the following: ''(decreased by $38,000,000)''.

In title III of the bill in the item relating to ''FOREIGN MILITARY FINANCING PROGRAM'', after the first dollar amount, insert the following: ''(decreased by $22,000,000)''.

Ms. LEE. Mr. Chairman, first, I would like to begin by thanking the gentleman from Iowa (Mr. LEACH) for cosponsoring this amendment which would increase the United States contribution to the Global AIDS Trust Fund from $100 million to $160 million in fiscal year 2002. I would also like to acknowledge and thank the gentleman from Arizona (Mr. KOLBE), the chairman of the subcommittee, and the gentlewoman from New York (Mrs. LOWEY), the ranking member, and the gentlewoman from California (Ms. PELOSI) and the gentleman from Wisconsin (Mr. OBEY) for their strong leadership in the House Appropriations Subcommittee on Foreign Operations, and for increasing global HIV and AIDS with this initial $100 million increase, and by a proposed $100 million in the Labor-HHS appropriations bill.

Now, the United Nations Secretary General, General Kofi Annan, has stated that a $10 billion annual war chest is needed to fight HIV/AIDS. The Harvard AIDS Institute has stated that $10 billion is needed annually for HIV/AIDS prevention and treatment. So while these increases are taking us in the right direction, there still is not enough money for the Global AIDS Trust Fund.

Last year, the United States spent $490 million on global HIV/AIDS programs. This amount falls short of the billions required to fight the global AIDS crisis.

Now, we all know that the global AIDS crisis, particularly as it is affecting the African continent, is the greatest humanitarian crisis of our time. Eight thousand people died of AIDS every day last year and that means six people died every minute. Since the virus was first recognized 20 years ago, 58 million people have been infected and, at current rates of spread, the total will exceed $100 million by 2005. AIDS has orphaned over 10 million children in Africa. By 2010, there will be more than 40 million AIDS orphans.

I participated in the United Nations General Assembly Special Session on HIV/AIDS as part of the official United States delegation. World leaders, international HIV experts, and economists in civil society called for a $7 billion to $10 billion Global AIDS Trust Fund in order to address HIV and AIDS prevention, education, care, and treatment in Africa.

So I want to remind my colleagues that last year, both the House and Senate passed bipartisan legislation which authorized the establishment of the World Bank AIDS Trust Fund. This bill was signed into law by President Clinton.

Mr. Chairman, at this time I will insert for the RECORD a letter I received from the Secretary which indicates the importance of this legislation.

DEPARTMENT OF THE TREASURY,
Washington, DC, July 11, 2001.

Hon. BARBARA LEE,
Committee on Financial Services, House of Representatives, Washington, DC

DEAR MRS. LEE: Thank you for your letter of June 22nd on the negotiations to create a global fund for AIDS, tuberculosis, and malaria. I appreciate the leadership and support that Congress has demonstrated on this issue, and agree that the international community should work to reach agreement to establish the fund as quickly as possible. There has been considerable progress toward this end, and the United States is pushing hard to reach agreement on process details and timetables that will enable the fund to be established and operational by January 2002.

The United States support a fiduciary role for the World Bank in the global fund, and we are working with other donors to achieve consensus on such a role. We have already had preliminary discussions with the Bank on the substantive elements of such a function.

It is also the United States' position that the fund should be donor-controlled and broadly representative of all stakeholders, with a major operational role for medical and public health experts. We believe that a consensus is also beginning to form around these issues.

Thank you again for your continuing interest and concern in this urgent matter.

Sincerely,

PAUL H. O'NEILL.

Mr. Chairman, in order to remain at the forefront, our leadership, the United States leadership, must include providing significant funding to the Global AIDS Trust Fund. Actually, this year our authorization, which was agreed upon by our Committee on International Relations under the leadership of the gentleman from Illinois (Mr. HYDE), calls for approximately a $750 million distribution. The trust fund will provide direct funding for HIV/AIDS prevention, education, treatment, and care services. These funds are desperately needed.

I believe, and experts support, the fact that the United States must commit a minimum of $1 billion for the Global AIDS Trust Fund in order to lead this international effort. This will help leverage the $10 billion requirement, and it will keep the United States in a leadership position.

Now, I understand the financial constraints which are presented in this bill. However, I strongly believe that we must do everything that we can at every opportunity to bring us closer to that $1 billion level. So our $60 million amendment will do just that.

As discussions about a comprehensive and coordinated global response to the AIDS crisis has ensued, there have been many questions about whether or not African countries and HIV/AIDS service providers will be able to expend large amounts of funding on the pandemic. I want to remind my colleagues about the authorizing language in H.R. 3519, the Global AIDS and Tuberculosis Relief Act of 2000. The authorizing language included language that indicated that we must build the necessary health care and social infrastructure, while at the same time providing for care and treatment to ensure long-term success.

There have been reports which claim the developing countries and HIV/AIDS service providers will not effectively be

able to absorb or distribute large amounts of money for the global pandemic. But according to a USAID report, there are over 25 countries that have been identified as high impact countries, yet aid is only scaling up in four of these countries. According to the USAID missions, capacities for increases in funding in Africa alone could be doubled and spent effectively.

As for offsets, I want to state for the record that the offsets for this amendment will come from an across-the-board cut of the foreign military financing budget increases from last year. These cuts do not include funding for Israel, Egypt, or Jordan. Our amendment will also cut funding from the Andean antinarcotic initiatives specifically, military spending for Peru only, once again, only from the increase this year.

Mr. Chairman, I urge adoption of the amendment.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment offered by the gentlewoman from California (Ms. LEE).

Mr. Chairman, I want to commend the gentlewoman from California and the leadership that she has shown in this fight against HIV and AIDS, and I also want to say the same about the gentlewoman from California (Ms. PELOSI), the other member of our subcommittee. Both of them have been true leaders in this and, really, the conscience of the House in this matter.

I wish I could agree with the amendment, but I think that we have a carefully balanced bill when it comes to our priorities, so I find myself in disagreement with this amendment. I think it is worth noting that the committee has recommended a generous increase for international health, and it has reduced the President's request for both of the accounts that this amendment would reduce even further.

The amendment, while it may be well motivated, threatens the balance among competing interests, competing national interests that are found in this bill. Arriving at that balance with the gentlewoman from New York (Mrs. LOWEY), the ranking member, has not been easy; and I do not expect that all of the Members necessarily are going to agree with it. But once we upset that, once we demolish that balance, I do not think it is going to be easy to restore.

Unlike last year, we cannot count on the other body to restore assistance to the Andean nations, nor can we count on the other body to restore further cuts we make in military assistance to Poland or to the Baltic States.

Mr. Chairman, the amendment would also cut $22 million from the foreign military financing program. This is an account that is very large at $3.627 billion. But 94 percent of those funds in this year's bill are allocated for Israel, Egypt, and Jordan. Only $177 million is available to the rest of the world. Let me repeat those two figures. This amendment cuts $22 million, and that is one-eighth of the military assistance to countries outside of the Middle East.

Who is going to be affected by that? Will this cut be allocated against our friends in Poland, in Hungary, or the Czech Republic, those who have just joined NATO? It is inevitable that they are going to be affected by this. Last year we had a similar amendment, together with the Waters amendment, that eliminated all military assistance except to Israel and Egypt, and even reduced funding for those countries.

□ 1330

It also eliminated our military assistance to the Baltic States. Members ignored warnings from the gentleman from Alabama (Chairman CALLAHAN) in their rush to support popular causes of the day.

I know that many Americans of Baltic and Central European origin were concerned about the action taken by this body last year, because most of us heard from them. Those Americans recognized not just the symbolic importance but the material importance of the assistance we give to the Baltic States and to Poland and to Hungary.

We should not make the same mistake again, in my view, of ignoring those concerns and the vital strategic interest we have in that region.

With regard to HIV/AIDS, my own commitment and involvement in this issue I think is a matter of public record. Just last Friday I chaired a day-long panel here in the House of Representatives, four panels of experts and leaders who updated dozens of staff members and other Members of this body on the current situation with regard to the pandemic.

That day-long seminar drove home very clearly to me the comments and remarks and the truth of what the gentlewoman from California has said. The crisis in HIV/AIDS has not abated. It is getting worse in the world. It requires more resources, a lot more resources.

Our bill does provide those resources, above and beyond what was requested by the President, at the expense of other programs. My chairmanship of the Subcommittee on Foreign Operations, Export Financing and Related Agencies reflects the priority we are giving in this global fight against the scourge of AIDS. We have $474 million for HIV/AIDS, and we just added in a recent amendment another $18 million to that. Another $80 million was provided by the supplemental appropriations conference agreement that Congress sent to the President last Friday.

Taking those two bills together, this bill and the supplemental that we just sent to the President, the House would increase AIDS funding by 76 percent in this year, from $315 million in fiscal year 2001 to $554 million in 2002, and my mental calculations here are not reflecting the $18 million we just added in with the adoption of the other amendment a few minutes ago.

This increase, over 76 percent in HIV/AIDS funding, is what the committee has concluded that we can afford and effectively use within the allocation provided for this bill. I am uncertain whether another $60 million would be obligated and effectively used during the fiscal year 2002, but it would be spent eventually.

I know the gentlewoman has put all of this money into the International Trust Fund, which I think, as the gentlewoman knows, at this point is still just on paper. We do not have it organized.

So I would oppose this amendment and urge my colleagues not to adopt this amendment but to allow the subcommittee and committee's work in this area to stand.

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

Mr. Chairman, I rise in strong support of the Leach amendment. This amendment proposes a smart shifting of funds. It moves foreign military funds to an HIV/AIDS initiative that will affect positive changes in people's lives around the world.

HIV/AIDS affects more than 10 million young people around the world, making it the largest health crisis children face. As bad or worse is that this horrific virus has made orphans of millions of uninfected children whose parents have died from HIV/AIDS. How bad does it have to get before this Congress realizes that we need to take immediate and effective action against the global AIDS epidemic?

As yet, our response as a nation to this global pandemic has not kept pace with the enormous growth in this deadly disease. The countries hit hardest remain ill-equipped and unable to respond adequately.

AIDS is no longer only a health matter. It is a matter of social stability. It is a matter of economic development. It is a matter of international security.

Increasing the World Bank's HIV/AIDS Trust Fund by $60 million will help to reduce the rate of new infections. It will extend the lives of people living with HIV and provide care and support for children and families impacted by the disease. The availability of this funding will make the difference between death and a healthy future.

By passing this amendment, the United States will make a practical investment and a necessary investment in those across the globe who need our help, help they need now. I strongly urge my colleagues to support this amendment.

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

Mr. Chairman, I rise in support of the amendment.

First, let me congratulate and thank my good friend, the gentlewoman from

California (Ms. LEE), for her leadership in this effort; and I would also express my deep respect for the gentleman from Arizona (Mr. KOLBE) for his commitment in this area.

I know it is awkward for the Committee on Appropriations, after putting substantially more money into this process, to have Members come to the floor and ask for more. But let me explain why I think this is important.

If one were sitting on the moon and were to look down at this country and the world at this time, it is hard not to conclude that the greatest difficulty we have is disease control, particularly AIDS. Our Surgeon General has said that this is going to be the largest pandemic in human history, exceeding that of the bubonic plague of the 1300s and the epidemic of flu in the early part of the last century which both killed over 20 million people.

Twenty-two million have now died from AIDS, and in Africa alone 25 million have the HIV virus. Obviously, this is a disease that knows no borders. Obviously, it cannot be contained in continents. It is rapidly spreading into the subcontinent of Central Asia, into Southeast Asia, into the former Soviet Union. Over 1 million American citizens have the HIV virus.

Mr. Chairman, now with regard to where the resources for this amendment come from, this is a very modest amendment. It takes about $60 million from a military interdiction program in Peru and from foreign military sales.

Intriguingly, from a national security perspective, one of the great questions is, is the security of the average American citizen going to be more likely protected with giving guns and bullets to others at the turn of this century or through dealing with this disease in this kind of way—expecially when those guns and bullets apply to foreign military sales, not provisions for the military of the United States of America?

Finally, let me say why it is with some concern that I rise with the gentlewoman. In the last Congress, the Committee on Banking and Financial Services established a World Bank AIDS Trust Fund and authorized a substantial sum of money. Unfortunately, the appropriations process did not come forth with the matching obligation.

So what the gentlewoman from California (Ms. LEE) and I are attempting to do is to meet the beginning of that obligation in a much more serious way. This is the will of the Congress in an authorizing sense, and it is our view it ought to be matched in an appropriations way.

Finally, let me just say that it is self-evident that we have a humanitarian crisis, but it also is an economic crisis. It is a national security crisis. It is a crisis that has to be dealt with on a worldwide basis. That is precisely what the leaders of the world met this last week to talk about. It is precisely what this Congress has to deal with today.

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

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

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding.

I want to commend the gentlewoman from California (Ms. LEE) for her effective work to fight for and provide funding for HIV/AIDS. I know the gentleman from Iowa (Mr. LEACH) has been an outstanding advocate of the same program.

Mr. Chairman, I have consistently tried to support that. But I reluctantly oppose this amendment, as it will cut into our important Andean antidrug initiatives and reduce some very important military assistance initiatives, as the chairman pointed out.

With regard to Peru, I just would like my colleagues, as they discuss assistance for Peru, to bear in mind the case of Lori Berenson, the case of the American citizen who has been wrongly imprisoned for far too long in Peru.

Mr. Chairman, while I commend our colleague, the gentlewoman from California, Ms. BARBARA LEE, on her effective work to fight and provide funding for HIV/AIDS, which I have continually supported, I reluctantly oppose this amendment as it will cut into our important Andean anti-drug initiatives and reduce some important military assistance initiatives.

And with regard to Peru, I urge my colleagues to bear in mind the case of Lori Berenson, the American citizen who has been wrongly imprisoned in Peru on charges of terrorism. This case needs to be closely examined before we consider granting the Peruvian government U.S. aid. Peru needs to understand that the present status of Lori Berenson is unacceptable.

While Peru has made great strides in improving its economy and fighting drugs, the Fujimori regime created a judicial system that is seriously lacking in independence. Lori Berenson was initially condemned under a flawed military court system that imprisoned hundreds of innocent Peruvians. Peru has now conceded that Lori was innocent of leading or participating in any terrorist organization. Her second trial should not have been held without a major revision and reform of Peru's anti-terrorism legislation. Her case will remain a thorny issue between the United States and Peru until Lori is released from prison.

Lori has been in prison for 5½ years, it is time for her to be able to return home.

Mr. LEACH. Mr. Chairman, let me just conclude by thanking again the gentlewoman from California (Ms. LEE), who is a stalwart and wonderful leader on this cause, and her fine staff.

Ms. CARSON of Indiana. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Lee-Leach amendment that would increase the United States contribution to the global HIV/AIDS fund from $1 million to $160 million. World leaders, HIV/AIDS experts and economists have called for a $7 billion to $10 billion fund in order to address HIV/AIDS. This amendment is simply a down payment.

Why are such funds needed? Because we are facing a worldwide crisis. More than 36.1 million people are currently infected and living with HIV worldwide, and 1.4 million of them, Mr. Chairman, are children. In the year 2000 alone, 8,000 deaths occurred every day, or nearly six deaths every minute. Experts predict more people will die of AIDS in the next decade than have died in all of the wars of the 20th century.

Equally devastating, the disease also threatens the health and well-being of uninfected children by taking the lives of their parents. By the year 2000, over 42 million children worldwide have been orphaned due to HIV/AIDS.

In the most severely affected regions of the world, a high proportion of teachers are too sick to work or are dying of complications due to AIDS.

Condom distribution is key to a successful HIV/AIDS prevention campaign. USAID has distributed over 1 billion condoms. In addition, USAID is supporting the development of female-controlled methods of prevention, such as microbicides.

If the U.S. Government is committed to supporting efforts that reduce mother-to-child transmission, we must put our money where our mouth is. An alarming number of children have acquired HIV/AIDS through MTCT, and 3 million children under the age of 15 have died of AIDS. USAID is also funding community outreach to pregnant women to make them aware of the risk for the unborn children.

We must ensure that African governments and development agencies in Africa receive the funding needed to continue to expand their work to prevent spread of HIV–AIDS and to treat the victims.

Once again, Mr. Chairman, I strongly urge support of the Lee-Leach global health amendment increasing contributions to the global HIV/AIDS fund. It is a pro-life effort, Mr. Chairman. I would encourage support.

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

Mr. Chairman, as the chairman of the Subcommittee on the Western Hemisphere of the Committee on International Relations, I have had a great deal of time and effort spent on the Andean area of this hemisphere; and if there is a place in this world that deserves some kind of financial aid, this is it, both in the military and also because of the fact that we have created a drug problem in this country and have made people in much weaker areas like the Andes region develop the idea of growing drugs there.

We need to support those areas. We need to support them in every way we can. Over half of this money that is involved here is for peaceful purposes.

Mr. Chairman, I noticed on the amendment that it applies all of this money to child survival and health programs. I was reading in record of the bill that, and not everybody talks about this, there is $434 million, and then it is $474 million in the bill. That is $45 million above the President's request and above $315 million last year. There is also $100 million in our supplement.

Mr. Chairman, the Child Survival and Health Program funds, and this is the part that I found interesting, it funds $295 million just for child survival, maternal health; for vulnerable children, $25 million; and for HIV–AIDS, $434 million. For other infectious disease, I checked on that, tuberculosis and others that generally spring up following on HIV–AIDS, and reproductive health and voluntary family planning, that also fits the HIV–AIDS program. Then there is a grant to UNICEF. Again, much of this could be applied to HIV–AIDS.

When we add it all up, there is over $1 billion 387 million that can be used in this particular area, much more than anybody has been willing to talk about so far.

I would just like to say that the Andean region deserves every consideration that we can give it because we have created the problem that exists there. The use of drugs in this country has created a monstrous drug problem in all of the Andean region; and it is, in my considered opinion, very important that we continue to support that area, especially since the people in Europe and the other parts of the world who have the same drug problem are doing nothing to assist.

□ 1345

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words. I thank the sponsors of this legislation, the gentlewoman from California (Ms. LEE) and the gentleman from Iowa (Mr. LEACH), for the outstanding work that they have done continuously, along with many, many Members who have joined in, including the gentlewoman from California (Ms. PELOSI) and many others who have joined in on this particular aspect of support of the HIV problem.

Let me simply say that my theme today is that we are our brothers' keepers. In newspaper reports we find that 95 percent of all AIDS cases are in the developing world and that this strain of AIDS could cause a drastic explosion if it jumps to the Western world. More than 70 percent of all people living with the disease, or 25.3 million HIV-positive individuals, live in Africa. However, this disease is moving to India. We find that the disease is growing the fastest in places like Russia and China; and, therefore, this is a world-wide disaster.

Over 10 percent of the population is infected in 16 African nations, but it is spreading. The U.S. Census Bureau calculates that by 2010 average life expectancy will be reduced by 40 years in Zimbabwe, Botswana, and in South Africa by 30 years. The disease destabilizes these nations by decimating their workforce, destroying any economic prosperity, depleting their military and peacekeeping forces, and leaving thousands and thousands of orphans. We expect in the years to come that we will find 40 million children orphaned in sub-Saharan Africa.

Let me emphasize the crux of this particular amendment. It is a modest amendment. And I do appreciate the needs of peacekeeping in our European nations, but I would simply say that there will be no opportunity for peacekeeping if we do not fight the devastation of AIDS. AIDS devastates the militaries of these respective countries. It provides military instability because the military personnel travel from country to country and take the infection and carry it elsewhere. It destroys economic development; and certainly because AIDS has no borders, our children are impacted.

So I simply offer my support for this amendment, and I believe it is a modest amendment in terms of the funds that it takes from the respective accounts.

I would lastly say on the drug issue, as would anyone, we want to diminish or decrease the amount of drug use in this country. But I believe a key element of that is treatment. No matter how much we try to fight the supply, if we do not deal with the issue of treatment, we are fighting almost a losing battle. I believe these funds will be vitally necessary and useful to be utilized to fight the devastation of HIV–AIDS.

Mr. Chairman, I rise to extend my strong support for the Lee-Leach Global AIDS amendment to the Foreign Operations Appropriations bill. This amendment would increase the United States contribution to the global HIV/AIDS fund from $100 million to $160 million.

The Lee-Leach amendment addresses the global HIV/AIDS crisis—the most urgent humanitarian crisis of our time. More people have died from HIV/AIDS over the last twenty years than from any other disease in history—21.8 million people. In this country we have been able to slow the rate of AIDS' death, but the disease is at crisis proportions in sub-Saharan Africa, where four-fifths of those deaths have occurred—an average of one death every eight seconds.

The Houston Chronicle reports that 95 percent of all AIDS cases are in the developing world, and that this strain of AIDS could cause a drastic explosion if it jumps to the Western world. More than 70 percent of all people living with the disease, or 25.3 million HIV-positive individuals, live in Africa. Over 10 percent of the population is infected in sixteen African nations. The U.S. Census Bureau calculates that by 2010, average life expectancy will be reduced by 40 years in Zimbabwe and Botswana, and in South Africa by 30 years. The disease destabilizes these nations by decimating its workforce, destroying any economic prosperity, depleting its military and peacekeeping forces and leaving thousands of orphans.

The epidemic is not limited to Africa. Indeed, the fastest growing front of the epidemic is now in Russia, where the number of new infections last year exceeded the total from all previous years combined. In 2000, the number of Russians living with HIV/AIDS skyrocketed from 130,000 to 300,000.

A multilateral response to the global AIDS crisis is the quickest mechanism to engage international donors and to initiate a coordinated international response to the global AIDS pandemic. World leaders, international HIV/AIDS experts and economists and civil society have called for a $7–$10 billion dollar fund in order to address HIV/AIDS prevention, education, care and treatment in Africa. A significant contribution to this goal would be a wise political and national security investment.

The global AIDS trust fund is designed to leverage significant contributions from the international community to fight this global killer. The Lee-Leach amendment would send a strong message that the United States is committed to eradicating HIV/AIDS from the face of the earth. If the Lee-Leach amendment is made law, it would provide significant direct grant funding to African governments, NGO's and civil society in regions of the world that have been hard hit by HIV/AIDS top turn the tied of HIV/AIDS. The Bush administration has told us that the trust fund would be ready to disburse funds by the end December 2001.

I urge all of my colleagues to remember that AIDS knows no borders. With more than 4 million infections annually, Africa remains the epicenter of the AIDS epidemic. However, AIDS is truly a problem that threatens global stability. In India, more than 3.7 million people are living with the virus. In 1999, the highest increase in reported rates of HIV transmission were found not in Africa, but in the former states of the Soviet Union. Keep in mind that stability in those countries that possess nuclear weaponry has been a goal of our foreign policy since the early days of the Cold War.

The $60 million we are seeking will be a down payment on a larger investment in the global AIDS trust fund. I urge my colleagues to recognize this investment and support those amendment.

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

Mr. Chairman, I rise in opposition to this amendment. However, I do want to commend the author for her sincerity and the work that she has done on the HIV situation.

I oppose this for a number of reasons. First of all, let me reiterate what the gentleman from North Carolina (Mr. BALLENGER) just said, that we have over $1 billion in various appropriation

efforts to combat AIDS. This bill alone, as the gentleman from Arizona (Mr. KOLBE) has said, we have a $474 million earmark, and then another $80 million that was in the supplemental budget, and we just increased this $18 million with the Visclosky amendment.

Now, compare that over $500 million, just on this bill, Mr. Chairman, to last year's $315 and the year before about $220 million. Clearly, this foreign operations committee is moving at a very aggressive pace to try to help this situation worldwide, but also in coordination with 12 other appropriation committees in their efforts.

This committee is also funding or encouraging the funding of such products as the Morehouse School of Medicine is doing in Atlanta, and other nonprofit organizations and research institutes. So we are clearly committed to fighting the AIDS situation.

I want to also talk about where this money is coming from, because the author of this amendment is taking money out of some very, very vital programs, the foreign military financing assistance programs. Let me just read the names of some of the recipients of this valuable money: Albania, Bosnia, Herzegovina, Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Lithuania, Macedonia, Malta, Romania, Slovakia, and Slovenia. These are all emerging democracies in the Balkans.

How can we, at this critical point in their most recent history, turn our backs on them? Why would we cut this money to what are emerging as not just great democracies but also free people and allies for the United States of America? That is what is going on in the Balkans. That is where this money is coming from.

Now, let us look at the Western Hemisphere. This cuts money from people in Argentina, Belize, El Salvador, Haiti, Jamaica. Certainly, right now, with all the trouble Jamaica is having, it is not time to pull the rug out from under their military assistance.

So I would say, as well intended as this amendment is, it is financed through the wrong mechanisms. And, Mr. Chairman, if that is not bad enough, I want to talk about the Andean initiative and a lot of the criticism of that. And I share the criticism when we rush out on a defense contractor buyer spree, buying helicopters and creating a cottage industry for people who deal in quasi- military equipment, but there are some other programs in there that are extremely important.

Judicial training and witness monitoring that NGOs are doing for some of these countries. Now, I had a constituent several years ago who was jailed in Ecuador. And under the Ecuadoran system of government, an individual has to prove that they are innocent. The state does not have to prove that they are guilty. It is completely different than America. People are put in jail, and they have to build their own case. The government does not even have to tell the person jailed what they are charged for.

One of the great disservices we could inadvertently do for our constituents in America is to put them at further risk when they go to some of these countries in South America. They do need judicial reform, and this money cuts that very needed judicial reform.

So for these reasons I oppose this amendment. Again, I appreciate the sincerity of the authors and the supporters of it, but I think we need to look again at where they are taking the money and the track record of this committee, what it has done, and what its commitment remains to be on HIV.

Mrs. JONES of Ohio. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Lee-Leach global AIDS amendment.

Mr. Chairman, I want to compliment the gentleman from Iowa (Mr. LEACH) and the gentlewoman from California (Ms. LEE) for their leadership on this issue. My second term in the House of Representatives, and last year, through my work with the gentlewoman from California (Ms. LEE), I became more and more aware of the need for this country to step up to the plate and take its leadership role in addressing the pandemic of AIDS.

In reality, as we nickel and dime our way towards paying for the AIDS pandemic in our country and across the world, we ought to be anteing up $1 billion from the United States that would allow us to leverage another $8 to $9 billion across the world to support this AIDS, to get rid of this AIDS pandemic.

The prior speaker specifically said that we were cutting funds. But in fact we are looking at funds to leverage to the trust fund, and we are not cutting USAID funds. We are not talking about bilateral funds, and we are not talking about decreasing the income of the various countries that are being dealt with. We are talking about decreasing an increase for these countries, because some of the dollars have actually sat being unused. For example, in the country of Peru, military funds for the Andean initiative sat unused for a number of years. In addition, funds in Colombia would not be affected. Additionally, cuts to this initiative are budget cuts only to budget increases over the next few years.

Let me for a moment, Mr. Chairman, tell my colleagues some of the 24 organizations that are supporting this piece of legislation, and these are organizations that are religious, health, hunger and research oriented groups.

They include ACT UP out of Philadelphia, AIDS Action, AIDS Alliance for Children Youth and Families, AIDS Nutrition Services Alliance, AIDS Vaccine Advocacy Coalition, Advocates for Youth, the American Public Health Association, Catholic Relief Services, Church World Service, Elizabeth Glaser Pediatric AIDS Foundation, Gay Men's Health Crisis, Global Campaign for Microbicides, Global Health Council, Health GAP Coalition, HIV Medicine Association, the Human Rights Campaign, Infectious Diseases Society of America, Maryknoll AIDS Task Force, the National Council of the Churches of Christ in the USA, the National AIDS Fund, PLAN International, the Presbyterian Church USA, Washington Office, the San Francisco AIDS Foundation, Student Global AIDS Campaign, and the Washington Office on Africa.

All of these organizations get it. All of these organizations understand the importance of our addressing the AIDS pandemic across the world.

Now, I am knowledgeable to the point that I have seen and I have read that there are grandparents across sub-Saharan Africa that are raising 35 and 40 grandchildren, and they are raising 35 and 40 grandchildren as a result of the fact that AIDS has wiped out generations across sub-Saharan Africa. We should not continue to let that happen.

It would be different if we could not make an impact. It would be different if we had to say to the world, World, we cannot help you, we can let this AIDS pandemic continue to spread. But we can make a difference, the big United States of America, the one that comes to the plate for everybody else.

Step up, America. Step up, United States, and fund this AIDS pandemic program at its maximum.

Mr. SOUDER. Mr. Chairman, I move to strike the requisite number of words. This amendment has the right heart but the wrong idea.

We all support increased efforts to address the world's HIV–AIDS crisis and the chairman of this committee is to be commended for his efforts to fund such programs. But the solution to AIDS is not to reduce the funding to combat illegal drugs on the streets of the United States or to reduce assistance to our allies.

This amendment reduces military assistance to many of our allies. Approximately half of this budget is dedicated to Israel and another large percent to Egypt. It is earmarked. That leaves only $177 million for the rest of the world, of which this amendment would strike $22 million, putting pressure both on Israel and Egypt as well as the rest of the countries of the world.

I represent a large Macedonian population. The country of Macedonia allowed our troops to be based there. They were drawn into the Balkan wars. A unified government that represented all different parts of Macedonia has come under duress because of their willingness to support America. Now we would turn around with this amendment and reduce aid to them.

I particularly rise as chairman of the Subcommittee on Criminal Justice,

Drug Policy and Human Resources to discuss the importance of fully funding the Andean Regional Initiative, to ensure we continue effective efforts to reduce the supply of drugs to the United States. Of our total narcotics control budget, and I believe in a balanced approach, we spend just 17 percent on interdiction and all international aid programs, including our past support of Plan Colombia at $1.3 billion. We spend almost twice as much, 31 percent, on demand-reduction programs as well as other issues.

Although I strongly believe we must pursue a national strategy evenly balanced between supply and demand reduction, it is clear that our funding for international programs is not only extremely reasonable in proportion to overall drug control spending, but dollar for dollar has a disproportionate impact on our strategy. Moreover, it is a critical time to our allies in Central and South America.

In Colombia, opium growing in the north has continued unchecked and now provides the vast majority of the heroin that is on the streets of America and in our neighborhoods. In south Colombia, we are at the start of an aggressive program to eradicate the primary source of the world's cocaine. It is important for my colleagues to understand that we are still at the start of Plan Colombia. We are likely to falsely hear over and over today that it somehow has not worked. How can the plan have worked when the first helicopters are just arriving at the end of this month and in the next month? Last year's funding is just reaching there now.

□ 1400

Yet we already see the coca growers and the poppy growers starting to move to other countries which is why we now have an Andean initiative.

The political situation continues to be unstable and politically volatile. The consequences of a lack of resolve on the part of the United States to maintain stability and democracy in Colombia will be monumental. Many of those consequences will be felt almost as harshly on the streets in our hometowns and in our neighborhoods in America.

To ensure that our efforts are effective, it is equally critical to support a regional strategy to maintain stability and democracy throughout the Andean region. Almost half of the money requested for the Andean initiative is for countries other than Colombia. Without military aid to help restore order, terrorism and conflict funded by American and European drug habits have exported terrorism and an unbelievable mess in each of these countries.

When you look at this, we talk about rebuilding their legal systems, we talk about alternative economic development, but when the judges are being killed, when families and children are being kidnapped, we first need to get order. As we work towards order, then we help to rebuild their countries. These countries need our help to ensure that narco-traffic does not simply spread from Colombia to destabilize and corrupt other nations, especially those who have made a concerted effort to eliminate the drug trade from their countries.

We need to battle the AIDS virus but we also need to battle the drug crisis.

Mr. Chairman, I yield the balance of my time to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Chairman, I would like to make a couple of points quickly in response to what has been said here today.

There is $38 million that comes out of the economic assistance for the Andean countries. Forty-seven percent of the money that we have in that account goes to economic assistance. Half of it goes to economic assistance. So you are cutting the money from that.

You cannot just say you are cutting it from military. You are cutting it from the justice programs. You are cutting it from the poverty programs. You are cutting it from the alternative economic assistance programs.

Most of our programs have been consolidated to the Andean initiative, those in Latin America. If you take those out, there is only $146 million total for the entire region that is left in all other programs of assistance. So you are cutting drastically into those programs.

Lastly let me say a few words with regard to the trust fund. In this bill, we have $100 million in the trust fund. There is $100 million that we appropriated the other day that is in the supplemental. And, there is $100 million that will be included in the Labor HHS. In total, for the trust fund, we have $300 million. This amendment would increase it to $360 million. I say we are doing everything we can in the area of the international trust fund for AIDS and the other diseases.

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

Mr. Chairman, today I rise not only as ranking member of the Subcommittee on Criminal Justice, Drug Policy and Human Resources of the Committee on Government Reform that the gentleman from Indiana (Mr. SOUDER), who just spoke, is chairman of, so I am very familiar with our efforts to fight drugs all over the world, but at the same time I stand here as one who was just informed by my health commissioner that in the City of Baltimore, which is only 45 miles away from here, in my district and three ZIP Codes, we have a level of AIDS that is approaching very rapidly the levels found in Africa and third world countries. That is 45 miles from here, less than an hour's drive.

So when the gentleman from Iowa (Mr. LEACH) spoke a little bit earlier about his concerns about making sure that we provide a proper defense for this country, that not only affects the third world but it also affects these very United States.

Mr. Chairman, I rise today in strong support of the Lee amendment which seeks to add the $60 million to the U.S. contribution to the Global AIDS and Health Fund, and I compliment her on her efforts and those associated with it.

I would also like to state for the record that I am disturbed by some of the comments made about this amendment. I am disturbed because I cannot believe that Members of this great House have questioned the integrity of the amendment. Last week I read in the CQ Daily Monitor a quote from a Member on the other side of the aisle when he said, ''Are they really trying to add money to HIV/AIDS or trying to cut money from the other side?''

While our efforts in fighting international narcotics are a very serious issue and concern, there are many valid issues that must be addressed regarding our role in the Andean region.

Although I am a supporter of Plan Colombia, some of the concerns you have heard about today are valid and need further scrutiny. What is important at this juncture is finding a cure and stopping the spread of a deadly pandemic. AIDS is an all inclusive, nondiscriminatory disease that transcends country boundaries, age, gender, and race.

Experts predict that more people will die of AIDS in the next decade than have died in all the wars of the 20th century. It is estimated that $7 to $10 billion are needed to fight this global AIDS pandemic. Further, I recently read a statement that and I quote, ''It is a dramatic paradox that the same continent that saw the appearance of a man 6 million years ago is starting to witness our disappearance this millennium.'' Yet we continue to quibble over $60 million.

Listen to the statistics. Worldwide, more than 36 million people are living with HIV/AIDS. That is more than the entire population of the great State of California. There are more than five million new infections each year; 600,000 of those are in children under the age of 15. By 2010, AIDS will orphan 44 million children. More than a fifth of all adults in at least four African countries are infected with the HIV/AIDS virus. According to the joint United Nations program on HIV/AIDS, if the crisis is not addressed, 100 million people will be infected worldwide by 2005.

I believe that the Congress and the President's demonstrated unwillingness to increase international family planning funds and the crushing debt burden these countries face leave many developing countries, particularly

those in sub-Saharan Africa, with limited options, thereby exacerbating this devastating health crisis.

Of the 22 countries who have received debt relief under the Highly Indebted Poor Countries Initiative, two-thirds will spend more on servicing their debt than they spend on basic health care. As such, those who are suffering from HIV/AIDS and its related illnesses are left untreated and unaccounted for.

Mr. Chairman, we have the means and the moral obligation to maintain a commitment to be leaders and fighters on this issue. As such, I urge my colleagues to support the amendment of the gentlewoman from California (Ms. LEE). The funding is critical to sustaining the role that the Global AIDS Health Fund can play in eradicating the deadly effects of HIV/AIDS. Let us remain steadfast in our commitment.

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

Mr. Chairman, I rise to support the Lee-Leach amendment which would increase the funding for the United States contribution to the Global AIDS Fund from $100 million to $160 million. I thank the gentlewoman from California (Ms. LEE) and the gentleman from Iowa (Mr. LEACH) for all of their leadership that they have provided on this issue.

Last year I recall that they came to this floor and they asked for a bit more assistance; and the Members of Congress saw the wisdom in their words and work, and they supported them. I hope that the House will give support to this amendment that is being placed before Members today.

The global HIV/AIDS pandemic is the most severe health crisis of our time. Over 36 million people are currently living with HIV/AIDS, and 95 percent of them live in developing countries. The impact of the pandemic on sub-Saharan Africa defies description. Seventeen million Africans have already died of AIDS since the beginning of the pandemic, and 25 million Africans are living with HIV/AIDS. Over 6,000 people die from AIDS-related diseases every day in sub-Saharan Africa.

The pandemic has been especially devastating for children. Approximately 1 million children are living with HIV/AIDS in sub-Saharan Africa, and an estimated 600,000 African infants become infected with HIV each year through mother-to-child transmission either at birth or through breast feeding. The Joint United Nations Program on HIV/AIDS, U.N. AIDS, projects that at least half of all 15-year-olds will eventually die of AIDS in the worst-affected countries such as Zambia, Botswana, and South Africa.

Furthermore, over 12 million African children have lost their mother to AIDS and are considered AIDS orphans. The HIV/AIDS pandemic has curtailed the economic development of many African countries. AIDS is believed responsible for shortages of skilled workers and teachers, high rates of absenteeism, labor turnover, and the deaths of Africans at upper levels of management in business and government in many areas of sub-Saharan Africa.

USAID has estimated that Kenya's GNP will be 14.4 percent smaller in the year 2005 than it would have been without AIDS. In the Ivory Coast, five teachers reportedly die from AIDS during each week of the school year. Teachers and other skilled workers can be very difficult to replace. In some parts of Africa, employers find it necessary to hire two workers for each job opening because they expect one out of every two workers to die from HIV/AIDS.

The HIV/AIDS pandemic has disrupted the lives of farm communities and reduced agricultural production. When adult members of farm families become ill, they become unable to continue farming. Farm tools and animals may be sold to pay for their care. Children are forced to leave school and care for their parents. Sharp reduction in crops such as maize and cotton and other crops in Zimbabwe have been attributed to widespread illness and death from AIDS among farm families and agricultural workers.

United Nations Secretary General Kofi Annan has asked for the establishment of a Global AIDS Fund to address this devastating pandemic. He estimated that it will take $7 billion to $10 billion per year to mount a successful effort to treat HIV-infected people and stop the spread of AIDS.

The Global AIDS Alliance estimates that it will take $15 billion per year, yet current spending on HIV/AIDS is only $1 billion per year from all sources combined. This bill provides a paltry $474 million in funding for international HIV/AIDS programs. The United States certainly can do better. The United States should be a leader in global AIDS funding.

Mr. Chairman, I urge my colleagues to support the Lee-Leach amendment and demonstrate the commitment of Congress to worldwide efforts to stop the spread of this deadly disease.

Mr. Chairman, I know that some of us are beginning to sound like a broken record. But we will be on this floor day in and day out at every point that we can join this issue. We will be here. We will not sit silently by and watch the devastation that we are witnessing in the world, and particularly in sub-Saharan Africa, and be quiet.

One of my colleagues on the other side of the aisle said, What more do they expect? We are putting money in the budget. We keep putting money in the budget. Members heard what the estimates are. $1 billion from all sources when we need $10 billion to 15 billion. We have a long way to go.

Mr. Chairman, Members will be hearing from us often. Members will be hearing from us in the most profound way we can put forth this issue. We have got to have more money to stop the pandemic.

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

Mr. Chairman, I rise in support of the Lee-Leach amendment. I thank the gentlewoman from California (Ms. LEE) and the gentleman from Iowa (Mr. LEACH) for introducing this amendment.

Mr. Chairman, we have heard about the severity of the AIDS pandemic. It has at this point exceeded in damage to human life the flu pandemic of 1918; and before it is stopped, it probably will exceed the damage to human beings of the Black Death of the 14th century.

There are some countries where one out of every four people is already affected. We still do not have a cure. We have some ameliorative treatments, and those treatments are not affordable to people in most of the developing world. It is the greatest single threat that humanity faces today.

The amounts of money we are spending on it, frankly, put us to shame when we consider the priorities. Any budget is a set of priorities. The Global AIDS Trust Fund in this budget will get $100 million in this bill; another $100 million in the Labor-HHS bill; bilateral aid from AID adds another $247 million, for a total of $447 million proposed in the United States budget.

Mr. Chairman, we are spending about $6 billion a year on missile defense research. Some people think we ought to spend more, some think we ought to spend less. $6 billion for a possible threat; $447 million for an existing mortal threat that is in front of our eyes.

□ 1415

The U.N. has estimated that we should be spending 7 to $10 billion a year, the world, not just the United States, seven to 10 times the $1 billion the world is spending on this now. This modest amendment would add $60 million. The total U.S. commitment would go from $447 million to $507 million in a budget of roughly $1.8 trillion.

Again, look what we spend money on: $6 billion on missile defense. This money, $60 million, is minimal. It is taken from foreign military aid, mostly to Latin American countries which, frankly, is not all that necessary, I do not know about the great military threats faced by Latin American countries, and from drug initiatives abroad which have not cut down the flow of drugs into this country. The threat of AIDS is a heck of a lot more threatening to us than any drug problem could ever conceivably be.

Mr. Chairman, I urge that we adopt this amendment. $60 million is a pittance. The gentlewoman from California (Ms. LEE) should have added another zero. It should have been $600 million. But then we would not seriously consider it. But the pittance that is added here is the very, very least we can do so that we can say to our children, we did not ignore the AIDS crisis, the worst crisis to humanity in at least 600 years.

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

Mr. Chairman, I just briefly wanted to rise to commend the makers of this motion, the gentlewoman from California (Ms. LEE) and the gentleman from Iowa (Mr. LEACH), and commend them for their leadership. I also want to acknowledge the great job that the gentleman from Arizona (Mr. KOLBE) and the gentlewoman from New York (Mrs. LOWEY) did in the bill in increasing the funds for HIV/AIDS because the number has increased. As one who has worked on this issue over the years, I can only say that this problem of HIV/AIDS has been exacerbated by poverty in the world. AIDS and poverty are a terrible combination. They exist side by side in the developing world.

But it is the poverty of our language that I wanted to address right now. We must have some poverty because we have not been able to convince the Congress of the need for us to have more funds into the global fund for AIDS and other infectious diseases.

My colleagues have spoken eloquently to the numbers of people with HIV/AIDS, and I want to repeat one of those numbers. That is, that left at the pace that we are going now, the UNAIDS program reports that, by the year 2005, 100 million people will be infected with HIV/AIDS. How much more staggering would the numbers have to become for us to respond in a way that is commensurate with the leadership of our country, that is commensurate with the need that is out there?

The HIV/AIDS issue internationally and at home challenges the conscience of the world. The United States must lead the way in meeting that challenge.

I will submit the rest of my statement for the record, but I commend once again the gentleman from Iowa (Mr. LEACH) and the gentlewoman from California (Ms. LEE) for their leadership on this.

Ms. WATSON of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am proud to speak today in support of the Lee-Leach amendment to dedicate resources to the fight against the global HIV/AIDS crisis. The scope and severity of this crisis are not just a global health challenge but one of economics as well. The crisis has been felt harshly by less developed countries, the very countries whose governments are least equipped to handle this scourge.

Critics of this amendment are concerned that it would reduce foreign military spending. But the global HIV/AIDS crisis poses as direct a threat to the security of many nations and the safety of their citizens as a more conventional military challenge would. The global fight against HIV/AIDS requires at least the same commitment that this Nation has made to training foreign militaries or fighting our war on drugs. If we do not take part in funding the research and the treatment, it could wipe out our forces, not only abroad but here in this country, too.

Let us shift our priorities. Let us train an army of doctors to fight the global HIV/AIDS crisis. Let us declare war on this dreaded disease. And, most importantly, let us vote for the Lee-Leach amendment which will take a strong first step at addressing the economic challenge of the global HIV/AIDS crisis.

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

I rise in support of the Lee amendment. It is not a matter of debate that the HIV/AIDS crisis is devastating Africa. More than 25 million people in sub-Saharan Africa are living with HIV/AIDS. Nearly 4 million were infected during 2000 alone. AIDS has deprived children of their parents, robbed schools of their best teachers, and stripped businesses of their most able employees. It is devastating the military forces of many African countries, posing a serious threat to United States national security interests in the region, and AIDS will cut life expectancy in some African countries in half in the next decade. That is just Africa. HIV infections are growing exponentially in the Russian Federation, 3.7 million are already infected in India, and there is an emerging crisis in China.

HIV/AIDS is both a national security issue and a moral one. Our response must reflect the massive humanitarian and national security implications of the crisis. I am very pleased that this bill provides a total of $474 million to address the HIV/AIDS crisis. I am also pleased that our subcommittee has established a pattern in recent years of providing increasingly higher funding levels for this purpose. But I do believe we can do more. Our efforts to address this pandemic must be bilateral and multilateral and must encompass everything from care and treatment to prevention and education. The United States through USAID has taken a leadership role in the fight against HIV/AIDS. We should play a similar role in multilateral efforts as well.

I want to thank the gentlewoman from California (Ms. LEE) for her amendment.

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

Mr. Chairman, I commend my friends on both sides of the aisle who have brought to the attention of the House and the American people the pandemic problem of AIDS. I salute them in their efforts. Unfortunately, I believe that their efforts here may be well-intended, but in fact this amendment is somewhat misplaced.

Anyone who has held a dying African child in their arms, or witnessed someone suffering from AIDS, shares their well-intended compassion. I think this Congress has demonstrated, both in this bill and by the action of the Congress last week to increase the AIDS contribution by some 76 percent. I have held one of those dying African AIDS children in my arms. Unfortunately, at this time, to be honest, the only thing we can do is give them some comfort. Most of them will unfortunately die, and your heart does ache when you see the rows of graves across the African landscape and now across the horizon of many other countries.

The key to success in this area is research. We should be devoting our resources to research. I am pleased under the Republican Congress we have doubled the amount of money for medical research, and I think we are well targeted to finding a cure.

What we do not want to do here today in misguided compassion is to turn the clock back, though, on our efforts to stem illegal narcotics. This is a headline from my newspaper: Drug Deaths Top Homicides. For the first time, in 1999, drug-related deaths in this country exceeded homicides.

We knew that some years ago when we took over the House of Representatives as a new majority the seriousness of the threat we were facing with illegal narcotics. They made the same decision some time ago in the Clinton administration to start cutting some of these programs. On this chart is where the cuts started in 1993, the same kind of cut that is proposed here today. Unfortunately back then they started dismantling the Andean strategy and assistance. When this occurred we saw a skyrocketing of drug abuse in this country and drug deaths in this country. Only after we restarted this effort, and the chart here clearly points it out, have we made a dent in this problem.

Now would be the worst time to turn the clock back. Where is the heroin and the cocaine and the other drugs coming from that are killing our youth and our population in unprecedented numbers? They are coming from Colombia. That is why we targeted Colombia.

Does the plan work to stop illegal narcotics? With the Speaker and others involved in the subcommittee on drug efforts which the Speaker chaired before me, and we targeted the places where our drugs are coming from,

Peru, Bolivia and Colombia. Unfortunately, the Clinton administration cut assistance to Colombia; and we were able just recently to start that with Plan Colombia. But we see in Peru almost a complete eradication of cocaine production. In Bolivia, I can announce that our task is complete and accomplished with few dollars.

The problem we have in Colombia is that terrorism, which is killing thousands and thousands of people, is financed by illegal narcotics traffic. Colombia is now the source of deadly heroin. Look at this chart. In 1993, zero amount of heroin was produced there. Now, 75 percent of the heroin killing men and women and children in our streets comes from Colombia. That is why we are targeting this country.

This is not a pretty picture. This is one of my constituents. His mother gave me this picture to show the Members of the House. This young man was one of my constituents. He died of a heroin overdose. That heroin is coming from Colombia. It came from this route that we would now eliminate and destroy a program that we have started and that we have begun anew to curtail these deadly drugs from coming into our country.

What is worse about the drug epidemic, and we will hear more testimony about this in the coming weeks, is the heroin use and hard drug use is hitting our teens. It is hitting our minorities, but it is also hitting those most vulnerable in our society, our young people, both minority and others.

To make a mistake here with misplaced compassion, I urge my colleagues not to do it. Do not make that mistake. We can address both the problems of AIDS and we can also fight the war on illegal narcotics.

Mrs. CHRISTENSEN. Mr. Chairman, I rise today in support of the Lee-Leach Global AIDS Amendment for the Foreign Operations Appropriations Bill.

The HIV/AIDS pandemic is the most devastating human disaster our world has ever known, with more people having died from AIDS-related complications than any disease, war, or natural human disaster ever recorded. Since the beginning of the fight against HIV/AIDS in the early 80's, more than 22 million people have died, with Sub-Saharan Africa bearing the brunt of the devastation.

At the present time, more than 70 percent of the 35 million people infected with HIV live in Sub-Saharan Africa, with the nation of South Africa having the world's largest number of HIV infected individuals, more than 4 million people, living with AIDS.

My area of the world, the Caribbean, though much smaller in size and population, has an HIV infection rates second only to those in Africa. AIDS is already the leading cause of death in the Caribbean for those aged 15 to 45 and as in many other areas of the world, the number of cases is growing at an exponential rate according to the Caribbean Epidemiology Center.

I am alarmed, as I am sure we all are, by the fact that left un-addressed, more than 100 million people, well more than ⅓ the population of the United States, will be infected with HIV by the year 2005. Something must be done!

Although the loss of life presents the most tragic consequences of HIV/AIDS, additional consequences include resulting military, social, and economic instability. AIDS, unlike many diseases, takes those in the most productive yeas of live, resulting in a significant decline in the number of individuals in affected countries that are available to serve as educators, health care providers, and other skilled laborers.

In addition, it has resulted in more than 13 million orphans, 95 percent of whom live in African nations. As a result of the significant losses of life, some developing democracies have begun to recruit these orphans, many of whom have no completed adolescence, into armies used to fight regional wars.

Although we still wish it were more, the Lee-Leach Amendment provides the opportunity for the United States to do its part in the global fight against HIV/AIDS, increasing the U.S. contribution to the global HIV/AIDS funds by $60 million to a total of $160 million. Our contribution will be used to leverage additional funds from our international partners in the public and private sector, with the hope of raising the 10–15 billion dollars per year requested by United Nations.

It would send a strong signal that the United States is committed to eradicating HIV/AIDS from the face of the earth and also provide significant direct grant funding to African and Caribbean governments, NGO's and civil society in regions of the world that have been hard hit by HIV/AIDS so that we can finally begin to turn the tide of the disease.

I urge my colleagues to support this worthwhile amendment, which will help save the lives of millions of people infected with HIV.

Mr. LANTOS. Mr. Chairman, I rise in support of the bipartisan Lee-Leach amendment to increase the United States contribution the global HIV/AIDS fund $100 million to $160 million.

Mr. Chairman, I want to thank the distinguished Chairman of the Foreign Operations Subcommittee Mr. KOLBE and the Ranking Democrat, NITA LOWEY for their hard work on this bill. I am grateful that they were able to find additional money for the bilateral HIV/AIDs program over the Administration request.

However, this amendment seeks additional funds for the Multilateral efforts. Mr. Chairman, a multilateral response to the global AIDS crisis is clearly the quickest mechanism to engage international donors and to initiate a coordinated international response to the global AIDS pandemic. World leaders including UN Secretary General Kofi Anan and international HIV/AIDS experts and economists have called for a 7–10 billion dollar fund in order to address HIV/AIDS prevention, education, care and treatment in Africa.

The global AIDS trust fund is designed to leverage significant contributions from the international community to fight this global killer. The Lee-Leach amendment would send a strong message that the United States is committee to eradicating HIV/AIDS from the face of the earth. If the Lee-Leach amendment is passed, it would provide significant direct grant funding to African countries, NGO's and civil society in regions of the world that have been hard hit by HIV/AIDS to turn the tide of HIV/AIDS.

Furthermore, the Bush administration has briefed us that the trust fund is making strong progress and should be ready to disburse funds by the end of this year.

A few weeks ago, my committee, under the leadership of our distinguished chairman, HENRY HYDE, passed a bipartisan, groundbreaking bill authorizing $750 million for a multilateral fund to combat HIV/AIDS.

So far, the Bush administration has offered $200 million—100 million from Foreign Ops and 100 million from Health and Human Services.

While this was a good start, it is by no means a good end. I urge my colleagues to support an increase to this fund by supporting the Lee-Leach amendment.

I know it is not easy to cut other programs and I wish it were not necessary. However, the Administration, in all its wisdom, has decided that a 1.6 trillion dollar tax cut is more important than funding these global priorities.

Well, that being the case, we cannot afford to wait around until the Administration gets its priorities straight. We must act now.

The Global AIDS fight must be joined now. The consequences if we wait are too terrible to contemplate.

I urge my colleagues to support this amendment.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I move to strike the last word. The Lee-Leach amendment will increase the United States contribution to the global HIV/AIDS fund from $100 million to $160 million. This increase—albeit not enough to curb the pandemic, will be of enormous help in the short run because HIV/AIDS continues to devastate every corner of the globe. Mr. Chairman, it is incomprehensible to think that the increase called for in this amendment possibly cannot be adopted tonight because of the cynical few in this chamber who believe that Congress has more pressing needs right now than to further increase appropriations to control this epidemic. To them I say it is our duty and responsibility to not turn away now.

This year marks the 20th year since the Centers for Disease Control published its Morbidity and Mortality Weekly Report with a small segment dedicated to a rare pneumocystis pneumonia present in five gay men in Los Angeles. It was the first published account of what we would come to know as Acquired Immune Deficiency Syndrome, commonly known as AIDS.

Now, twenty years later, thirty-six million people presently live with HIV/AIDs worldwide and 22 million have died of the disease. In Sub-Saharan Africa, 25 million people are living with HIV/AIDS and in India, Southeast Asia and the Caribbean; the numbers of infections are rising at alarming rates.

Mr. Chairman, two-thirds of the world's 36 million AIDS victims live on the African continent—and women are the largest segment of victims and continue to be at the greatest risk.

This year, over six hundred thousand children will be born HIV-positive, or become infected after their birth and during

breastfeeding. Few will survive childhood. Equally disturbing is the fact that the disease threatens the health and well being of uninfected children by taking the lives of their parents. By the year 2010, over 42 million children worldwide will become orphans due to HIV/AIDS.

Mr. Chairman, I urge my colleagues to support the Lee-Leach Amendment to increase our contribution to the global HIV/AIDS fund from $100 million to $160 million. It will be a wise humanitarian and national security investment.

Mr. GEPHARDT. Mr. Chairman, I rise in strong support of the Lee amendment to increase United States funds to fight the global HIV/AIDS pandemic and also in support of the McGovern amendment which will improve the health of mothers and children and combat the spread of infectious diseases around the world. I commend the authors and cosponsors of these amendments for bringing them before us today.

These two necessary and complementary amendments will enhance our efforts to help stop the spread of many terrible diseases, including polio, tuberculosis, and AIDS, and help children and their mothers around the world survive. The terrifying statistics about the HIV/AIDS pandemic, which is ravaging sub-Saharan Africa and threatens to do the same in many other regions around the world, are becoming all too familiar. Twenty-two million people world wide have died from AIDS, nearly double that number are living with HIV/AIDS, and if we don't take effective action 100 million people could be infected with HIV within the next four years. And a staggering number of orphaned children have been left by parents who have died because of AIDS.

But this pandemic is taking its toll not just in these personal terms. It is wreaking havoc on the economic and social fabric of many nations. In addition, this pandemic presents us with an international security problem as it fuels military instability, as well.

But we cannot allow the enormity of the problem to numb us or convince us that this pandemic is beyond our ability to fight it. Instead, the scope of what we face must serve as a siren calling us to take even stronger action than we have to date. I remain convinced that winning this battle is the moral imperative of our time. So let us marshal the resources we need and let us make sure we are using those resources wisely. We should pass these amendments to help us mount a comprehensive fight against HIV/AIDS and other deadly diseases.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

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

Ms. LEE. 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 California (Ms. LEE) will be postponed.

AMENDMENT NO. 27 OFFERED BY MR. MCGOVERN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 27 offered by Mr. MCGOVERN:

Page 6, line 10, after the dollar amount, insert the following: ''(increased by $100,000,000)''.

Page 7, line 3, after the dollar amount, insert the following: ''(increased by $50,000,000)''.

Page 7, line 5, after the second dollar amount, insert the following: ''(increased by $50,000,000)''.

Page 25, line 7, after the dollar amount, insert the following: ''(reduced by $100,000,000)''.

Mr. MCGOVERN. Mr. Chairman, let me begin by first thanking the gentleman from Arizona (Mr. KOLBE) and the gentlewoman from New York (Mrs. LOWEY) for their incredible work on this bill.

Today, I rise to urge my colleagues to support this amendment that I and the gentleman from Michigan (Mr. HOEKSTRA), the gentlewoman from California (Ms. PELOSI), the gentlewoman from Maryland (Mrs. MORELLA) and the gentlewoman from Texas (Ms. JACKSON-LEE) are offering together.

Mr. Chairman, this is a relatively simple amendment. First, it will add $50 million to the infectious diseases account specifically for international tuberculosis programs. We need to invest more in programs that combat the spread of TB. Funding for international TB control was virtually nonexistent in 1997. While funding has modestly improved in recent years, we still have a long way to go to make up for the long-running neglect.

□ 1430

Current funding levels are not sufficient to address the scope of the disease and to protect the health of Americans. TB kills 2 million people each year, and more than one-third of the world's population is infected with TB. It is the leading killer of women and creates more orphan children than any other infectious disease. As the New York Times editorialized last week, a little money now can control this neglected killer before we face a global epidemic.

The amendment will also add $50 million for the Child Survival and Maternal Health account. Eleven million children die every year from preventable causes. Child survival programs are critical to saving the lives of children and have been one of the most effective U.S. investments for the last decade and a half. The polio eradication programs in particular have been highly successful; and since 1998, polio has been reduced worldwide by 90 percent.

According to the World Health Organization, maternal health is the largest disparity between the developed and developing countries. Maternal mortality is on average 18 times higher in developing countries, and children are much more likely to die within 2 years of a maternal death.

The increase funding provided by this amendment for these global health programs will literally make the difference between life and death for billions of people. This is a modest investment that will yield critical returns.

The offset for these programs will reduce the $676 million Andean Counter-Drug Initiative by $100 million in military aid for the Colombian Armed Forces. Here, too, the choice is simple. This House has a chance to send a straightforward message to the Colombian military: sever all ties with the paramilitary groups and sever them now. As my colleagues know, over 70 percent of the human rights crimes committed against the civilian population in Colombia, massacres, torture and the destruction of communities and the displacements of the population, are perpetrated by the paramilitaries, and the Colombian military works in collusion with those groups. In fact, just recently Amnesty International issued a report on the persistence of ties between the Colombian military and their paramilitary cohorts.

The last Congress, the previous administration, and, to date, the current administration, have failed, in my opinion, to act seriously about human rights in Colombia. We have attached human rights conditions to our aid package that are essentially meaningless. If the Colombian military behaves badly, and it has, we have been content to waive our conditions and to keep writing checks. What kind of message did this send?

Today, we have an opportunity to send a different message, to show that we do care about human rights, that we are serious when we demand that the Colombian military stop collaborating with paramilitary forces. Congress should not be an apologist for bad behavior. We should not look the other way or rationalize what continues to be a disturbing alliance that threatens the future of civilian institutions in Colombia.

Now, let me point out to my colleagues that nearly $300 million remains in this bill to help Colombia and the Pastrana government with development, moving the peace process forward, strengthening civil and judicial institutions and supporting the police. In the defense appropriations bill, which we will debate later this year, there will be at least $80 million for the Colombian Armed Forces. In addition, approximately $158 million in military aid remains in the pipeline from last year's package.

This amendment is not about walking away from Colombia; rather, it is about saying very clearly that human rights do matter and that the way to

promote stability in the region is for the Colombian military to end its collaboration with paramilitaries.

Now, even if some of my colleagues are ambivalent about the Colombian offset, I hope you will not be ambivalent about supporting increased funding for these critical women's, children and health programs. The Andean Counter-Drug Initiative is $226 million more than the amount in this bill for our worldwide programs to combat infectious diseases and for child survival and maternal health; $226 million more.

This amendment is truly about choices, about priorities, about saving lives. I urge my colleagues to support the McGovern-Hoekstra-Pelosi-Morella-Jackson-Lee amendment.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the McGovern amendment.

Mr. Chairman, I do rise in opposition to this amendment. I am reminded just a couple of days ago when we first took up this bill, last Thursday, that several Members came to the House floor to praise the bill. The manager on the other side of the aisle and I appreciated the compliments about bipartisanship and the balance that is reflected in the committee's recommendations. But approval of this amendment would weaken that hard-to-achieve bipartisanship. It would destroy the balance that is found in our bill. Let me explain why I think this is the case.

First, as a Member who comes from southern Arizona and represents a border State and a border district, I know the importance of Latin America to the United States. I am sure the gentleman from Massachusetts is also personally familiar with Latin America and parts of it. I am sure he does not intend to shortchange development in Latin America, but that is what this amendment would do.

Let me state a very simple fact: this amendment cuts development and humanitarian assistance for Latin America by $50 million, or more than 10 percent of the amount in this bill. Let me repeat and elaborate on what I just said: the McGovern amendment cuts development assistance to Bolivia, Peru, Ecuador and Brazil. The McGovern amendment cuts human rights and humanitarian assistance to internally displaced persons in Colombia. Yes, it would also cut some military assistance for Colombia. Read the last part of the amendment; page 25, line 7: ''After the dollar amount insert the following, reduce by $100 million.''

It does not read cut military assistance to Colombia by $100 million; it does not exempt economic assistance for the Andean region, assistance for Peru or Bolivia or funding for the Colombian National Police. Now, I have seen a ''Dear Colleague'' letter that makes those claims. In fact, it says, ''The amendment does not cut any economic assistance for the Andean region, assistance for Peru, Bolivia or funding for the Colombian National Police.'' This is incorrect. This is not true. This is a misstatement. This is not a fact. It is not correct. It simply is wrong.

My conclusions reflect the text of the amendment that is before us. My assumption is that the executive branch will allocate reductions mandated by this amendment across all programs in the Andean Regional Initiative. It would be equally reasonable it assume that the executive branch would give priority to eradication and security assistance and make cuts in development and humanitarian assistance beyond what I assume.

It is not reasonable to assume, I think, that the executive branch under this, the previous President or any President, is going to take all the money out of the Colombian Army. So it is reasonable it assume this money is going to come out of economic assistance. As much as the gentleman from Massachusetts may wish that it would come all out of the military assistance, the amendment does not say that. So it is incorrect for us to assume that that would be the case. In fact, we can assume quite correctly that it would come out of all of those.

Of course, some support this amendment because they seek more funds to combat tuberculosis, and that is a noble cause. More deaths among women under 45 are caused by TB than by AIDS. It is the major immediate cause of death of those living with HIV–AIDS.

The question is how rapidly can the Agency for International Development and its cooperating organizations ramp up what had been a relatively small program for TB. Only 3 years ago, AID was spending less than $15 million for TB. This year, we recommend $70 million. That is an almost five-fold increase. It is difficult to implement that in the short-term.

This amendment would add another $50 million to that, bringing it to $120 million, or an eight-fold increase, 800 percent increase, over 4 years. Yes, the needs are there, but how quickly can we absorb that? How quickly can the infrastructure around the world absorb that?

I am reminded of the efforts of Queen Elizabeth I to cure her subjects of tuberculosis, of those people who were within the Queen's touch. In the 17th century, a form of glandular TB known as the King's Evil caused horrific swelling from infected glands in the neck. Eventually it led to death. So wherever Queen Elizabeth went around her kingdom, persons infected with this form of TB would crowd around her, hoping the royal touch would cure them. Some days she touched hundreds of people, and was exhausted by the effort.

I wish, I wish that the $50 million here for tuberculosis could make the difference hoped for by the sponsors of this amendment. However, like the royal touch of Queen Elizabeth, another $50 million for tuberculosis may raise indeed our spirits and make us feel good, but it is not going to affect tuberculosis for the current year.

Unlike Queen Elizabeth's touch, however, this amendment will have adverse effects. It will cut development assistance in Latin America. It will signal to our neighbors that this country is disinterested in their security and in their development.

I urge my colleagues to defeat this amendment.

Mr. TIERNEY. Mr. Chairman, I move to strike the last word.

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

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

Mr. McGOVERN. Mr. Chairman, I just want to make one point. The reason why our amendment does not specify military aid is because the amendment would have been ruled out of order. I am sure somebody on that side would have called a point of order against it. We would have been legislating on an appropriations bill.

Under the gentleman's argument, the entire $676 million Andean counter-drug package could be utilized for military aid in Colombia. Our legislative intent is being made clear by this debate. We do not want $100 million to go to the military of Colombia, because we are sick and tired of their continued collaborations with paramilitary groups.

The reason why we are moving this amendment forward, quite frankly, is because this Congress has not been clear, this administration, and, to be fair, the previous administration, has not been clear, about standing up for human rights. If we do not make it clear now by sending a strong signal to the military of Colombia that we want them to sever all ties with the paramilitaries now, then I do not know what we can do to make that case.

So that is what the intent of this amendment is, and that is why we did not specify the word ''military'' in this amendment.

Mr. Chairman, I include the following in the RECORD:

[From Amnesty International, July 2001]

COLOMBIA: MILITARY LINKS TO PARAMILITARY GROUPS PERSIST

In early 2001, Colombia's human rights crisis has continued to deepen against a background of a spiraling armed conflict. The parties to the conflict are intensifying their military actions throughout the country in campaigns characterized by gross and systematic violations of human rights and international humanitarian law. The principal victims of political violence continue to be civilians, in particular peasant farmers living in disputed areas, human rights defenders, journalists, judicial officials, teachers, trade unionists and leaders of Afro-Colombian and Indigenous communities. Violations of international humanitarian law by

armed opposition groups increased significantly in 2000. These groups deliberately and arbitrarily killed several hundred people, including judicial officials, local politicians and journalists. In 2000, more than 4,000 individuals were victims of political killings, over 300 ''disappeared'', and an estimated 300,000 civilians were internally displaced. Armed opposition groups and paramilitary organizations kidnapped at least 1,500 people.

Illegal paramilitary groups—operating with the tacit or active support of the Colombian armed forces—carry out the majority of Colombia's political killings, many through massacres of four or more people. In contrast to their declared aim to combat guerrilla forces, paramilitary groups continued to target the civilian population through massacres, torture, the destruction of communities and the displacement of the population. The government has taken little effective action to curtail, much less to end, widespread and systematic paramilitary atrocities, despite repeated promises to dismantle paramilitary forces. The armed forces have failed to attack or dismantle paramilitary bases, the majority of which are located in close proximity to army and police bases. Collusion between the Colombian security forces—particularly the army—and paramilitary groups continues and, indeed, strengthened in 2000. Instances of collaboration include the sharing of intelligence information, the transfer of prisoners, the provision of ammunition by the armed forces to the paramilitary, and joint patrols and military operations in which serious human rights violations are committed.

Given the Colombian security forces' poor human rights record and their on-going collaboration with illegal paramilitary groups, Amnesty International opposes military aid to Colombia. Our opposition will continue until concrete steps are taken to systematically address these issues. Until then, military aid will only contribute to a deteriorating human rights situation and could strengthen specific units which collaborate with paramilitary groups.

Amnesty International USA recommends that the House of Representatives pass an amendment to cut military aid to Colombia from the Foreign Operations Appropriations bill;

Congress include strong human rights conditions excluding a national security waiver on any aid approved for Colombia;

Congress and the Administration urge the Government of Colombia to sever ties between the Colombian military and illegal paramilitary groups, capture and prosecute paramilitary leaders, and dismantle paramilitary bases; and

Congress and the Administration urge the Colombian State to carry out all human rights investigations and trials under civilian jurisdiction, with the full cooperation of the security forces.

[From the New York Times, July 19, 2001]

THE TUBERCULOSIS THREAT

The London neighborhood of Newham is a good illustration of the perils of complacency about tuberculosis. That East End borough now has 108 cases of tuberculosis per 100,000 inhabitants—double that of India and on a par with Russia. Many of those sick are immigrants from Asia and Africa, a reminder that tuberculosis anywhere can mean tuberculosis everywhere. But Newham is also suffering because London needs to spend more on public health. There are not enough nurses and specialists in the worst-hit areas to control the disease.

The House of Representatives will consider funding for international tuberculosis programs as part of the foreign operations appropriations bill this week. The bill currently provides only $70 million for global tuberculosis programs, just $10 million more than last year. Far more is needed to stop the global resurgence of the disease, which kills two to three million people a year.

The task is urgent in part because of the rise of tuberculosis resistant to the usual antibiotics. Dr. Lee Reichman, director of the New Jersey Medical School's National Tuberculosis Center in Newark, gives a chilling account of the threat in his new book, ''Timebomb,'' written with Janice Hopkins Tanne. The epicenter is Russia, where the prison system is churning out resistant tuberculosis, Dr. Reichman says. But resistant forms of the disease have been found in virtually every part of the United States. Unlike standard tuberculosis, which can cost as little as $10 to cure, the resistant version costs upwards of $20,000 to treat over several years, and some patients cannot be cured.

The other reason more people are dying of tuberculosis today than ever in history is AIDS. One-third of the people in the world are infected with bacillus that causes TB. Ninety percent, however, will never get the disease—unless their immune systems are compromised by AIDS. Forty percent of Africans with AIDS have tuberculosis, which is the leading killer of people with AIDS.

That suggests a simple and cheap way of prolonging the lives of millions of AIDS sufferers—cure their TB. Once their tuberculosis is gone, many AIDS patients will enjoy years more of relatively good health before they get another opportunistic infection.

Tuberculosis kills more people around the world each year than any other infectious disease and is more easily transmitted than AIDS. But unlike AIDS, most forms are easily curable. The World Health Organization has just created a global drug fund that will supply countries with an uninterrupted flow of medicine if they can use it properly. A little money now can control this neglected killer before we face a global epidemic of a version that has outrun our ability to treat it.

EXCERPTS FROM THE COLOMBIA SECTION, ''2000 COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES''—U.S. DEPARTMENT OF STATE, FEBRUARY 2001

Members of the security forces collaborated with paramilitary groups that committed abuses, in some instances allowing such groups to pass through roadblocks, sharing information, or providing them with supplies or ammunition. Despite increased government efforts to combat and capture members of paramilitary groups, often security forces failed to take action to prevent paramilitary attacks. Paramilitary forces find a ready support base within the military and police, as well as among local civilian elites in many areas.

Throughout the country, paramilitary groups killed, tortured, and threatened civilians suspected of sympathizing with guerrillas in an orchestrated campaign to terrorize them into fleeing their homes. . . . Paramilitary forces were responsible for an increasing number of massacres and other politically motivated killings. They also fought guerrillas for control of some lucrative coca-growing regions and *engaged directly in narcotics production and trafficking*. The AUC paramilitary umbrella organization, whose membership totaled approximately 8,150 armed combatants, exercised increasing influence during the year and fought to extend its presence through violence and intimidation into areas previously under guerrilla control while conducting selective killings of civilians it alleged collaborated with guerrillas. *The AUC increasingly tried to depict itself as an autonomous organization with a political agenda, although in practice it remained a mercenary vigilante force, financed by criminal activities and sectors of society that are targeted by guerrillas.*

Credible reports persisted of paramilitary installations and roadblocks near military bases; of contacts between paramilitary and military members; of paramilitary roadblocks unchallenged by military forces; and of military failure to respond to warnings of impending paramilitary massacres or selective killings. Military entities often cited lack of information or resources to explain this situation. *Impunity for military personnel who collaborated with members of paramilitary groups remained common.*

(Prepared by the Washington Office on Latin America, 202–797–2171. Emphases added)

UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS REPORT ON THE HUMAN RIGHTS SITUATION IN COLOMBIA, MARCH 20, 2001

The paramilitary phenomenon continues to expand and consolidate. The government's commitment to confronting these groups has been weak and inconsistent. Evidence of this can be seen in the responses to the [UN High Commissioner for Human Rights] Office's communications with the authorities about imminent attacks or about the existence of bases, roadblocks and paramilitary movements. The instruments adopted by the Government to combat paramilitary groups have proven ineffective in containing their expansion and dismantling them. In other cases those instruments have not been applied. There is still great concern about the persistent links between public servants and members of paramilitary organizations, as well as the lack of punishment. (Paragraph 254)

The paramilitary groups continue to be the principal perpetrators of collective killings. *The Ministry of Defense reports that paramilitary groups are responsible for 75 massacres, which is 76% of all massacres committed between January and October. The practice of collective killings of defenseless civilians is their principal method of operation and war strategy.* (Paragraph 88)

The fact that some of the military personnel dismissed this year have joined the paramilitary groups a few days after their removal from active service is an additional cause for deep concern and serious reflection . . . *There is a well-known paramilitary roadblock at the entrance of the village of El Placer, just fifteen minutes from a battalion of the Army's 24th Brigade. The roadblock continued to operate eight months after the Office reported directly observing it. The military authorities denied in writing the existence of this paramilitary post.* The Office also observed ongoing paramilitary operations at the ''Villa Sandra'' ranch, between Puerto Asis and Santa Ana. Putumayo, a few minutes away from the Army's 24th Brigade. Later there was a report of two raids by the public forces, though they apparently did not produce any results. The existence and operation of the paramilitary base is public knowledge. In fact, international journalists repeatedly visited the base and published interviews with the paramilitary commander. (Paragraph 134)

The Ministry of Defense has not made public the total number of internally displaced people registered during the year, but *according to numbers published by the Ministry, between January and June 2000, 71% of displacement was presumably caused by paramilitary groups*. 14% by guerrilla groups, 15% by combined guerrilla and paramilitary actions, and 0.04% by armed agents of the State. (Paragraph 141)

(Unofficial translation prepared by the Washington Office on Latin America, 202–797–2171. Emphases added.)

Mr. TIERNEY. Reclaiming my time, Mr. Chairman, I want to thank the gentleman from Massachusetts (Mr. MCGOVERN), as well as the gentleman from Michigan (Mr. HOEKSTRA), the gentlewoman from California (Ms. PELOSI), and the gentlewoman from Maryland (Mrs. MORELLA) for their leadership and hard work on this issue. Would that we could legislate on this, because certainly we would move in the direction that the gentleman from Massachusetts (Mr. MCGOVERN) has set forth.

I am pleased to support this important amendment. It is important to the millions of people who die from tuberculosis each year; it is important to the mothers in developing countries who have maternal mortality rates 18 times that of people in developed countries; and, Mr. Chairman, it is important to the people of Colombia who live in fear because our past efforts have failed them.

Last year, the Congress agreed to a $1.3 billion supplemental appropriation for a 2-year package for Colombia and surrounding countries. Now, between this appropriation and the defense appropriation, we are being asked for another $1 billion.

Last year we were told that our taxpayer dollars would be used to increase protection for human rights, expand the rule of law, and promote the peace process in Colombia. We were told it would be used to eradicate coca crops across Colombia. We were told it would be used to promote alternative crops and jobs in Colombia. That is what we were told.

After close examination of the evidence, we simply have to ask, where did the money go? The human rights situation in Colombia has gotten worse, the peace process is no closer than it was, and many of the crops eradicated were actually food crops. And now we are being asked to buy the same set of broken promises as last year, and this is not progress.

We all know that the Colombian military has close ties with the paramilitary organizations responsible for large scale massacres of civilians. Our own State Department has documented that the Colombian Armed Forces aid paramilitaries by providing them with intelligence, supplies, ammunition, and that they often fail to protect civilians from attacks.

The military funding we give in the hopes of helping the Colombian people is, to some degree, having the opposite effect. In the first 18 days of this year, 170 people were killed in 26 massacres. Data shows that as of April, deaths due to political violence roughly doubled those from previous years. These are innocent people trying to make Colombia a safer and more prosperous place, like Cristobol Uribe Beltran of the Association of Workers and Employees in Hospitals, Clinics and Organizations, who was kidnapped on June 27th and assassinated the very next day, innocent lives brought to an end for no legitimate reason. This is not progress.

We have seen the human rights abuses in Colombia continue to escalate since last year's aid package. More than 300,000 people were forcibly displaced from their home by political violence. There continues to be hostage-taking, torture, killing of civilians. Our aid is being used against people who have been mislabeled as guerrillas and are often students, professors and priests. They are taken captive by the paramilitaries and oftentimes never heard from or seen again. Our aid has been used to destroy food crops and put harmful herbicides in the rivers and ponds in Colombian villages. It has displaced people from their land and homes and forced them to relocate, and this is not progress.

We need to take a hard look at the situation we are dealing with in Colombia and make the sound judgment that our military aid efforts are simply not working. The aid we are providing is being misplaced, and I believe there is a role for the United States to play in this situation that is entirely different.

We can provide resources to build infrastructure, so crops can get to markets profitably; we can provide assistance to help build a court system to the point where it is effective, fair and respected; or we can build schools and roads and community support; or we can build a competent, efficient, respected police force and a military force that does not favor the paramilitaries or ignore paramilitary atrocities.

□ 1445

With all of these options at our disposal, we are being asked to choose the one we know will not work because it has not worked in the past.

This amendment recognizes that act and, instead, diverts some of this money from this wasteful program to one that saves lives. That is the intent of this legislation.

Mr. Chairman, we ask that this money be used for tuberculosis aid and not for military purposes.

Mr. OBEY. Mr. Chairman, I move to strike the last word, and I rise in support of the amendment.

Mr. Chairman, Congress's record in handling this issue is a sorry one indeed, and I think it institutionally ought to be ashamed of itself for its total lack of guts in defending our obligations under the Constitution and our prerogatives under the Constitution. Basically, we are engaged in a war a long ways away in Colombia, rather than engaging in that war on our own streets here at home. We cannot do much about that today under the rules under which we are being forced to debate this bill.

But I want to be very blunt about what I think is happening. We are right now engaged in this war, even though this Congress never had an intelligent, thoughtful debate through the normal processes of this House. We are not operating under an authorization produced by the authorizing committee. We are operating under a political compromise fashioned by the former President of the United States, Bill Clinton, and the present Speaker of the House, the gentleman from Illinois (Mr. HASTERT), and rammed through this House on both sides of the aisle with no real ability of the authorizing committee to effect in any way the outcome.

With all due respect to the Committee on Appropriations on which I have served for over 30 years, that is not the job of the Committee on Appropriations. The job of the Committee on Appropriations is to fund programs previously authorized, and certainly it is not the job of the Committee on Appropriations to get this country in a position where we could inadvertently be sucked into a conflict that could keep us there for years.

The question is not whether we like the rebels in Colombia and the question is not whether we like the President of Colombia; the question is whether or not we believe that that society, as presently constituted and constructed and organized, has the ability to make what we are doing in this program work and, in my view, based on long observations of that society, I do not believe that that is the case.

Mr. Chairman, I would like to quote something said by Jim Hoagland, who I think can accurately be described as a moderate conservative columnist in The Washington Post. This is what he wrote a year ago. ''In Colombia, the United States pursues unattainable goals, largely for domestic political reasons with inappropriate tools.'' Then he says, ''Now in the rush to the quagmire, we see the following:'' and then he goes on to talk about what happens when it becomes clear that in the considered judgment of the U.S., air force officers in the Colombian military will not be able to maintain the Blackhawks under the conditions in which they will be flying has shown to be correct. He asked what will happen then. Then he simply goes on to make the point that the Congress is slipping us into this war little by little the way that Kennedy and Johnson did in Vietnam, and we all know what the

disastrous results were of that operation.

I am also frankly mystified by the views of our new Drug Czar, John Walters. Walters was quoted a year ago as attacking the idea that we ought to focus on drug treatment. When he was discussing the value of that idea he said this: ''This is an ineffectual policy, the latest manifestation of the liberals' commitment to a 'therapeutic state' in which government serves as the agent of personal rehabilitation.''

I find that comment to be condescending and arrogant and, most of all, misguided. The fact is that if we take a look at the research done by SAMHSA, the agency charged with knowing what we are doing on drug treatment and rehabilitation, if we take a look at studies done by RAND, financed, in part, by the U.S. Army, they estimate that a dollar spent on treatment here at home is 23 times as effective as fighting a war or trying to interdict drugs internationally.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. OBEY) has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 1 additional minute.)

Mr. OBEY. Mr. Chairman, I am for doing both, but I am not for spending over $1 billion last year and almost that amount this year over 1,000 miles away from home when we still have drug addict after drug addict roaming the streets of our cities untreated and unable to get into the drug treatment programs that we have provided in this country, simply because this Congress is too misguided and does not provide the money.

It seems to me that this amendment is a token effort at what we ought to do on this program, and I, for one, intend to support it. I have no illusion that it is going to pass, but it is what we ought to do and, most of all, this Congress ought to have a full-blown, detailed debate on this issue after we have had briefings from the administration and others so that we know what the facts are on the ground and we are operating on the basis of facts, not ideology, or operating on the basis of substance, not politics. I think the leadership of both parties has been disgracefully negligent in getting us to drift into this war without any real thought about what the outcome is going to be.

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

Mr. Chairman, I rise in opposition to this amendment. The Andean regional initiative in the bill is already $55 million below the President's request. At the same time, this bill has already provided $1.39 billion for child survival and disease programs, which has significantly increased.

Let us talk about health programs in particular. I want to talk about the public health effects of illegal drugs in the United States. The cocaine and heroin which comes to the United States from the Andean region, and almost all of our cocaine and heroin comes from the Andean region, seriously impact our hospital emergency departments. Heroin visits are rising and cocaine visits are holding steady. In 1999, more than half a million drug-related emergency room visits were reported, over 196,000 related to Andean cocaine and over 84,000 in American hospitals related to Andean heroin. Every year, our Nation spends $12.9 billion to cover the health costs of illegal drugs, which have predominantly come in from the Andean region.

I support the bill's generous funding level for international health programs. I believe it is extremely ill-advised to further increase this spending at the expense of a significant portion of our international narcotics control program, which is fundamentally designed to protect the health of American citizens by keeping illegal drugs out of the United States. These programs account for just 5 percent of our overall drug budget. In fact, the $100 million at stake in this amendment is 11 percent of the entire U.S. budget for international narcotics control. We cannot and should not trade the health of American citizens simply to make a political statement.

Now, I would like to respond to a number of false allegations that have occurred regarding what is going on in Colombia. Colombia is not Vietnam. It is a longtime democracy. It is one of the oldest democracies in this hemisphere. Vietnam was not.

The Colombians themselves are fighting and dying. They are not fighting and dying because of their political problems, they are fighting and dying because of our narcotics addictions in the United States. This is not a civil war, this is a war funded, whether they be the ultra-rightist groups or whether they be the FARC, whether they be the ELN, through narco-protection and narco-dollars. We have caused their conflict. We have moral obligations to help them address their conflicts. They have had the equivalent of 30,000 American police officers killed in the line of combat trying to eradicate drugs that are being grown for our neighborhoods and our streets. It is not like Vietnam. It is a country that was a democracy where now, people have fled because they are kidnapped, because they are terrorized, because of our addictions. We are not engaged in a war in Colombia. We are trying to assist them fight a war that was driven by us.

Furthermore, we heard about the peace process in Colombia. President Pastrana, whether we agreed with it or not, and I had some reservations, he gave a demilitarized zone. He bent over backwards to work with the FARC. What he got was slapped in the face. He turned his other cheek. They continued to grow drugs and they expanded their operations, and what he got when he turned his cheek was they slapped him in the face. The failure of the peace process is not with the Colombian government. They have turned their cheek and turned their cheek and turned their cheek.

We have also heard that many crops were eradicated that were food crops. That is simply a false allegation on fumigation, and I am sure we are going to debate that further today.

Furthermore, there have been smears on the Colombian military. We have worked to improve the human rights division. A number of us on the Republican side have been criticized in the past for being too oriented towards the Colombian National Police which had a great human rights record. With the last administration and with the support of the House, we expanded our aid to the military in return for commitments on human rights. It is not an easy process, as we have tried to educate other countries where we provide military aid around the world in addition to our military when they are overseas and our police forces, so occasionally there are human rights violations.

It has not been proven that they have gotten worse, nor is it proven that they have ties to the ultra-rightists in that country and where there are, we ought to rout them out. That is why some of us have been more oriented towards giving the money to the Colombian national police rather than the military. Their elected government in Colombia asked us for help for their military, rather than just the Colombian national police. We responded to an elected government unlike Vietnam, and then we get criticized because some of the funds went to the military.

Furthermore, some of the blame in Colombia being placed on the government or on our anti-narcotics efforts is like blaming police officers for the fact that crime has increased. It is like blaming judges and the citizens for the fact that terrorism has increased. What they have is a rampant problem in their country that is indeed threatening democracy, and what we seem to want to do at times is stick our head in the sand and say, well, this does not have anything to do with us. In 1992 to 1994 this House, along with the newly elected President, cut the interdiction budget. What we saw was a supply coming into America soar. We saw the prices on the street drop. We saw the purities come up. To get back to where we were in 1992, we would have to have a 50 percent reduction in drug abuse in America.

The CHAIRMAN. The time of the gentleman from Indiana (Mr. SOUDER) has expired.

(By unanimous consent, Mr. SOUDER was allowed to proceed for 1 additional minute.)

Mr. SOUDER. Mr. Chairman, it is critical, not because of what is happening in Colombia, but because 67 to 80 percent of all the crime in every Member's district is drug-related. We should not cut back our efforts when we know where the coca is being grown; we know where the heroin poppy is being grown. When it spreads into the oceans and then crosses our borders, from the Canadian border, the Mexican border, the East and West Coast and starts to moving into our streets, it becomes more expensive to find it, it becomes more expensive to treat it, it becomes more expensive to lock people up, than if we can help the Colombians and the Peruvians and the Equadorians and the Bolivians fight the battle in their homelands.

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

Mr. Chairman, I rise in strong support of the McGovern amendment; and I commend the gentleman for his leadership in bringing it to the floor. I want to follow up on some of the remarks made by the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member, on the need for us to have this debate.

We are talking about, between last year and this year, a $2 billion expenditure on this initiative that has seen very little light of day in terms of what it contains and what its effectiveness is. What the McGovern amendment would do is to take $100 million from that funding for the Andean initiative and spend it on child survival and maternal health and to fight infectious diseases, polio tuberculosis and malaria.

□ 1500

Where that money would come from is a line in the bill that simply says, ''for necessary expenses to carry out section 480 of the Foreign Assistance Act solely to support counterdrug activities in the Andean region of South America, $676 million, to remain available until expended.'' It does not say anything about economic assistance, human rights, humanitarian assistance, or anything like that. It says, ''$676 million.''

We would have liked for this amendment to be a match for the one I offered in committee, where we could say that the $100 million came from the military assistance, but the Committee on Rules would not have put that in order.

So in responding to the comment of the gentleman from Arizona (Mr. KOLBE) that it takes from these other areas, no, it does not. The goal is to take it from the military assistance. If the administration chooses to take it from humanitarian and economic assistance, that is the choice of the administration. It is not the wish of the gentleman from Massachusetts (Mr. MCGOVERN) or the cosponsors of his amendment.

Why is this important? The gentleman from Wisconsin (Mr. OBEY) said earlier that the Rand organization presented a report that said that treatment on demand in the United States is 23 times more effective than eradication of the coca leaf in the country of origin. Think of it. It is estimated to cost about $32 million to reduce demand in the United States 1 percent by treatment on demand.

If instead we try to reduce demand 1 percent in the United States by eradication of the coca leaf in Latin America, it will cost over $700 million. Do the math. That is 1 percent for a 1 percent reduction.

In our country, there are about 5½ million substance abusers. About 2 million of them receive treatment, and 3½ million do not. Why are we not spending the money, which is 23 times more effective, on treatment on demand to reduce demand in our country, rather than sending all of this money, to the tune of $2 billion, and it will grow next year, for a policy that has been ineffective?

I am very respectful of President Pastrana and his good intentions and hard work and, again, in recognition of the fine work that my colleagues, the gentleman from Arizona (Chairman KOLBE) and the gentlewoman from New York (Mrs. LOWEY), the ranking member, have done on this bill, but this part of the bill must be debated more fully and the Andean Initiative must be reduced.

What does the gentleman from Massachusetts (Mr. MCGOVERN) spend the money on? He spends it on tuberculosis. Few diseases are as devastating and widespread as TB. TB kills 2 million people each year and is only second to AIDS as the biggest infectious killer of adults in the world.

Although there is a very cost-effective cure for this disease, only one in five who are sick receive adequate treatment. The good news is that effective treatment does exist. It is called DOTS, the Directly-Observed Treatment Short course, and it is effective. It costs between $20 to $100 to save a life.

According to the international TB experts, a worldwide investment of $1 billion is needed to make DOTS available to all of those ill with TB, and an appropriate U.S. share would be $200 million. The money would go to the foreign operations bill, to increase its funding for polio eradication.

While the bill has $25 million in it, Rotary International, which has been a leader in the eradication of polio, says we need a minimum of $30 million for that eradication. We are in a race to reach every last child with polio. We can do it.

We need the resources to do so. It seems to me that is money much better spent than in the unknown, slow-to-come, trickling-through-the-pipeline humanitarian or economic assistance that was promised to Colombia but where they have seen more on the military side and hardly anything on the humanitarian and economic side.

Mr. Chairman, I urge my colleagues to follow the leadership of the gentleman from Massachusetts (Mr. MCGOVERN) and all the other makers in this amendment. I have failed in the subcommittee and in the full committee, but I am more hopeful on the floor of the House that if we want to reduce demand of drugs in the United States, we will do it in a cost-effective way.

If the burden of proof of this is, have we helped the Colombian people and reduced drugs in the U.S., we have failed on both counts. Support the McGovern amendment.

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

Mr. Chairman, lest our friends on the other side of the aisle forget that the Plan Colombia concept was a Clinton administration proposal to help save Colombia from becoming a failed narco-state on the Clinton watch, we need to stay the course. We have not even delivered most of the equipment we promised to Plan Colombia, the helicopters that were provided for. In fact, they just started arriving this month. So how can we attest to the fact that this is a failure? It has not even started in full. Let us be fair and accurate in this debate.

With what we in the Congress previously gave to the Colombian National Police ahead of Plan Colombia, their antidrug units are already about to totally eliminate opium this year, the source of more than 70 percent of the heroin coming to the United States. We also eradicated 30,000 hectares of coca in southern Colombia with Plan Colombia, all since mid-December of 2000, far ahead of schedule.

All the above was accomplished in the year 2000 by the anti-narcotics police without one credible allegation of human rights abuse against its antidrug units. In April, 2000, the Institute for Defense Analysis, the IDA, reports that our efforts with the anti-narcotics police in Colombia, both in eradication as well as hitting labs and breaking up major trafficking organizations, have produced the lowest purity and the highest prices here for cocaine since early 1985, the lowest purity and the highest prices since 1985.

This low purity and high prices for cocaine in 15 years here at home means less and less young people are going to become addicted to cocaine, and they will not require the expensive treatment and incarceration in our Nation.

So I repeat, Mr. Chairman, less and less American kids are going to be addicted to cocaine because of what we

are doing under Plan Colombia today, despite the uninformed critics, who offer no real workable alternatives.

So let us stay the course. Fighting drugs at their source is still the best and most cost-effective way, before they arrive on our shorelines, destroying our young people, increasing crime in our communities, and producing even more costs in treatment and incarceration.

Accordingly, I urge our colleagues to defeat the McGovern amendment and make certain that we are not going to surrender in this war on drugs.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to support the McGovern, Hoekstra, Pelosi, Morella, Jackson-Lee amendment.

Mr. Chairman, if I might have the attention of the House, this is an important debate because I think the American people are trying to understand just where the tension is between those of us who are interested in maternal-child health and immunization and the opponents of the bill.

First of all, let me say, Mr. Chairman, that just a couple of days ago the White House had Youth Day on Saturday, opening up the White House to thousands of youth who came to the United States Capitol, including Boy Scouts, who many of us see walking throughout the Capitol, who are here for the Jamboree to be held in Virginia.

I mention that because we in America are interested in promoting healthy children. Therefore, we have emphasized in preventative health millions of dollars to immunize our children. With that in mind, this is what this legislation is about. It is the capability worldwide to ensure that there are healthy children and healthy mothers, to ensure that there is prenatal care as it relates to nutrition, and to ensure that there is immunization.

Let me juxtapose those needs of saving lives of children, of providing the nutritional needs through the foreign operations bill, to what this amendment does. This amendment takes only $100 million out of a $2 billion pot.

This does not label those of us who support this amendment as antidrug enforcement or not understanding the drug issue. What we do understand is that America has been fighting drugs in Mexico and in Colombia and places throughout the world without a lot of success. We realize that we have not placed as much emphasis on treatment and bringing down the desire.

This is all about supply. I heard a good friend and colleague mention that we are trying to take money out of police operations and other operations as it relates to drug enforcement. That is absolutely a misinterpretation of our amendment. All we are doing is taking $100 million, which may be taken out of the foreign military aspect of this drug effort, out of a $2 billion line item.

So, Mr. Chairman, let me emphasize what we have been able to accomplish with assistance on the idea of child nutrition.

If a child is not killed by measles, it may cause blindness, malnutrition, deafness or pneumonia. It is possible to save millions of children per year just by increasing immunization rates from 75 percent to 90 percent and by assuring access to essential nutrients, such as vitamin A, which increase resistance to disease and infection.

In developing nations we are finding that children are dying of the normal childhood diseases which here in America children do get but they survive because of immunization. Annually, immunizations avert 2 million childhood deaths from measles, neonatal tetanus, and whooping coughs, which if we travel to the developing nations we will find those diseases devastating to children.

The success of these programs in the world's poorest regions is even more striking when one considers that the vaccination rate in the United States only reached 78 percent, 78 percent in 1998. Unfortunately, immunization rates are not improving everywhere. Coverage in sub-Saharan Africa has decreased. Thirty percent of children still do not receive their routine vaccinations, and 30 million infants; and measle infection rates have improved in the last 10 years, but there are still 30 million cases of measles.

We must reduce hunger and malnutrition, which contributes to over one-half of the childhood deaths throughout the world. We can do so through these child and maternal health programs. Almost 150 million children are malnourished. We have watched the stories in Sudan, in Ethiopia, in other war-torn countries.

I believe the most important aspect of this debate is for us not to be considering that we are killing the drug enforcement program in parts around the world, including Colombia. That is not the case. We are asking for a small, minute number of dollars to be able to save millions and millions of children.

I believe this is a fight worthy of its name. I am delighted to be on this amendment. I have an amendment that I had intended to offer, but I believe this debate is so important that we need to focus on the juxtaposing of what we are standing for here today, saving lives, as opposed to the depleting of a $2 billion pot.

Mr. Chairman, I am a cosponsor of this amendment. I ask support for this amendment. I will consider whether or not I will withdraw my amendment that will come subsequently. This is an important issue.

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

Mr. Chairman, I rise in strong support of the McGovern-Hoekstra-Pelosi-Morella-Jackson-Lee global health amendment to H.R. 2506, the fiscal year 2002 Foreign Operations Appropriations bill.

I want to commend my friend, the gentleman from Massachusetts (Mr. MCGOVERN), for taking the lead in bringing this important amendment to the House floor.

What the amendment does is it shifts $100 million from military aid, and this is the intent, to Colombia to the Child Survival and Health Programs Fund. It would add $50 million for child survival and maternal health programs that improve maternal and child health and nutrition, reduce infant and child mortality, and support polio eradication programs.

Additionally, this amendment would add $50 million for infectious disease, and that is specifically for international tuberculosis programs. While TB overall is on the decline in this country, it continues unabated globally. An estimated 8 million people worldwide develop active TB each year. There are 2 million TB-related deaths worldwide each year, and TB causes more deaths among women worldwide than all cases of maternal mortality combined.

TB is the leading cause of death among people who are HIV-infected, accounting for one-third of AIDS deaths worldwide. The global TB epidemic could impact declines that have been made in the United States.

Mr. Chairman, it is impossible to control TB in the United States until we control it internationally. According to experts, an additional $1 billion is needed to adequately address this killer. The United States must take a leadership role in supporting and substantially increasing spending programs to eliminate the spread of TB worldwide. Passage of this amendment would translate into $120 million for international TB eradication efforts for fiscal year 2002.

Equally as important is increased funding for the child survival and maternal health programs. Each year, more than 10 million children die before reaching their fifth birthday due to preventable infectious diseases such as pneumonia, measles, and diarrhea.

□ 1515

Nearly 500,000 women die of pregnancy-related causes each year; and every minute around the world 380 women become pregnant, 110 women experience pregnancy-related complications, and one woman dies.

Mr. Chairman, the $100 million this amendment seeks to shift is offset strictly by military aid to the Colombian Armed Forces. I want to emphasize the fact that it does not, despite what we have heard, it does not touch any police aid, which would be $152 million, and it certainly does not touch

any of the $146 million for social and economic investment in Colombia. Neither does it affect the remaining $277 million of the military economic or development aid for Peru, Bolivia, Ecuador, or Venezuela that is contained within the $676 million Andean Counterdrug Initiative.

Mr. Chairman, this amendment should pass by voice vote on its merits alone. However, if there is a recorded vote, I urge passage of the McGovern-Hoekstra - Pelosi - Morella - Jackson-Lee global health amendment.

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

Mr. Chairman, much is in dispute about this whole issue of what to do in Colombia, but I do not think anyone can dispute that there is no visible evidence that the human rights situation in Colombia has improved since Congress approved last year's mostly military aid package, and I think that should indicate to us that we ought to think about what we are doing.

With the indulgence of the chairman of the subcommittee, the gentleman from Arizona (Mr. KOLBE), I had an opportunity to visit Colombia about 4 months ago with a number of Members of this body, and we had an opportunity to talk with a number of different people in the government in Bogota, but then also visited as much as we could in the short period of time on the front lines of the areas in the Colombian civil war, particularly in Putumayo Province, and a couple of other provinces in the south of the country.

Now, I believe that President Pastrana and the defense minister are genuinely looking for an acceptable way to end this long conflict. Some elements of the military certainly are in collaboration with the right-wing paramilitaries, and I suspect doing so in defiance of President Pastrana. I really do not believe that he is in any way encouraging them. In fact, the tensions are clearly obvious within the military in Colombia, from what I could see of the visit. The Department of Defense has discharged whole units where there is evidence of collaboration; and that, of course, is part of the tension.

But I think that our heavy use of military aid to the suspect Colombian military drives the United States' policy into the pattern of the El Salvador example from a decade and more ago, a period of time when year after year we were spending on an average of $400 million or more year to the Salvadoran military, which was directly involved in the worst civil and human rights abuses in El Salvador, including the infamous killing of Catholic nuns, who, of course, were in sympathy with the plight of the Salvadoran people.

Now, in my view, the Salvadoran example provides some example for the sides in Colombia to use. Ten years ago, the two sides in the civil war in El Salvador realized that they were simply killing the very best young people from both sides and that it was disastrous for everyone there, and so they sat down together to create a new future for El Salvador. And a version of that, it seems to me, is the way that this craziness in Colombia has got to end.

I think the amendment that has been offered by the gentleman from Massachusetts (Mr. MCGOVERN) and the gentleman from Michigan (Mr. HOEKSTRA) provides a message. It would send a message that the purely military solution, in this case in Colombia, is a dead-end solution for Colombia and that it is really time to try something else.

The gentleman from Arizona (Mr. KOLBE), the chairman of the subcommittee, suggested, or pointed out, that this message is a blunt message; and it is, because it cuts $100 from the $676 million assigned for the Andean Counterdrug Initiative. But the administration can take that money from the military side, from the military side in Colombia, not from the civil police, not from economic aid there or in the other nations of Ecuador and Peru and Brazil, if that is where it is otherwise intended to go.

There must be a better way to do this. It is time to try something else than the failing effort to impose a purely military solution on the longstanding, nearly 30-year civil war that is going on in Colombia. Therefore, with a slight bit of ambivalence, I started here ambivalently, therefore I am supporting and commending the gentlemen from Massachusetts and Michigan for their leadership on this issue.

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

Mr. Chairman, I rise in reluctant opposition to this amendment, but I do want to salute the gentleman from Massachusetts (Mr. MCGOVERN) for his work on behalf of Mr. Moakley's long work in support of human rights in El Salvador and in support of human rights in Colombia; but I reluctantly oppose this amendment.

Recently, I accompanied the Waukegan Police Department on a raid of a crack house. There we found the crack addicts in the basement, but then I found that this was actually a home with three little bitty babies in it and a 12-year-old smoking crack cocaine. We cannot surrender the drug war. We need to make sure that we protect those who cannot protect themselves.

But there are two purposes of the drug war. The first purpose of a U.S. drug war is to reduce the narcotics flow into the United States, and on that we have not done well. But there is a second purpose; and that second purpose, Mr. Chairman, is to prevent narcogovernments from taking power. We saw it once already in our history when the government of Panama fell and a narcogovernment took control there.

Manuel Noriega turned the Immigration Ministry in Panama into an enormous drug lab. And two things happen once a narcogovernment takes control: first, economies of scale; and, secondly, research and development. The research and development in the narcotics industry created crack cocaine, a $5 single hit, that was an enormous boost to the illegal drug industry. And we cannot let that happen in Colombia.

The United States has an important and positive role to play in supporting civil society in Colombia. Colombia, our neighbor, is in the middle of a nationwide crisis which threatens the entire region, and they have asked for our help. So the question is not should we become engaged, but how we should become engaged and to what end. Had this amendment redirected funds to support civil society in Colombia, especially judicial reform, I would have strongly supported it. However, simply pulling support from Colombia and its fight against drugs and its fight against narcoterrorism is not the solution.

I believe it is vitally important to support Colombian institutions that are working in an effective fashion to bring criminals to justice, whether these criminals wear the uniform of rebels who profit from drug trafficking or are right-wing paramilitaries who fill their war chests with cash culled from the same dirty source. I would even mention that some of these lawbreakers wear the Colombian uniform of the armed services and support illegal activities of paramilitary groups that are responsible for most human rights violations in Colombia.

But I would note that all aid under this bill passes through the Leahy amendment, vetting people to ensure respect for human rights. There are institutions in Colombia that do a truly exceptional job fighting injustices engulfing the country; and among them is the attorney general, known as the Fiscalia, and the Colombian National Police. Most of the recent high-level captures of paramilitary leaders and rebel chieftains are the result of the dedicated work of the attorney general's office, where hundreds of prosecutors are working against tremendous odds to transform the written word of Colombia's laws into real-life consequences for criminals.

For instance, it is the attorney general's office that has done the painstaking investigations that have resulted in arrest warrants for top paramilitary leaders recently. They hit at the heart of the paramilitary structure, their drug profits; and they need our help. For their part, the leadership of the Colombian National Police has literally turned an institution around

over the past decade, from one stained by human rights violations into a professional force. They have done what so far the Colombian military has not, sending a clear and pointed message that rank-and-file human rights violators will not be tolerated.

Since 1994, when General Jose Serrano took over, over 11,000 officers have been dismissed for crimes that vary from corruption to extrajudicial execution. In their place are officers who know their first duty is to obey the laws themselves before they bring criminals to justice. General Gilibert continues to uphold this tradition and needs our support to continue to enforce the law, particularly in regards to human rights.

Mr. Chairman, we should not surrender Colombia to drug lords of the right or the left. Defeat in this instance of civil society would mean at least 10 percent of Colombia would attempt to move to the United States. I would hope in the future we could work together in a bipartisan fashion to craft an aid package that supports the Democrat center, civil society, prosecutors, police officers, judges to create a Democrat forum in Colombia where we could win the war against the tyranny of the right or left.

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

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

Mr. MCGOVERN. Mr. Chairman, I just want to point out one thing. First of all, this bill contains $152 million of police aid. There is $72 million in police aid from last year that is still in the pipeline. Nobody here is advocating that we surrender. What we are saying is send a signal to the military that we want them to sever ties with the paramilitary. That is what this is about.

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

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

Mr. BROWN of Ohio. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Chairman, I just want to make clear a couple of points here. First of all, we are not abandoning Colombia. This foreign aid package still includes $299 million in aid for Colombia for alternative development, the police, and judicial reform. It includes another $276 million in economic and security assistance for the other countries in the Andean region. It does not affect any of the military aid that will be coming before us in the defense appropriations bill.

We are emphasizing the funding in our amendment that supports peace, development and an end to poverty that leads to drug cultivation. We are eliminating funding that further militarizes the conflict. That is the purpose of our amendment. We are eliminating the aid for a strategy in southern Colombia that has failed in every country where it has been tried and which is opposed by all 13 mayors of Putumayo and all six governors of southern states of Colombia.

What we are trying to do is send a strong, clear signal at last that the Colombian military must cut its ties to the paramilitaries. My concern, and the concern of a lot of us who are supporting this amendment, has been that we talk the talk when it comes to human rights but we do not walk the walk. We put in language in our Colombia aid package, conditionality language on human rights; and yet when the Colombian military does not abide by those guidelines, we simply waive those guidelines. That is the wrong signal to send.

I do not know how continuing to support a military, continuing to send a signal that we are going to turn a blind eye to human rights violations does anything to deal effectively with the drug problem in our country or deal with illegal growth of coca plants in Colombia, or deal with strengthening civilian institutions. The fact of the matter is, continuing to support the Colombian military without insisting they abide by human rights criteria, I think sends the wrong signal and it adds instability, not stability, to the region.

Mr. BROWN of Ohio. Reclaiming my time, Mr. Chairman, I rise in support of the McGovern amendment to shift the $100 million from aid to Colombia's military to global health programs.

Since Plan Colombia began last year, the human rights situation has worsened. There are reports of atrocities both by right-wing paramilitary groups and left-wing guerrillas.

□ 1530

The AUC paramilitary group has gone on a bloody rampage across Colombia, massacring hundreds of civilians.

In the Naya River Valley and other places throughout Colombia, the military has failed to take sufficient steps to prevent paramilitary massacres, despite ample public warnings about the attacks.

Our own State Department has documented the ongoing links between the Colombia military and the paramilitaries. According to the State Department, impunity for military personnel who collaborate with members of paramilitary groups is all too common.

Mr. Chairman, we have a great opportunity on the floor of the House. We have an opportunity to cut $100 million out of $2 billion, but $100 million which will, on the one hand, curb human rights abuses and, on the other hand, take that $100 million and spend it on maternal health and on polio and on tuberculosis control.

When we look at what the world has done in the last 20 years when we have the resources, it is clear that $100 million can be spent very, very well. In one state in India a couple years ago because of government and public health authorities involvement in a tuberculosis pilot project, they reduced the death rate by 94 percent from tuberculosis in that one state in India.

Polio was eradicated in the Western Hemisphere in 1991. The last case was in Peru because of government health authorities and NGOs and others making that commitment. Since then we have almost eradicated polio around the world and should have eradicated it by 2005.

In one day in 1999, in the country of India, where NGOs from around the world and public health authorities from around the world and the government of India concentrated on vaccinations that day and immunized, in one day in India in December, 1999, 134 million children.

The point, Mr. Chairman, is when we use these public health resources well, we can make a big difference. The McGovern amendment does that. It is a small but important step in our efforts to eradicate infectious disease, to curb human rights abuses and to make this world a more healthy place.

Mr. HOEKSTRA. Mr. Chairman, I move to strike the requisite numbers of words.

Mr. Chairman, I thank the gentleman from Massachusetts (Mr. MCGOVERN) for allowing me to work with him on this amendment.

Regrettably, I come to the floor to talk about this issue on an appropriations bill. This discussion would be much better if we were going through an authorization process, but this is the only place we can talk about a very critical issue.

I think there is a great degree of uncertainty of how this program is working. We know that on this appropriations bill there is significant legislation that will further militarize this situation. I think we need to be nervous about that. That is why I looked favorably on this amendment when it was proposed to me and why I chose to co-sponsor it.

In the last few months, I have had the opportunity to travel to Africa. Investing in health care around the world is an important investment. We were in Lagos, Nigeria. We had the opportunity to witness the effects of polio and recognize that polio is still a disease that faces way too many children around the world. Investing in child survival and health programs is a good investment.

In contrast to that, I think there is a sincere concern about our efforts in the drug war. As I listen to the debate today, I hear terms such as we have to reduce the drug flow, narco-governments, surrender to drug lords. I sometimes wonder if we are willing to sacrifice all U.S. values in this fight on drugs.

We know that in certain cases, and we will be talking about one of those later on today in another amendment that I will be proposing, when we tried to work out some protections that would embody basic human values and basic U.S. values and rights that we cherish in this country, we are not willing to extend those basic rights to the people in South America. We are willing to do other legislation in this appropriations bill but carrying basic rights that we treasure in this country and that we afford to our own citizens, we are not willing to extend to our colleagues south of the border.

Are we willing to sacrifice all decency and basic human rights so that we can benefit here in the U.S. while others suffer in other parts of the world? I am not sure that is the direction that we want to go.

The U.S. values that we cherish here are the same values that we should share and export to other parts of the world. We need in this bill, since it is the only vehicle that we will have an opportunity to express our values on and our feelings and opinions, we need to use this bill to say we are going to defend U.S. values and U.S. rights in this country and we are going to ensure that those values and those rights are extended into other countries where we are engaged and where we are invested.

The greatest export that we have around the world is not dollars, but it is a vision of freedom and it is a vision that says freedom and human rights are a basic right that people around the planet should share. We are the model. That model should not change when we leave our borders.

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

The CHAIRMAN. Without objection, the gentleman from Arizona (Mr. KOLBE) will be recognized for an additional 5 minutes.

There was no objection.

Mr. KOLBE. Mr. Chairman, I would just like to make some observations on the amendment and the speakers that we have had.

I want to remind my colleagues what the issue really is here. We are not talking about whether or not we should be putting more money into HIV/AIDS and child survival fund. We recognize the importance of doing that. We have money that is going into those funds. We are increasing the amount for tuberculosis rapidly. We believe, in fact, that we are increasing it as rapidly as we can be. Some might argue that it is faster than the absorption. We are not even sure exactly how those program dollars are going to get spent, but the need is tremendous.

We are facing a pandemic in this world in HIV/AIDS unlike anything that any of us in our lifetimes have experienced, unlike any kind of plague that has beset this world in the last several hundred years. We need to be focused on that. We need to understand that it is a global issue. It is not just one here in the United States. It is not just one in Africa. We are now seeing it in Haiti and the Caribbean. We are seeing it in South Asia. We are seeing it in the Central Asian republics. We are seeing it in the Caucasuses and we are beginning to see it in Southern China.

This epidemic is spreading around the world, and we need to apply the proper resources to it. Mr. Chairman, our bill does do that. We make every attempt to get money into the international trust fund as well as money into our bilateral programs.

Mr. Chairman, let me repeat again where we are with this trust fund, a trust fund which, I might add, has not yet been established, a trust fund that under the umbrella of the United Nations would provide funding for programs around the world, but we still do not know how the governance of that trust fund will be done.

Nonetheless, we have $100 million in our bill for that. Last Friday, this House approved a supplemental appropriation which is now on the desk of the President for $100 million; the Labor-HHS bill will have another $100 million. That is $300 million in 1 year from this country alone towards the trust fund.

I realize that one can always argue that more is needed, but we have to balance our bill with the requirements of our other national security requirements, including those in South America, the need to make sure that the needs of the battle against drugs in Latin America continues, as well as the economic assistance in those countries.

Mr. Chairman, I urge my colleagues when they consider this amendment that they realize that we have a balance in this bill, and I would hope that my colleagues would consider it carefully and that they would reject this amendment.

MOMENT OF SILENCE IN MEMORY OF OFFICER JACOB J. CHESTNUT AND DETECTIVE JOHN M. GIBSON

The CHAIRMAN. Pursuant to the Chair's announcement of earlier today, the Committee will now observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson.

Will all present in the Chamber please rise for a moment of silence.

Ms. CARSON of Indiana. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I thank the Chair for appreciating the work of the officers here and around the world.

I speak on behalf of the McGovern-Hoekstra-Pelosi-Morella amendment that adds $50 million to infectious disease programs to combat tuberculosis and $50 million to the Child Survival and Maternal Health Program.

This money will be taken from the Andean Counterdrug Initiative that would provide $100 million in additional U.S. funding for Plan Colombia. The current administration asked for a 1-year $1 billion military aid package to continue funding Plan Colombia and other antidrug initiatives in surrounding countries.

While I respect that initiative, I prefer to support this global health amendment because I believe that additional funding for the Colombian military will only draw the United States further into Colombia's brutal 4-decade old civil war.

Furthermore, I cannot in good conscience support funding for a military in Colombia that has close connections to paramilitaries responsible for some 70 percent of the most severe human rights violations in the world. Seventy-one percent of the 319,000 people internally displaced last year were driven from their homes by paramilitaries, according to the Colombian President's office. The $1.3 billion aid package that we sent Colombia last year has not improved the Colombian military human rights record. Hardly any high ranking military officials implicated in connection to paramilitaries have been dismissed since the United States aid began to be implemented last August.

Mr. Chairman, as reported in last Thursday's issue of The New York Times, 40 percent of Africans with AIDS have tuberculosis, which is the leading killer of people with AIDS. Tuberculosis kills 2 million people each year, and is on the rise globally. Tuberculosis is the greatest killer of people with HIV–AIDS and young women worldwide. Tuberculosis treatment in the form of directly observed treatment, DOTS, is one of the most cost-effective treatments available today.

And to combat high infant mortality rates, a small investment in programs such as measles, diphtheria, whooping cough, tetanus, and polio will greatly impact many children's lives.

We can save billions of dollars in the future if polio and other preventable diseases are no longer a threat to children, and countries no longer need to vaccinate their children. The change in children's health worldwide is priceless. The funding needed to achieve this goal is invaluable by comparison.

Mr. Chairman, I urge strong support of this amendment.

□ 1545

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

I rise today in support of the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN) to reduce funding for the Andean Initiative by $100 million. During the consideration of Plan Colombia, I had some serious concerns regarding the manner in which the $1.3 billion would be distributed. I believed that the concentration of those funds on military rather than

on economic and social assistance was a grave miscalculation. The assistance provided to the Colombian military has been used to support and intensify the long tradition of human rights abuses in Colombia in my opinion. Plan Colombia has bloodied the hands of this Congress.

I believe that this reduction of $100 million should be taken from the account directed to the Colombian military to send a message that these abuses of basic human rights will not be tolerated any longer. I cannot stand idly by while this body attempts to make the same mistake once again. Though I believe that the Andean Initiative takes steps toward a broader regional strategy and addresses the shortcomings of Plan Colombia, the President's request for the distribution of this account is incredibly deficient.

The most glaring deficiency is the lack of support for the country of Ecuador. We are talking about a country that has struggled for years with high inflation, a high rate of unemployment and a low per capita income. We are talking about a country that provides the United States a forward operating location at the Manta Air base to conduct drug surveillance missions free of charge.

Under the administration of President Noboa, Ecuador has done nothing but demonstrate acts of loyalty and friendship toward the United States. How do we repay them? By providing only $39 million, $39 million when Peru and Bolivia are receiving well over $100 million each. This is not providing support for a friend in need. This is a slap in a friend's face.

Ecuador is dealing with the daunting task of keeping the coca production beyond its borders. With the increasing activity by Colombian paramilitaries in the Putumayo region, this is becoming more and more difficult every day.

If the Colombian military and paramilitaries are successful in driving the guerillas out of southern Colombia, the problem will not be solved. The guerillas will simply move elsewhere to resume their business. This funding will not allow Ecuador to secure its borders or resist the movement of the guerillas into the Sucumbios region of Ecuador.

Just last month, the Revolutionary Armed Forces of Colombia crossed the Rio Putumayo into Ecuador and set up roadblocks on a main highway. This is the beginning of the terror for Ecuador. We can take steps in this Chamber to nip this in the bud.

Ecuador once shared a 367-mile border with Colombia. It now today shares a 367-mile border with rebel forces. Something must be done before this situation gets out of hand. No Member wants to be down on this floor next year voting for an aid package called Plan Ecuador.

I sincerely believe that the gentleman from Arizona (Mr. KOLBE) and the gentlewoman from New York (Mrs. LOWEY) are committed to improving the situation in Ecuador. As this bill goes to conference, I would like to offer my assistance to ensure that the underfunding of Ecuador be addressed and rectified.

I also note that this money that will be redirected to child survival and maternal health as well as combating the spread of infectious disease. With so much suffering in this world today, why must we contribute to more of it? Let us take this opportunity to promote the welfare of both Colombia, the Andean region and global health entirely.

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

Mr. Chairman, I rise in strong support of the McGovern-Hoekstra-Pelosi-Morella-Jackson-Lee amendment which adds $50 million to the infectious diseases account to combat tuberculosis and $50 million to the child survival and maternal health account. The offset comes from a $100 million cut in funding for the Colombian military.

As a relatively new Member of this august body, the most important parliamentary body in the entire world, what has struck me is the capacity of the United States for relatively small amounts of money, relative to the amount of money that we have and the amount of money that we spend, to do good in the world and to end the suffering of millions of people. That is what this amendment allows us to do.

I had the experience of going to Colombia with one of the sponsors of this amendment, the gentleman from Massachusetts. One of the things that we did was go to Barrios Kennedy, a place for displaced people, people who have been displaced by the multi-decade war that we are helping to fuel in Colombia. When we went to this crowded community and we met with families there, it was so sad because many of the families would put forward their children who were so sick and who were getting no help from the government, who were not getting the kind of help they needed or wanted from the United States. When they saw Members of the United States House of Representatives, they thought, can you help us? They showed us their health care bills that they could not pay. They held up their sick children. They were pleading for help.

This amendment gives us the opportunity to do two things for those people: one, to help their children with their health care needs; and, two, to end the continued problem of displacement.

How do we do that? Cutting funds from the Colombian military makes sense. This is a military that has repeatedly been implicated in the brutalization and murder of the very people that it is supposed to protect. Last year, there was an average of at least one massacre a day in Colombia, leaving thousands murdered and millions displaced. They flock to cities like Bogota where we met with some of them.

While many of the attacks were carried out by guerillas and paramilitary, these illegal armed groups operate with impunity from the military. In fact, they are often aided in their efforts by the Colombian armed forces personnel.

This amendment sends two clear messages: one, that we care about the children and the poor and the sick in this world, that we want to eradicate polio, that we want to get rid of tuberculosis; and, two, we send an important message to the Colombian military that we will not tolerate nor support the kinds of human rights violations that continue to devastate the people of Colombia that we say we are there to help.

I urge all my colleagues to join in strong support of this well-thought-out amendment.

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

Mr. Chairman, I rise in support of the McGovern amendment, reducing the amount of military assistance for Colombia and increasing funding for child survival maternal health, tuberculosis and malaria. Regardless of whether you support the huge U.S. investment in arming and training the Colombian military and police, the facts are clear. The acceleration of military activity in southern Colombia as a result of Plan Colombia funding has led to less government control, more violence, and no reduction in drug cultivation processing or transshipment. As a result of these and other developments, President Pastrana is now considering signing a law which would provide the Colombian military with extraordinary power and exemptions from judicial review.

During debate on Plan Colombia last year, Members were assured that alternative economic development was as much a priority as military and police aid. We were also told that our European allies would compensate on the economic assistance side for the imbalance in our own program.

What actually happened? A massive fumigation campaign commenced last December in southern Colombia before any alternative economic development programs were in place. By last March, no alternative crop assistance had been delivered to communities which had agreed to voluntary eradication. Today, as we speak, assistance is being delivered in only two of the 29 communities that have signed pacts. In fact, only 1,800 of the 29,000 people in the affected area are actually receiving assistance today. Military assistance programs have proceeded rapidly, while economic assistance from Europe never

materialized, and United States assistance has been slow in arriving. We are adept at wielding the stick of Plan Colombia, but the carrot is nowhere to be found.

The McGovern amendment would reduce military assistance to give alternative development programs more time to be implemented. We owe the poorest of Colombia's poor who have been terrorized by the ongoing conflict the opportunity to eradicate their illegal crops voluntarily. And when they agree, we must have the capacity to deliver on our promises immediately. That is not the case today.

Congress provided over $1 billion for Plan Colombia, of which only about half has been spent. The majority of the military equipment funded in that package has not even been delivered to Colombia. Spending this $100 million on infectious diseases is good policy and will not slow our progress in the war on drugs in Colombia. In fact, it will actually help, by demonstrating that our policy is balanced. It will also increase the likelihood that the alternative development pacts will be sustainable over time.

The examples of successful voluntary eradication programs in Bolivia and Peru show that manual/voluntary eradication is the most effective and sustainable method of achieving long-term change. In order to bring that about, poor farmers must receive some actual benefits and gain confidence in their government. This has not yet happened in southern Colombia. The McGovern amendment will help solidify these alternative programs by slowing the pace of military assistance. I urge my colleagues to support it.

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

Mr. Chairman, this amendment really is not about allocation of child survival and health programs funding. Because if you just take a moment to look at the history here, we have $1.4 billion, nearly $1.5 billion allocated this year. Some 4 years ago, it was half the amount. It took a Republican Congress to increase this program, and it is an important program, and it is a targeted program which will aid in child survival worldwide.

But that is not the debate here. The debate is to really declare war on Plan Colombia. Some of the same opponents, Mr. Chairman, that we had toward giving any assistance to the Colombian military are the same opponents that we have here today.

We have heard that this is a purely military solution. Mr. Chairman, we have not had the military involved in Colombia really until this Plan Colombia came about. The Clinton administration blocked all of the military assistance to Colombia. Time and time again the Congress appropriated funds for helicopters. What do we need helicopters and transport vehicles to get to the Colombian military for? To get to the violence and get to the drugs. It does not take rocket science to figure this out. The drugs, the heroin, the cocaine are in the hills and distant lands in Colombia; and you need a way to get there.

Just a few minutes ago we dedicated a moment of silence to two Capitol police officers to whom as Members we will always be indebted because they sacrificed their lives to protect us. Do you know how many Colombian police have died to date? Over 5,000. There will be no moment of silence for those 5,000 Colombian police.

We have been to Colombia, many times. The Speaker helped develop this program. The administration for years blocked military assistance, and we got a huge increase in the production of heroin. From zero in 1993 to 70 percent of all the heroin coming into the United States is now coming in from Colombia because they blocked the military from stopping it.

Yes, there is violence out on the right side. You hear them talk about the military and how they are committing crimes. They did not tell you about the left wing, the FARC. They did not tell you about the ELN who cut people's throats, who use people in the most abusive ways you can ever imagine in human rights violations; and the terror is equally divided on both sides.

□ 1600

But they do not tell you that in order to stop the violence, to even get the police there without being slaughtered in Colombia, that you need some way to get them there. The key to that is our military assistance, the military, which we are training three battalions, providing helicopters and assistance to get them there. They encircle an area, and the police come in, arrest the terrorists and drug dealers, all of whom are financing the terrorism that has killed 35,000 people.

Do you want to care about human rights? Then allow Plan Colombia to at least go forward for 1 year. The aid is not even there. The helicopters that we begged and pleaded with the Congress and this administration to send there 3 and 4 years ago, are still not there. The last time I was there, they had four helicopters that were operating part of the time, and one was being cannibalized for parts. Now, how do you run an effective anti-illegal narcotics campaign like that?

Over one-half of the package is for assistance. If the assistance is not there, then get after the Department of State to get the assistance for alternative crop development and other programs to help people. But you will not build roads, you will not build schools, you will not save people's lives in Colombia until you have a comprehensive plan to make it all work.

So do not pull the guts out of the plan. Do not destroy a well-balanced plan that has protections against human rights abuses, that has a targeted approach and balance between a small amount of military delivering troops who are trained to an area to protect police.

You have heard about sacrifice of U.S. values. Well, the U.S. values our freedom.

The CHAIRMAN. The time of the gentleman from Florida (Mr. MICA) has expired.

(By unanimous consent, Mr. MICA was allowed to proceed for 1 additional minute.)

Mr. MICA. Mr. Chairman, sacrifice of U.S. values, I heard that. Freedom and human rights. Well, there will not be freedom in Colombia while they are killing each other.

It is in the United States' interests, it is in our interests as a neighbor not to let our friends continue killing our friends, just as it was in any other country in South America or around the world where we sent our assistance. But, in this case, there are no troops involved, only training and assistance and close supervision.

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

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

Mr. McGOVERN. Mr. Chairman, I just wanted to respond to the points the gentleman made that we are trying to take the guts out of this package. Let me remind the gentleman that $152 million in police aid is in this package; $72 million in police aid is in the pipeline, and an estimated $80 million in military aid.

Mr. MICA. Mr. Chairman, reclaiming my time, you can take that police aid and dump it in the Potomac River, because the police will never be effective unless they are protected to go in there. You will have another 5,000 police lose their lives in Colombia.

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

Mr. Chairman, if I am the last speaker, let me just say: this amendment is the equivalent of burning down a house because one of the rooms is messy and it needs cleaning. In our Child Survival Account in this bill, we are spending $1.387 billion on child survival, maternal health, vulnerable children, HIV–AIDS, other infectious diseases, reproductive health and voluntary family planning and a grant to UNICEF.

Included in this very, very important expenditure of $1.3 billion is five primary childhood killers: a focus on diarrhea, acute respiratory infections, malnutrition, malaria, directed primarily at children, and vaccine-preventible diseases. We are also looking at contaminated water. We are working to improve maternal health to protect the outcome of pregnancy, neonatal and young infants, to save the lives of the mothers by improving maternal nutrition, promoting birth preparedness, improving safe delivery and postpartum

care, and managing and treating life-threatening complications of pregnancy and childhood.

I keep hearing about values. This committee is already weighing in at $1.3 billion, and we believe that we can work to continue to support the war on childhood diseases.

Now, Mr. Chairman, why do I say they are just burning down the whole house? The author of this amendment a few minutes or hours ago said that this amendment does not direct a cut towards military. Now, I understand that they are angry at the military, but this amendment does not stop there. It is not earmarked. Therefore, it does go after human rights; it does go after judicial reform. It goes after all the good parts of Plan Colombia, which I think they would support.

But I want to address why is their military involved. Maybe it would be better to send down the Boy Scouts. Maybe we could send AmeriCorps in there. Maybe we could send the Peace Corps. Maybe we could send my church Sunday school group down there, and they could interface with these drug dealers and say, you really do not want to kill people, do you? Maybe that would work better. But I think not.

Let me read to you a part of the Andean counter-drug initiative report. It talks about Bolivia's 5-year plan to eliminate illegal coca cultivation. Why do we have seven countries involved in this? Just keep in mind that the drug dealers and drug problems are kind of like fire ants in neighborhoods. You treat fire ants in your yard, they go to your neighbor's yard. And drugs work the same way.

This talks about the eradication operation in the Yungas Mountains. It says coca is located in remote areas that are well guarded by resistance and militant coca growers, making it difficult, dangerous and costly to remove. The international narcotics elimination plans to go in there with aircraft, C–130Bs, and supply personnel.

It talks about one road where there are violent ambushes and attacks from coca growers and traffickers. It talks about this one road in the Yungas being the world's most dangerous road, that aside from tricky hairpin turns, the rocky and gutted road is seldom wider than 11 feet, necessitating its closure by soldiers to allow one-way traffic during various times of the day.

Eradicating coca is very, very dangerous business, and that is why you have paramilitary in there. I wish there was another way to fight drugs, but the money is too great.

Think about what we are faced with here in the United States of America. This is a product that if you work for the drug dealer, you do not have business cards, you do not advertise, you do not have brochures; and yet this insidious product is so bad that it can be obtained nearly on every school yard in the United States of America. I would challenge my 434 colleagues, if you do not believe me, go ask schools, particularly high schools in your districts, to the kids, can you get illegal drugs by the end of the day? And at most high school seniors' classes, about half the hands go up and say yes, they can.

This is a threat to society, not just in America, but all over the world. That is why you have to get tough with it. That is why you have to use the military.

But, again, Mr. Chairman, very, very importantly, this amendment does not stop at military. This cuts into judicial training; it cuts into efforts to assist displaced people and other human rights violations. This is a reckless and sloppy amendment, and it should be voted down. I would hope that the author of it would just withdraw it.

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

Mr. Chairman, I rise today in support of maintaining our commitment to the Republic of Armenia and Nagorno-Karabakh. While I support the language on the Nagorno-Karabakh peace process and direct aid allocation, I am disappointed that aid to Armenia is somewhat less than the fiscal year 2001 level of $90 million. Nonetheless, I am hopeful that the Senate and the conferees will correct this oversight in the coming weeks.

The United States has a long history of extending a helping hand to those people overseas struggling to make a better life, recover from a disaster or striving to live in a free and democratic country. It is this caring that stands as a hallmark of the United States around the world and shows the world our true character as a Nation.

Armenia alone among the New Independent States faces the unique challenge of developing its economy in the face of devastating blockades. The dual Turkish and Azerbaijani blockades have cut off Armenia's traditional trade routes and severely limited Armenia's access to the outside world.

As long as Armenia suffers from blockades on its east and west borders, continued and robust U.S. assistance to Armenia is necessary.

It is alarming that aid to Armenia has been decreased by 8 percent, while the administration has increased aid to Azerbaijan by 46 percent. Why are we rewarding a government that blockades its neighbor and was recently cited among the most corrupt nations in the world? Reducing aid to Armenia, while increasing aid to Azerbaijan, would send the wrong message about American priorities in the region.

Mr. Chairman, Azerbaijan continues to violate section 907 of the Freedom Support Act, a U.S. law enacted with bipartisan support in Congress and with the support of the Bush administration in 1992 in response to Azerbaijan's blockade of Armenia and Nagorno-Karabakh.

It is vital that the fiscal year 2002 foreign operations appropriations bill maintains section 907 of the Freedom Support Act without any weakening amendments or additional exemption being carved out. The reasonable and clear condition for lifting section 907 has not been met; and given the sensitive, ongoing Nagorno-Karabakh peace negotiations, section 907 must remain in place.

Mr. Chairman, let us not reward the Azerbaijani government, which is in violation of U.S. law. That same government, Mr. Chairman, has consistently been cited by our own State Department for its grim human rights efforts, as well as its flagrant violation of the most basic principles of democracy, free and fair elections.

We must apply a consistent set of conditions on foreign assistance recipients regarding their commitment to democratic principles, standards of international conduct, economic reform, and respect for human rights.

According to the State Department's 2000 Country Report on Human Rights Practices in Azerbaijan, Heydar Aliyev, who assumed presidential powers after the overthrow of his democratically elected predecessor in 1993, was reelected in October of 1998 in an election marred by serious irregularities, violations of election law and lack of transparency in vote counting at the district and national levels.

President Aliyev and his supporters continue to dominate the government and multiparty 125-member parliament. There were numerous serious flaws in the elections held in 2000. Serious irregularities included disqualifications of candidates, a flawed appeals process, ballot box stuffing, manipulated turnout results, premarked ballots, severe restrictions on domestic nonpartisan observers, and a completely flawed vote-counting process.

The constitution, which laudably establishes a system based on a division of powers among the presidency, legislature and the judiciary, unfortunately has been undermined by a judiciary which does not function independently of the executive branch and has proven itself corrupt and inefficient.

Severe disparities of income have emerged that contribute to patronage and corruption. In contrast, Mr. Chairman, the report by the State Department on Armenia says the following: ''The Armenian government demonstrated the strength of its constitutional system following the tragic events of October of 1999. In the wake of the assassination of the Prime Minister and other top leaders, Armenia followed constitutional procedures and continued the normal business of government. Exchanges and training and partnership programs provide opportunities for current leaders and the next

generation of Armenians to learn about the U.S. society and institutions firsthand and to forge personal ties with individual Americans and U.S. institutions. Armenia continues efforts to improve its business climate, increase investment and create jobs. The government is implementing final measures necessary for entry into the World Trade Organization.''

Finally, Mr. Chairman, the government has demonstrated a willingness to cooperate with the U.S. in preventing weapons of mass destruction, proliferation, and in fighting international terrorism. We must continue the pressure on both Turkey and Azerbaijan and increase our support to Armenia.

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

Mr. Chairman, I would like to use this time, if I may, or some of it at least, to talk about the amendment that has been offered to us by the gentleman from Massachusetts (Mr. MCGOVERN).

This amendment would shift $100 million dollars of U.S. aid from the Colombian military to maternal health and child survival programs, as well as a fund to fight tuberculosis. Over the past year, we must be aware that the situation in Colombia has deteriorated. Since August of 2000, when our government began delivering the new aid package, up to this moment, there has been a severe escalation of human rights violations in Colombia.

□ 1615

The number of massacres by paramilitary and guerilla forces in the first 4 months of this year is nearly double the number in the first 4 months of the year 2000. Despite an increase in U.S. aid, the military rarely acted to protect innocent civilians, and there are numerous instances of collaboration between the Colombia military and right-wing paramilitary groups.

A disturbing example of this took place in the City of Barrancabermeja. On July 6 of this year, a group of heavily armed paramilitary reportedly tried to assassinate trade union leader Hernando Hernandez. Mr. Hernandez, however, narrowly escaped after being warned by friends. The case in this particular city, the case of Mr. Hernandez, is one of the lucky ones. In the first 45 days of this year, 145 people have been killed in this small city, Barrancabermeja.

These killings take place in spite of the fact that this is one of the most militarized cities in all of Colombia. The Colombian Army's Fifth Brigade maintains a military presence, and that includes the U.S.-funded 61st Advanced Riverine Battalion. These units have made absolutely no serious efforts to restrain the paramilitaries from committing these atrocities.

Mr. Chairman, U.S. funding of the Colombian military has led to more human rights abuses, an increased number of political killings while, at the same time, not at all reducing drug use or violence in our own country. This amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN) takes money away from a failing program and shifts it to important and grossly underfunded global health initiatives.

Mr. Chairman, I urge the adoption of the amendment.

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

Mr. Chairman, I rise, along with the gentleman from Wisconsin (Mr. GREEN), my Republican friend and colleague, to express at this point in the debate on this bill our bipartisan appreciation for the leadership of the gentleman from Arizona (Mr. KOLBE), the chairman of the subcommittee, and the gentlewoman from New York (Mrs. LOWEY), the ranking member, for the substantial increase they commit in this budget to basic education.

Basic education in particular is about girls' education, because they are the ones most likely to be held out of school. The data shows tremendous return for the investment made in this area for each year past fourth grade: a 10 percent reduction in family size, a 10 percent reduction in infant and maternal mortality, and 15 to 20 percent increases in wages. This increase is precisely in line with the leadership of President Bush who has said recently, ''Literacy and learning are the foundation of democracy and development. I am directing the Secretary of State and Administrator of the Agency of International Development to develop an initiative to improve basic education and teacher training in Africa.''

Under the leadership of the President, the G–8 communique issued just this past weekend said, ''Education, in particular, universal primary education and equal access to education at all levels for girls, must be given high priority in our development programs.''

Former Secretary Treasury Larry Summers has said, ''Educating girls quite possibly yields a higher rate of return than any other investment available in the developing world.'' Present Secretary of the Treasury Paul O'Neil said in a recent op-ed in The New York Times, ''Education is inextricably linked to improving living standards.''

Perhaps the most eloquent quote I have heard regarding the imperative of girls' education was issued by the chairman of the board of a community school in Bamako, Mali. This gentleman said, ''Bringing girls education is like bringing light into a dark room.''

That is why I am so proud of the work of the gentleman from Arizona (Mr. KOLBE) and the gentlewoman from New York (Mrs. LOWEY). I had a chance to see with the gentleman from Wisconsin (Mr. GREEN) the effects of this funding and work on expanding girls' education in Africa.

Mr. Chairman, I yield to the gentleman from Wisconsin (Mr. GREEN), a true leader in advancing the cause of basic education around the world.

Mr. GREEN of Wisconsin. Mr. Chairman, I know the hour is late, I know the day is long, but I think it is important for us to show appreciation, so I commend both the chairman of the subcommittee and the ranking member for their tremendous commitment here.

What we are doing is not just about education and education reform; it goes much beyond that. As the gentleman from North Dakota has alluded to, we know that an educated child who becomes an educated parent is truly the key to solving many of the health care challenges in the developing world. We know that an educated community breeds democracy. We know that as expectations rise, as people learn about what is taking place beyond the border, those forms of tyranny and government control that are in many places of the world cannot survive. They will fall to democracy. Of course, education, as we all know, fosters economic development.

So what we have done and what we are doing today is truly a wonderful thing. I do want to show my personal appreciation and on behalf of many of the villages that the gentleman and I visited together, we thank our colleagues.

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

Mr. Chairman, I just want to respond very briefly to my good colleagues with appreciation for their important work in this area. It has been a privilege for me and the gentleman from Arizona (Mr. KOLBE), for us to feel we have had some part in making sure that young girls around the world will get educated so they can play an important role in their community and raise their families and raise their communities and hopefully lead to a more peaceful world. I thank the gentleman from North Dakota and the gentleman from Wisconsin for their important work.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today to join my colleagues in offering an amendment to this bill that will permit the United States Agency for International Development to provide valuable support for global child and maternal health programs and to combat global infectious diseases.

This amendment will provide $50 million additional funding for Child and maternal health programs and $50 million additional funding for the USAID's valuable infectious disease program. We are not asking for new funding, but merely funds from the State Department's Andean Counterdrug initiative.

We know firsthand that the health and survival of a child is directly linked to the health of his or her mother. Infectious diseases continue to take a toll on the developing world. Ten million children will die before their fifth birthday this year due to preventable diseases, such as diarrhea, pneumonia and measles. In addition, infectious diseases, such as tuberculosis and malaria, take the lives of millions of people living with HIV/AIDS. All of these deaths are preventable and by strengthening the basic health and nutrition services in developing countries, we can make a difference.

We must recognize that the U.S. federal budget allocation to foreign aid has hit a record low, and is now less as a proportion of our national income than in any other industrialized nation. Foreign aid is not only one percent of our federal budget.

In September, we will mark the ten-year anniversary of the 1990 World Summit for Children. At that summit, the U.S. joined with over 70 other nations in committing to the reduction of child and maternal deaths. Substantial progress has been made since 1990, but many goals have not yet been met. We need to redouble our efforts to expand programs that can sharply reduce the millions of preventable deaths.

Despite the good work of many organizations and individuals worldwide, each year more than ten million children die before reaching their fifth birthday due to preventable infectious diseases, such as pneumonia, measles, and diarrhea. This is equivalent to every child living in the eastern half of the United States. While diarrhea remains one of the leading causes of death in the developing world, at present one million childhood deaths are averted every year due to diarrheal prevention and appropriate treatment programs.

Clean water and sanitation prevent infections, and oral rehydration therapy (a simple salt sugar mixture taken by mouth, which costs only pennies and was developed through U.S. research efforts overseas) has been proven to be among the most effective public health interventions ever developed.

Global immunization coverage has soared from less than 10 percent of the world's children in the 1970s to almost 75 percent today. Annually, immunizations avert two million childhood deaths from measles, neonatal tetanus, and whooping cough. The success of these programs in the world's poorest regions is even more striking when one considers that the vaccination rate in the United States only reached 78 percent in 1998.

Unfortunately, immunization rates are not improving everywhere. Coverage in sub-Saharan Africa has decreased. 30 percent of children still do not receive their routine vaccinations—30 million infants. Measles immunization rates have improved in the past ten years but there are still 30 million cases of measles every year.

If a child is not killed by measles, it may cause blindness, malnutrition, deafness or pneumonia. It is possible to save millions of children per year just by increasing immunization rates from 75 percent to 90 percent, and by assuring access to essential nutrients such as Vitamin A, which increases resistance to disease and infection. Vitamin A supplementation is protective and will protect a child from the most serious consequences of measles, such as blindness and death, and costs only four cents per year per child. Deficiencies of both iron and iodine are among the most harmful types of malnutrition with regard to cognition. Iodine deficiency disorder is the leading preventable cause of mental retardation in children and it renders children listless, inattentive and uninterested in learning.

We must reduce hunger and malnutrition, which contribute to over one-half of childhood deaths around the world. We can do so through these Child and Maternal Health programs. As estimated 150 million children are malnourished, which puts them at even greater risk for infections. Protecting children from disease and malnutrition increases their ability to learn and thrive. The issue of hunger and nutrition was so important to my predecessor, Mickey Leland, that along with Congressmen TONY HALL and BEN GILMAN, he founded the House Select Committee on Hunger in 1983. The bi-partisan non-profit Congressional Hunger Center grew out of this effort in 1993 and fights national and global hunger. It is important that we in Congress continue these efforts.

According to the United Nations, approximately 828 million people are chronically undernourished in the world today. Approximately 300 million are children. UNICEF reports that 32 percent of the worlds' children under five years of age, about 193 million, have stunted growth, which is the key indicator for undernutrition.

Weak health and poor nutrition among school age children diminish their cognitive development either through physiological changes or by reducing their ability to participate in the learning experience, or both. The extra demand on school age children to perform chores, for example, or walk long distances to school, creates a need for energy that is much greater than that of younger children. Available data indicate high levels of protein energy malnutrition and short-term hunger among school age children, and deficiencies of critical nutrients are pervasive.

Poor nutrition and health among school children contribute to the inefficiency of the educational system. Children with diminished cognitive abilities and sensory impairments perform less well and are more likely to repeat grades or drop out of school. The irregular school attendance of malnourished and unhealthy children is one of the key factors in poor performance. Even temporary hunger, common in children who are not being fed before going to school, can have an adverse effect on learning.

For those of you who worry that their home districts will not support such additional aid, I offer that polls consistently show that Americans support putting a high priority on addressing world hunger and poverty. In a recent survey by the Program on International Policy Attitudes at the University of Maryland, 87 percent polled support foreign food and medical assistance. Only 20 percent surveyed supports cuts in efforts to reduce hunger. 62 percent said that combating world hunger should be a very important goal for the United States. 76 percent positively rated giving child survival programs more money. Only about one fourth positively viewed giving military aid to countries friendly to the United States.

U.S. food aid alleviates poverty and promotes economic growth in recipient countries. As incomes in developing countries rise, consumption patterns change, and food and other imports of US goods and services can increase. Hence, supporting child nutrition programs is an effort that we can and must all support.

This amendment will benefit families in many other important ways. Nearly 500,000 women die of pregnancy-related causes each year. Every minute, around the world, 380 women become pregnant, 110 women experience pregnancy-related complications, 1 woman dies. Each year, an additional 15 million women suffer pregnancy-related health problems that can be permanently debilitating, and over 4 million newborns die from poorly managed pregnancies and deliveries.

Ninety five percent of maternal deaths occur in the developing world. In some sub-Saharan African countries, the risk jumps still further: one in every 14 girls entering adolescence will die from maternal causes before completing her child-bearing years—compared to 1 in 1,800 girls in developing countries.

According to the World Health Organization, maternal health is the largest disparity between the developed and developing countries. While infant mortality (death to infants less than one year), for example, is almost 7 times higher in the developing world than in the developed, maternal mortality is on average 18 times higher. Beyond the consequences for women, the health of their children is also put at risk. Children are much more likely to die within two years of a maternal death. The chances of death are 10 times greater for the newborn and 3 times greater for children 1 to 5 years.

Reducing maternal deaths is to be an effective investment in healthy families—and therefore in sustainable development—around the world. These deaths can be averted through services that include skilled attendants at birth with necessary equipment and supplies, community education on safe motherhood, improvement of rural and urban health care facilities. Most of these interventions are low-tech and low cost.

Maternal deaths affect women in their most productive years, and as a result the impact reverberates through their families, their communities, and the societies in which they live. The diminished potential productivity of the women who die is $7.5 billion annually and $8 billion for the newborns who do not survive.

Ninety-nine percent of maternal deaths can be prevented with improved pregnancy care, nutrition, immediate postnatal care as well as appropriate treatment for the complications of incomplete abortions. The WHO Mother-Baby program has identified a package of health interventions that, for a cost of $1–3 per mother, can save the lives of countless women and will begin to do so immediately upon implementation.

U.S. funding for maternal health programs has remained level at $50 million for the past 3 years. While other global health and development programs have received increased attention, women continue to die needlessly of preventable causes.

Through this amendment, we also seek additional funding to prevent infectious diseases.

Almost 2 million people die each year from tuberculosis (TB). It is estimated that one-third of the world's population is infected with tuberculosis, although it lies dormant in most people. Deadlier and more resistant forms of TB have emerged and have spread to Europe and the U.S., re-introducing the possibility of TB becoming a global killer. Moreover, since HIV/AIDS reduces one's resistance to infectious diseases, TB is easily transmitted to an infected individual. It is regarded as the most common HIV-related opportunistic infection in developing countries.

Many advances have been made to reduce the prevalence of these diseases by the USAID, in collaboration with other international agencies. For example, the World Health Organization's Roll Back Malaria campaign had decreased the death rate from malaria by 97 percent in some countries. WHO has also started a ''directly observed treatment strategy,'' or DOTS, to fight tuberculosis. Under this strategy, patients are given second-line drugs when they become resistant to first-line drugs.

Similarly, tuberculosis (TB) has re-emerged on the world stage in deadlier and more resistant forms. With the appearance of multi-drug resistant TB, and its spread to Europe and the U.S., we face the possibility that this could again become a leading killer of the rich as well as the poor.

Infectious diseases account for 8 percent of all deaths in the richest 20 percent of the world and 56 percent in the poorest 20 percent. This poorest fifth of the world's population is seven times more likely to die as a result of infectious diseases, accounting for 56 percent of deaths within this population segment. Children are particularly susceptible to infectious diseases, which tend to be exacerbated by malnutrition, and all-too common condition in developing countries.

Finally, this amendment does not seek to cut any economic assistance for the Andean region, assistance for Peru or Bolivia, or funding for the Colombian National Police. It only seeks to cut some military aid to Colombia, aid that does not help the Colombian people, as will these valuable heath programs.

The human rights situation in Colombia has deteriorated since Congress approved last year's aid package. The Colombian military continues to collaborate with right-wing paramilitaries that commit over 70 percent of human rights abuses, such as the paramilitary massacres of civilians that have nearly doubled in 2001 compared to last year.

The U.S. is engaged in a costly military endeavor with no clear exit strategy. The high level of military aid threatens to draw the U.S. further into Colombia's civil war. The amendment leaves intact $152 million in police aid, and estimated $80 million in the Defense Appropriations bill, $30 million in expected drawdowns and IMET, and $158 million in military aid in the pipeline from FY 2001. Security assistance accounts for 71 percent of expected U.S. aid to Colombia this year.

Military aid escalates the conflict and weakens the fragile peace process by emboldening those who hope to solve the conflict on the battlefield and undermining government and civilian leaders seeking a peaceful resolution to the conflict.

President Bush himself said this Tuesday that ''A world where some live in comfort and plenty, while half of the human race lives on less than $2 a day, is neither just, nor stable.''

I urge my colleagues to support this amendment.

The CHAIRMAN pro tempore (Mr. LINDER). The question is on the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN).

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

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

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN) will be postponed.

Mr. CALLAHAN. Mr. Chairman, I move to strike the last word.

I rise, Mr. Chairman, to enter into a colloquy with the gentleman from Arizona (Mr. KOLBE), the chairman of the Subcommittee on Foreign Operations of the Committee on Appropriations.

Specifically, I would like to discuss with him the excellent effort Bolivia has made on the war on drugs. We have heard a lot of talk about the nonsuccesses with some of our drug programs in South America and Central America, but the success story in Bolivia is unparalleled.

As the distinguished chairman knows, as a part of a cooperative effort with the United States and other nations of the Andean region, in 1997, Bolivia instituted its 5-year antidrug plan, the so-called ''Dignity Plan.'' When the plan was initiated, Bolivia was the second major producer of coca in the world. There were 45,800 hectares of coca plants in Bolivia. But in the 3 years the plan has been in existence, the Bolivian government has conducted more than 16,900 drug interdiction operations. It has destroyed more than 4,000 cocaine labs; it has arrested some 14,400 individuals implicated in narcotrafficking; it has seized more than 50,000 kilos of cocaine. From 1997 to August 2000, 43 tons of drugs have been seized in Bolivia, including 1.4 million tons of liquid substances and 1 ton of solid chemical substances.

In short, Bolivia has been a full partner to the United States in its war on drugs. It has focused both on eradication and interdiction, even though the effort has caused severe problems for the Bolivian economy and for the Bolivian people. Therefore, I hope the chairman will do all he can to see that Bolivia is fully funded in fiscal year 2002. It is critical that Bolivia be provided the necessary resources to sustain its progress and not to become a victim of its success. It must have the ability to make the necessary investments to enable its economy to handle the effects of illegal drug traffic.

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

Mr. CALLAHAN. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I want to thank the gentleman from Alabama (Mr. CALLAHAN), the former chairman of this subcommittee, for bringing this matter to our attention. No one has been more involved in helping to bring this problem in Bolivia to a conclusion, or to the successful plan that we have today. I want to thank him for bringing this to our attention.

I agree completely with what he has said here today. Bolivia does deserve our support and I intend to do all I can to be helpful with this country and I know that I can count on the gentleman from Alabama (Mr. CALLAHAN) for his full support in this effort.

Mr. CALLAHAN. Mr. Chairman, the gentleman certainly can.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 26 offered by the gentlewoman from California (Ms. LEE) and amendment No. 27 offered by the gentleman from Massachusetts (Mr. MCGOVERN).

The Chair will reduce to 5 minutes the time for the second electronic vote after the first vote in this series.

AMENDMENT NO. 26 OFFERED BY MS. LEE

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 26 offered by the gentlewoman from California (Ms. LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 188, noes 240, not voting 6, as follows:

[Roll No. 262]

AYES—188

Abercrombie	Brown (FL)	Doggett
Ackerman	Brown (OH)	Dooley
Allen	Capps	Doyle
Andrews	Capuano	Ehlers
Baca	Carson (IN)	Engel
Baird	Clay	Eshoo
Baldacci	Clayton	Etheridge
Baldwin	Clement	Evans
Barcia	Clyburn	Farr
Barrett	Condit	Fattah
Becerra	Conyers	Filner
Bentsen	Coyne	Flake
Berkley	Crowley	Ford
Berman	Cummings	Frank
Bishop	Davis (CA)	Ganske
Blagojevich	Davis (IL)	Gephardt
Blumenauer	DeFazio	Gordon
Bonior	DeGette	Green (TX)
Borski	DeLauro	Green (WI)
Boucher	Deutsch	Gutierrez
Brady (PA)	Dicks	Hall (OH)

Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hoeffel
Holt
Honda
Hooley
Horn
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Morella
Murtha
Nadler
Napolitano
Neal
Nussle
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Price (NC)
Rahall
Ramstad
Rangel
Rivers
Rodriguez
Roemer
Rohrabacher
Rothman
Roybal-Allard
Royce
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Skelton
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Stupak
Thompson (CA)
Thompson (MS)
Tierney
Toomey
Towns
Udall (CO)
Udall (NM)
Velázquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—240

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dingell
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Everett
Ferguson
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hayes
Hayworth
Hefley
Herger
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Moran (VA)
Myrick
Nethercutt
Ney
Northup
Norwood
Ortiz
Osborne
Ose
Otter
Oxley
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Reyes
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Roukema
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—6

Delahunt
Hastings (WA)
Kilpatrick
Lipinski
Scarborough
Spence

□ 1650

Mr. HOLDEN, Mrs. MYRICK, Mrs. KELLY, Mr. ROSS and Mr. BERRY changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the remaining amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 27 OFFERED BY MR. MCGOVERN

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 27 offered by the gentleman from Massachusetts (Mr. MCGOVERN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 179, noes 249, not voting 6, as follows:

[Roll No. 263]

AYES—179

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Berkley
Berman
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Carson (IN)
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Doggett
Doyle
Duncan
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Flake
Ford
Frank
Ganske
Gephardt
Gordon
Green (WI)
Gutierrez
Gutknecht
Hall (OH)
Harman
Hastings (FL)
Hill
Hinchey
Hoeffel
Hoekstra
Holt
Honda
Hooley
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Leach
Lee
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller, George
Mink
Moore
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Rivers
Rodriguez
Roemer
Rohrabacher
Roybal-Allard
Rush
Sabo
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Slaughter
Smith (WA)
Solis
Stark
Strickland
Stupak
Tancredo
Thompson (CA)
Thompson (MS)
Tierney
Toomey
Towns
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—249

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dingell
Dooley
Doolittle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
English
Everett
Ferguson
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Greenwood
Grucci
Hall (TX)
Hansen
Hart
Hastert
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hinojosa
Hobson
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski

Keller	Pence	Skeen
Kerns	Peterson (MN)	Skelton
King (NY)	Peterson (PA)	Smith (MI)
Kingston	Petri	Smith (NJ)
Kirk	Phelps	Smith (TX)
Knollenberg	Pickering	Snyder
Kolbe	Pitts	Souder
LaHood	Platts	Spratt
Latham	Pombo	Stearns
LaTourette	Portman	Stenholm
Levin	Pryce (OH)	Stump
Lewis (CA)	Putnam	Sununu
Lewis (KY)	Quinn	Sweeney
Linder	Radanovich	Tanner
LoBiondo	Regula	Tauscher
Lucas (OK)	Rehberg	Tauzin
Maloney (CT)	Reyes	Taylor (MS)
Mascara	Reynolds	Taylor (NC)
McCrery	Riley	Terry
McHugh	Rogers (KY)	Thomas
McInnis	Rogers (MI)	Thornberry
McIntyre	Ros-Lehtinen	Thune
McKeon	Ross	Thurman
Menendez	Rothman	Tiahrt
Mica	Roukema	Tiberi
Miller (FL)	Royce	Traficant
Miller, Gary	Ryan (WI)	Turner
Mollohan	Ryun (KS)	Vitter
Moran (KS)	Sanchez	Walden
Moran (VA)	Saxton	Walsh
Murtha	Schaffer	Wamp
Myrick	Schrock	Watkins (OK)
Nethercutt	Sensenbrenner	Watts (OK)
Ney	Sessions	Weldon (FL)
Northup	Shadegg	Weldon (PA)
Norwood	Shaw	Weller
Nussle	Sherwood	Whitfield
Ortiz	Shimkus	Wicker
Osborne	Shows	Wilson
Ose	Shuster	Wolf
Otter	Simmons	Young (AK)
Oxley	Simpson	Young (FL)

NOT VOTING—6

Delahunt	Kilpatrick	Scarborough
Hastings (WA)	Lipinski	Spence

□ 1659

Mr. DICKS and Mr. KENNEDY of Minnesota changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Chairman, due to official business in my District, I respectfully request a leave of absence for part of the day today, Tuesday, July 24, 2001. As a result of my absence, I missed recorded votes earlier today. Had I been present to vote I would have voted as follows on the following amendments to H.R. 2506, the fiscal year 2002 Foreign Operations Appropriations Bill: ''Aye'' on rollcall No. 260, the Visclosky amendment; ''no'' on rollcall No. 261, the Paul amendment; ''aye'' on rollcall No. 262, the Lee amendment; and ''aye'' on rollcall No. 263, the McGovern amendment.

□ 1700

Mr. KOLBE. Mr. Chairman, I move to strike the last word.

I rise for the purposes of entering into a colloquy with the gentlewoman from New York (Mrs. MALONEY), and for that purpose I would yield to the gentlewoman from New York.

Mrs. MALONEY of New York. Mr. Chairman, I thank the gentleman from Arizona (Mr. KOLBE) for yielding to me, and I thank him for his leadership on this bill along with the gentlewoman from New York (Mrs. LOWEY).

Mr. Chairman, after the tragic war in Bosnia, there are many children who have lost their parents, been deserted, and have been left to fend for themselves. These are children who need and deserve a stable, safe environment where they can grow up and enjoy the support of a loving family. I strongly believe that we should support and work to help these children.

We must direct USAID to work with the Bosnian government to address the special needs of children at risk, especially orphans. These funds would be designed to support the Bosnian government to set up systems, mechanisms and/or institutions to, first, identify urgently homeless children and provide for their immediate care and protection; two, pursue reunification with other family members if possible; three, establish foster care and/or adoption arrangements; and, four, where appropriate, establish procedures that permit legitimate international adoption.

Like the Pearl S. Buck Initiative after the Korean War, we must work to establish an institutional structure to help our governments work in a cooperative manner for the good and well-being of the children.

Between now and conference, I hope that we will work together with the administrator at USAID in order to assess the scope of the problem of orphaned children of Bosnia. I strongly urge that this matter be considered in conference in order to ensure that USAID addresses the problem and work towards finding a solution. I urge USAID and other appropriate organizations such as UNICEF to address this really horrible stressful condition of many, many orphaned children in Bosnia. I also would like to compliment the work of the gentleman from Florida (Mr. YOUNG) and his wife, Beverly, in working to help these children.

Mr. KOLBE. Mr. Chairman, reclaiming my time, I want to thank the gentlewoman from New York for her comments and for bringing this matter to our attention and to say that I am in complete agreement with what she has said. I believe that Congress has to work with USAID to help assess the problem in Bosnia and Herzegovina and work to develop a solution.

I also just want to say that our full committee chairman, the gentleman from Florida (Mr. YOUNG) and his wife, Beverly, as was noted, have been working on this issue for many years. They have met with heads of state. They have met with other high officials in Bosnia and elsewhere in the region in attempts to get infants eligible for adoption, and I think they have had some very notable success. I will continue to work very closely with Chairman YOUNG and his wife on this matter as well and work with the gentlewoman from New York (Mrs. MALONEY) and other Members who have this interest.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2506) making appropriations for foreign operations, export financing, and related programs 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. 2506, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2002

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 2506 in the Committee of the Whole pursuant to House Resolution 199 no further amendment to the bill may be offered except: (1), Pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate. (2), The amendments printed in the CONGRESSIONAL RECORD and numbered 4, 7, 30, 33, 38, 44, and 59, which shall be debatable for 10 minutes each. (3), The amendments printed in the CONGRESSIONAL RECORD and numbered 8, 11, 47, 50, 55, and 61, which shall be debatable for 20 minutes each. (4), The amendments printed in the CONGRESSIONAL RECORD and numbered 5, 23, and 34, which shall be debatable for 30 minutes each. (5), The following amendments, which shall be debatable for 40 minutes each. The amendment printed in the CONGRESSIONAL RECORD and numbered 32. The amendment by Representative CONYERS of Michigan, that I have placed at the desk.

Each such amendment may be offered only by the Member designated in this request, the Member who caused it to be printed, or a designee, shall be considered as read, shall be debatable for the time specified equally divided and controlled by the proponent and an opponent, shall not be subject to amendment (except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of 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 Committee of the Whole. Points of order against the amendment numbered 44 and the amendment by Representative CONYERS for failure to comply with clause 2 of rule XXI are waived.

The SPEAKER pro tempore. The Clerk will report the proposed Conyers amendment.

The Clerk read as follows:

Amendment offered by Mr. CONYERS:

Page 25, line 8, strike ''these'' and all that follows through the colon on line 13, and insert:

section 3204(b) of Public Law 106–246 is amended by adding a new subsection (b)(3) as follows:

''(3) FURTHER EXCEPTION.—Nothwith standing paragraph (2), the limitation contained in paragraph (1)(B) may be waived (i) if the President certifies to the appropriate committees of the Congress that the aggregate ceiling of 800 United States personnel contained in paragraph (1) will not be exceeded by such waiver, and (ii) if Congress is informed of the extent to which the limitation under paragraph (1)(B) is exceeded by such certification.'': Provided further, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading for assistance for Colombia: Provided further, That assistance provided with funds appropriated under this heading that is made available notwithstanding section 482(b) of the Foreign Assistance Act of 1961, as amended, shall be made available subject to the regular notification procedures of the Committees on Appropriations:

Mr. KOLBE (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Arizona?

There was no objection.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore. Pursuant to House Resolution 199 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. 2506.

□ 1708

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. 2506) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes, with Mr. Thornberry in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the bill was open for amendment from page 6, line 1, through page 10, line 15.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except:

One, pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; two, the amendments printed in the CONGRESSIONAL RECORD and numbered 4, 7, 30, 33, 38, 44, and 59, debatable for 10 minutes each; three, the amendments printed in the CONGRESSIONAL RECORD and numbered 8, 11, 47, 50, 55 and 61, debatable for 20 minutes each; four, the amendments printed in the CONGRESSIONAL RECORD and numbered 5, 23, and 34, debatable for 30 minutes each; five, the following amendments debatable for 40 minutes each: the amendment printed in the CONGRESSIONAL RECORD and numbered 32, and the amendment by the gentleman from Michigan (MR. CONYERS) that is at the desk.

Each such amendment may be offered only by the Member designated in the request, the Member who caused it to be printed, or a designee, shall be considered as read, shall be debatable for the time specified, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any pending amendment, and shall not be subject to a demand for a division of the question.

AMENDMENT NO. 5 OFFERED BY MR. BROWN OF OHIO

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. BROWN of Ohio:

In title II of the bill in the item relating to ''CHILD SURVIVAL AND HEALTH PROGRAMS FUND'', after the first dollar amount, insert the following: ''(increased by $20,000,000)''.

In title II of the bill in the item relating to ''CHILD SURVIVAL AND HEALTH PROGRAMS FUND'', after the fourth dollar amount in the fourth proviso, insert the following ''(increased by $20,000,000)''.

In title IV of the bill in the item relating to ''CONTRIBUTION TO THE MULTILATERAL INVESTMENT GUARANTEE AGENCY'', after the first dollar amount, insert the following: ''(decreased by $10,000,000)''.

In title IV of the bill in the item relating to ''CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND'', after the first dollar amount, insert the following: ''(decreased by $10,000,000)''.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Ohio (Mr. BROWN) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BROWN.)

Mr. BROWN of Ohio. Mr. Chairman, I yield 3½ minutes to myself.

Mr. Chairman, in developing countries, tuberculosis kills more than 2 million people a year, 1 person every 15 seconds. In India alone, 1,100 people die from tuberculosis every day.

Tuberculosis is the greatest infectious killer of adults worldwide. Forty percent of HIV-positive people die due to tuberculosis-related complications. These statistics are staggering not just because of the sheer number of people affected, but because most people think we have eradicated TB. I was a senior in high school when the tuberculosis sanatorium closed in my community.

Foreign travel has brought tuberculosis back to the U.S., often in its most lethal, drug-resistant form. We need to launch a smarter, better-funded effort to protect ourselves from tuberculosis. We have the means with medications and vaccines to stop TB. We need the means to adequately deploy these resources domestically and internationally to prevent the spread of tuberculosis.

Here in Congress, we have gone from zero to $60 million in 3 short years in terms of funding. Mr. Chairman, 4 years ago, the institution had no financial commitment to the battle against worldwide tuberculosis. Three years ago Congress gave $12 million to anti-tuberculosis efforts, 2 years $35 million; and last year, we reached a milestone when Congress appropriated $60 million to combat international tuberculosis.

Our commitment to international tuberculosis control has stimulated the involvement of other industrialized nations. Earlier this year, Canada made an important contribution to the World Health Organization's new tuberculosis drug facility. This facility will help provide much-needed drugs to those developing nations implementing tuberculosis treatment programs.

The statistics on access to TB treatment worldwide are pretty grim. Fewer than one in five of those with tuberculosis are receiving directly observed treatment short course. Based on World Bank estimates, DOTS treatment is one of the most cost-effective interventions available costing just $20 to $100 to save a life, and producing cure rates of up to 95 percent even in the poorest country.

Mr. Chairman, we have a small window of opportunity during which stopping TB can be cost-effective. The failure to effectively treat tuberculosis, which comes from incorrect or interrupted treatment and inadequate drug supplies, creates stronger tuberculosis strains that are resistant to today's drugs.

An epidemic of multi-drug resistant TB could cost billions to control with no guarantee of success. MDR tuberculosis has been identified everywhere. It threatens to return tuberculosis control to the pre-antibiotic era in this country and abroad when no cure for tuberculosis was available.

In the U.S., treatment normally costing about $2,000 a patient soars to $250,000 with MDR tuberculosis, and oftentimes, half the time, at least, those infected with MDR TB do not survive.

To control tuberculosis more effectively, it is necessary to ensure the effectiveness of tuberculosis-control programs worldwide. That is why a commitment to a global strategy is necessary. WHO and U.S. tuberculosis experts have estimated that an additional $1 billion is needed annually to control tuberculosis.

This amendment, the Brown-Morella-Wilson-Andrews-Green amendment, will set the pace for other countries to continue the good work that this Congress has begun. The gentleman from Arizona (Mr. KOLBE) and others have been generous in their support of tuberculosis.

Mr. Chairman, we need to do more to save lives by supporting this amendment.

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

□ 1715

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

The CHAIRMAN. The gentleman from Arizona is recognized for 15 minutes.

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

Mr. Chairman, I just want to say I think the gentleman's heart is definitely in the right place, and I appreciate what he is doing here. But let me say my opposition is based largely on the choice of the offsets here: cutting $10 million which is the entire appropriation for the World Bank's Multilateral Investment Guarantee Agency, known as MIGA, and $10 million from the Asian Development Fund. I know it is not exactly popular on this floor to rise and talk about multilateral development banks and what they do, but I feel the need here today to speak out for a moment about it.

I find the proposed transfer from the Asian Development Fund to increase funding levels for bilateral tuberculosis activities very strange and puzzling indeed. The Asian Development Fund is an organization that provides highly concessional financing for the poorest people in Asia. In 2002, Asian Development Fund activities will include child nutrition, immunization activities, education interventions and other basic needs. Also, the Asian Development Fund is a strong supporter of tuberculosis reduction projects and considers DOTS a highly effective program. This is actively supported throughout the Asian Development Bank's health activities. Therefore, I think the amendment robs multilateral tuberculosis activities to pay for bilateral ones.

I want to point out to those that might support the gentleman's amendment that a reduction in the U.S. contribution here will trigger a clause in the Asian Development Fund agreement that encourages other donors to default if the U.S. does not pay its agreed-upon contribution. So the overall impact of this on the poorest of the poor people of Asia is going to be exponentially much, much greater than the gentleman from Ohio realizes or I think thought of at the time he proposed this amendment.

Let me speak for a moment about the proposed reduction to the World's Bank's Multilateral Investment Guarantee Agency, or MIGA as it is known. As many of my colleagues realize, private investment flows to developing countries now drown out, they completely cut off all the official development assistance from the U.S. and the rest of the donor community. If we can help the poorest nations, who are often the very riskiest of the investments that we have, gain access to private capital, then they have a better opportunity to raise their own standard of living.

MIGA, through its provision of political risk insurance and coverage of foreign exchange risks, is one of the tools that facilitate private sector activity in the world where it would otherwise not occur, in the poorest of nations with the least access to capital.

It is for these reasons, Mr. Chairman, that I urge my colleagues to oppose the Brown amendment and at the same time commend him for what he is attempting to do and for the cause that he works for.

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

Mr. BROWN of Ohio. Mr. Chairman, I yield 2½ minutes to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Mr. Chairman, I thank the gentleman from Ohio for yielding me this time and commend him for his leadership on this issue because I think it is one that is very important to the public health future of this country and this region of the world.

When New Mexico became a State in 1912, the city of Albuquerque where I live had one-third of its population as active, active TB cases. A third of the population was sick with a disease which at that time had no cure. Antibiotics changed that. But now major health institutions in this country have identified tuberculosis as one of the reemerging infectious diseases that poses a threat to U.S. health. It is not just regular tuberculosis, though. It is multidrug-resistant tuberculosis.

In Mexico, 6 percent of the tuberculosis cases are multidrug-resistant. What that means is the regular antibiotics do not work and you have to have very expensive, high-end antibiotics to have any chance of curing the disease. We have had outbreaks in this country of multidrug-resistant tuberculosis. The only answer is the eradication of the disease. That will take a worldwide public health effort.

The good news is that it is cost effective to eradicate it when it is not cost effective to treat multidrug-resistant TB. The worldwide commitment will be about $1 billion a year. The U.S. contribution should grow towards about $200 million a year over many years.

We have made tremendous progress since the late 1990s, going from really no commitment at all to a significant commitment. I want to commend the chairman for his efforts. We need a continued national commitment to the eradication of TB worldwide. That is why I stand in support of the gentleman's amendment, to continue that focus and effort on eradication of this disease before it becomes too big for us to eradicate.

Mr. BROWN of Ohio. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding me this time, but I also thank him for his leadership in sponsorship of this amendment and I am pleased to add my name to it along with the gentlewoman from New Mexico (Mrs. WILSON), the gentleman from Texas (Mr. GREEN) and the gentleman from New Jersey (Mr. ANDREWS).

This amendment is going to provide $20 million in much-needed added resources for the fight against tuberculosis globally. We have all heard tuberculosis is one of the world's deadliest diseases, killing over 2 million people worldwide each year. It is the leading cause of death among people with AIDS. Sub-Saharan Africa has the world's highest TB incidence. In many sub-Saharan countries, the number of people with TB has quadrupled since 1990, mainly because of AIDS.

I want to point out a particular group of people that are disproportionately affected by this, and that is women. TB is the greatest killer of young women in the world. In fact, TB kills more women than all causes of maternal mortality and more women than AIDS. In the developing world, tuberculosis destroys girls' and women's futures. TB tends to attack its victims in their most productive years, often killing or sickening the primary breadwinner of a family. In order to pay for the medical costs and generate income, families frequently take their young girls out of school and put them to work. It also means the loss of educational opportunity for girls in poor families.

Besides the direct health effects, there is often a stigma that attaches to a woman with TB. This leads to increased isolation, abandonment and divorce. According to the World Health Organization, recent studies on India found that 100,000 women are rejected by their families because of TB every year. The litany goes on. I could cite a lot more cases.

I want to point out that the emergence of drug-resistant TB is a threat to all of us here in the United States. An outbreak of drug-resistant TB in

New York City in the 1990s cost almost a billion dollars to bring under control, and several hundred victims died.

TB control is cost effective. A full course of drugs costs as little as $10 per person in the developing world. The treatment method approved by the World Health Organization is 95 percent effective. Unfortunately, only one in four of those affected with TB have access to treatment, despite the fact that it is extremely cost effective and simple to administer. The global community must do more to adequately address this disease by investing in quality tuberculosis control programs, especially in countries with a high incidence of TB. The United States should lead the way with this seed money.

I urge my colleagues to join me in voting ''yes'' on this amendment.

Mr. BROWN of Ohio. Mr. Chairman, I yield 2½ minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Chairman, I rise in support of the amendment that I am privileged to cosponsor. I want to speak for a moment about the appropriateness of the offsets that have been chosen in this amendment. The first is the elimination of funding for MIGA. We have heard some persuasive arguments from the chairman of the subcommittee about the good work that MIGA does in the more desperately poor parts of the world. I agree they do some work, but I think that it is overstated to say they do much.

The top five countries to receive assistance from MIGA in fiscal year 2000 were Brazil, Argentina, Peru, Russia and Turkey. None of these five countries is eligible for funds under the International Development Agency program that provides for loans to the poorest countries in the world. MIGA is not providing economic development in the poorest sections of the world. There are other programs that do so. I think that this offset is appropriate.

Second, with respect to the Asian Development Fund, it is my understanding that the increase in this bill is $30 million. This amendment reduces the increase by one-third. There is still a $20 million increase in that fund as a result of this amendment.

There are many problems brought to this floor that we cannot do very much about. This is one where there is a solution within our reach. Tuberculosis has a cure. Three out of four people in the poorest parts of the world do not have access to that cure. We can do something about that by adding $20 million to the fund under this bill. We have a smart way to do it. It is a compassionate thing to do. I would urge my colleagues from both sides of the aisle to support this amendment.

Mr. BROWN of Ohio. Mr. Chairman, I yield myself the balance of my time.

I would again ask the House support of this amendment. The House has moved in the right direction in tuberculosis funding over the last 4 years. The House of Representatives and the Senate and the President by signing the legislation in the past have not just pushed the ball forward but have been the catalyst for other nations around the world, especially Canada, the Netherlands and philanthropists around the world to fully fund more antituberculosis efforts. It has made a difference and saved hundreds of thousands of lives around the world. We have the opportunity to do even more.

I ask the House support for the Brown-Wilson-Morella-Andrews-Green amendment.

Mr. KOLBE. Mr. Chairman, I yield myself the balance of my time.

I would just very briefly in closing note, as the gentleman from Ohio said, we are moving in the right direction. In fact, I think we are moving very much in the right direction. Two years ago this program, the tuberculosis program, had $15 million allocated for it. This last year it was $60 million. This year it is $70 million. The supplemental appropriation bill that we have adds even more to it than that. In the regular appropriations, that is almost a fivefold increase in 2 years' time for this one single program.

Is it needed? Yes, it clearly is needed. We are certainly moving in the right direction. The gentleman's amendment, while I sympathize with it, I think is just wrong in where it takes the money from. I think to take it out of these particular programs that will mean no lending to the very poorest of the poor in that account I think is wrong.

I would urge my colleagues for that reason to oppose this amendment.

Mr. GREEN of Texas. Mr. Chairman, I rise today in support of the Brown-Morella-Green-Andrews amendment to increase funding to fight the international threat of tuberculosis.

Most Americans believe that the battle against tuberculosis is over. Treatment and prevention measures have resulted in a decline in tuberculosis cases in the United States. In fact, U.S. TB cases declined seven percent in 2000, reaching an all-time low.

Despite our success in the U.S., tuberculosis continues to be one of the most devastating infections killers in the world, accounting for more than 2 million deaths each year.

The statistics are startling: More than one-third of the world's population is infected with tuberculosis; It is the leading killer of women, surpassing any cause of maternal mortality; It creates more orphaned children than any other infectious disease; Tuberculosis is the leading cause of death among HIV-positive individuals, causing over 30 percent of AIDS deaths; and As the number of tuberculosis cases has increased, a multi-drug resistant strain has emerged that poses a major public health threat in the US and around the world.

With the increase in global travel and migration, we cannot be content to control tuberculosis in the United States. We must step up our efforts to eliminate the global threat of tuberculosis.

That is what this amendment does. By providing additional funding for tuberculosis control, we can bolster our worldwide prevention and control efforts.

The World Bank has determined that modern TB treatments are among the most cost-effective health interventions available today.

For every dollar we spend on TB prevention and control, we can save an estimated $3 to $4.

Mr. Chairman, this amendment makes a wise investment to address a very serious problem.

I urge my colleagues to support the Brown amendment, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. BROWN).

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

Mr. BROWN of Ohio. Mr. Chairman, I demand a recorded vote.

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

Mrs. LOWEY. Mr. Chairman, I move to strike the last word for the purpose of yielding to the gentleman from Oregon (Mr. BLUMENAUER) for a colloquy.

Mr. BLUMENAUER. I thank the gentlewoman for her courtesy in yielding to me.

Mr. Chairman, I rise for the purpose of entering into a colloquy, if I could, with the distinguished gentleman from Arizona, the subcommittee chair. I have enjoyed working with him over the years on a number of areas that deal with international affairs, trade and development.

I rise today because of deep concern with the work that we have with the Agency for International Development's Environment and Urban Programs.

Mr. Chairman, we are told by the experts that we are going to see 2.5 billion people added to the world's urban population in the next 25 years. The overwhelming majority, over 90 percent of them, are going to be in the least developed countries of the world. Already, some 30 percent of these communities do not have adequate drinking water, 50 percent do not have basic sanitation, and we are facing the one program in the Agency for International Development that deals with the urban programs that has a crying need for budget assistance.

□ 1730

Its budget has been $4 million last year. This is down from $8 million in 1993. It has been going down and holding steady.

I guess I would like to engage the gentleman in a colloquy to inquire if it is possible to work with the committee and with USAID to find ways to see that this program receives its proper

emphasis and to encourage AID to build on its pass successes by increasing this program's funding levels.

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

Mrs. LOWEY. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I would like to say that I appreciate the gentleman from Oregon's comments, and I agree that the AID's Office of Environment and Urban Programs is a cost-effective investment.

In addition, I concur with his belief that a report of the nature he has described would be, I think, useful to us. I am happy to work with the gentleman from Oregon in extending the message to AID that we would like to see a greater investment in the Office of Program Funding, while at the same time maintaining or increasing the operating funds for the office.

Mr. BLUMENAUER. Mr. Chairman, if the gentlewoman will yield further, I appreciate the gentleman's words. I look forward to working with the gentleman and with the ranking member, the gentlewoman from New York (Mrs. LOWEY).

I include for the RECORD some additional information about this matter.

Congress plays a key role in the use of the development assistance budget in addressing issues of cities in the developing world. Cities around the world must accommodate 2.5 billion additional people in the next 25 years and 95 percent of these people will be in cities of the developing world.

In the large urban areas of developing countries, 30 percent do not have access to safe drinking water and 50 percent do not have adequate sanitation. A crisis is in the making and if left unattended, problems due to rapidly expanding cities will have serious repercussions for these nations as well as for us here at home in the U.S.

When cities work, the economic growth and potential for trade exists. When things go wrong in cities, it affects the entire nation. We need to support foreign assistance programs that help make cities in the developing world work. We need to help build the capacity to plan for and provide the basic services, promote economic growth, reduce environmental degradation, and improve health services—at the city level.

That is why in its Outlook 2015, the Central Intelligence Agency ranks rapid urbanization among its top seven security concerns. The CIA's report states, "The explosive growth of cities in the developing countries will test the capacity of governments to stimulate the investment required to generate jobs, and provide the services, infrastructure, and social supports necessary to sustain livable and stable environments. Cities will be sources of crime and instability as ethnic and religious differences exacerbate the competition for ever scarcer jobs and resources."

The U.S. Agency for the International Development's Office of Environment and Urban Programs provides support for enabling cities to provide environmental services and infrastructure. This Office assists USAID missions and carries out regional activities worldwide through staff based in Regional Urban Development Offices overseas. This RUDO network strengthens urban-rural linkages and emphasizes the key role played by market towns and secondary cities. I urge support for it.

I also wish to insert the following document which was provided to me by the Coalition for Sustainable Cities. PADCO, Inc. (Planning and Development Collaborative International) in Washington, DC is the contact for this Coalition.

URBAN PROGRAMS AT USAID

Rapid urban growth is having a profound impact on sustainable development, and USAID can do more to address the urban challenge.

Very soon half of the world's population will be urban, and almost all the world's 2.5 billion increase in population over the next 25 years will take place in the cities of the developing world.

Poverty, malnutrition, and chronic disease are shifting their concentration from rural to urban areas. Slum conditions adversely affect natural resources, health, security, and economic progress.

Cities are also the engines of economic growth in developing countries, and urban focused programs can increase efficiency in addressing the causes and symptoms of poverty.

THE NEED FOR URBAN PROGRAMS: THE GROWING CONSENSUS

There is a growing awareness that megacities, with populations of 10 to 20 million, in the developing world are increasingly becoming of great concern, as demonstrated by articles in the June 11th article in the Washington Post and in the April 2001 edition of the "Global Outlook" Journal.

CONCERNS AT USAID

USAID knows how to work with the private sector to address urban challenges and capitalize on urban opportunities, but results are diminishing because both central funding for urban programs and the number of USAID urban technical staff have been declining rapidly, and are not being replaced.

Although the new reorganization of USAID makes tremendous strides in several key areas, it does not mention the small, but critical international urban programs that focus on making cities work.

The Regional Urban Development Offices (RUDO) Network, which enables urban experts to function regionally and are so critical to international urban programs, are in danger of being eliminated, even though Mission directors overwhelmingly support the RUDO Networks.

The valuable Housing Guaranty/Urban Environmental Credit program was terminated last year and may need to be created again. It represents the only opportunity to move capital resources into critical areas Congress has traditionally viewed as necessary. Through private sector loans with a USAID/USG guaranty substantial amounts of resources have been leveraged into priority areas at minimal cost and risk.

USAID CAN BE PART OF THE SOLUTION

Urban Programs must play a part in the new thinking at USAID.

The agenda is to create more: public/private partnerships for urban service delivery; market based financing for basic urban infrastructure including schools and primary health clinics; private credit and micro-finance for housing and enterprise development; and community participation in planning and management down to the neighborhood level.

USAID Development Assistance, especially as related to Urban programs, has a significant afterlife. It is truly a beneficial investment for both here and abroad.

The Regional Urban Development Offices network should be mandated.

Additional resources should be provided to USAID to enable it to address the growing urban challenge. The role of USAID and the RUDOs should be used as a catalyst to efforts by private organizations.

AMENDMENT NO. 47 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 47 offered by Ms. JACKSON-LEE of Texas:

In title II of the bill in the item relating to "CHILD SURVIVAL AND HEALTH PROGRAMS FUND", after the first dollar amount, insert the following: "(increased by $100,000,000)".

In title II of the bill in the item relating to "CHILD SURVIVAL AND HEALTH PROGRAMS FUND", after the first dollar amount in the fourth proviso, insert the following: "(increased by $60,000,000)".

In title II of the bill in the item relating to "CHILD SURVIVAL AND HEALTH PROGRAMS FUND", after the fourth dollar amount in the fourth proviso, insert the following: "(increased by $40,000,000)".

In title II of the bill in the item relating to "ANDEAN COUNTERDRUG INITIATIVE", after the first dollar amount, insert the following: "(decreased by $100,000,000)".

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 10 minutes.

Mr. KOLBE. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) will control the time in opposition.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE) for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I believe that the Members have engaged in this debate for an extensive amount of time. My amendment follows the McGovern, Hoekstra, Pelosi, Morella, Jackson-Lee amendment, but it breaks the funding down differently. It provides $60 million additional funding for child and maternal health programs and $40 million additional funding for the USAID valuable infectious disease program.

What I would like to do, Mr. Chairman, is simply read into the RECORD the emphasis and the issue dealing with maternal health, and hopefully we can find an opportunity to work through these issues as we move toward conference.

Let me cite for you a particular emphasis or citation as relates to the World Health Organization.

They have indicated that maternal health is the largest disparity between the developed and developing countries. While infant mortality, deaths to infants less than 1 year, for example, is almost seven times higher in the developing world than in the developed, maternal mortality is, on average, 18 times higher. Beyond the consequences for women, the health of their children is also put at risk. Children are more likely to die within 2 years of a maternal death. The chances of death are 10 times greater for the new born and three times greater for children 1 to 5.

We had a vigorous discussion on the floor of the House, with many Members citing developing nations. My funds, likewise, take dollars from the Andean Counterdrug Initiative. I only refer the chairman to the point that we want these dollars to come out of military. I also refer the chairman to the point that we have seen the tragedy of a broken drug enforcement system with the loss of the missionary in the Peruvian drug war.

However, I am more interested in a solution, and I would like to address the ranking member on this issue and to express my interest, both I hope in the earshot of the chairman, of making these additional funds available for this maternal health program in a way of working through this process and through conference.

I would like to yield to the gentlewoman from New York on this issue, if I might. I have discussed the basis of my amendment. I have indicated that we have discussed this fully in the previous amendment. I believe that the ultimate goal of all of us is to get more dollars to dying mothers and dying children around the world and more help for them as it relates to infectious diseases.

I would hope as we see this legislation going through, that we might find a way to work with the other body and work with the chairman and work with the gentlewoman to look for opportunities to find funding for these very desperate needs.

Mrs. LOWEY. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, I thank my good friend from Texas for bringing these issues to our attention once again, and I know of the commitment of the gentleman from Arizona (Chairman KOLBE) and the gentleman from Florida (Chairman YOUNG) to these issues, and I can assure the gentlewoman as the bill moves through the process, we will continue to work together to provide as much resources as we can direct to this very important issue.

Again, I thank my colleague from Texas for her important discussion of these priorities.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman for her commitment, and I thank the chairman of the full committee and the chairman of the subcommittee for the work that I know that they have done.

In order not to generate a negative vote on such an important issue and to make sure that language follows suit and we get some response on this issue of maternal health and child nutrition, let me at this time work with these Members and the committee and withdraw the amendment that I have just proposed, looking forward to a solution as we move toward conference.

Mr. Chairman, I rise today to offer an amendment to this bill that will permit the United States Agency for International Development to provide valuable support for global child and maternal health programs and to combat global infectious diseases.

This amendment will provide $60 million additional funding for Child and Maternal Health programs and $40 million additional funding for the USAID's valuable infectious disease program. I am not asking for new funding, but merely funds from the State Department's Andean Counterdrug initiative. I introduce this amendment on the heels of the McGovern-Hoekstra-Pelosi-Morella-Jackson amendment to emphasize the importance of funding these programs and to shift a bit more funding into Child Health and Maternal Health programs, because, as chair of the Congressional Children's Caucus, I place a special emphasis on this program.

We know firsthand that the health and survival of a child is directly linked to the health of his or her mother. Infectious diseases continue to take a toll on the developing world. Ten million children will die before their fifth birthday this year due to preventable diseases, such as diarrhea, pneumonia and measles. In addition, infectious diseases, such as tuberculosis and malaria, take the lives of millions of people living with HIV/AIDS. All of these deaths are preventable and by strengthening the basic health and nutrition services in developing countries, we can make a difference.

We must recognize that the U.S. federal budget allocation to foreign aid has hit a record low, and is now less as a proportion of our national income than in any other industrialized nation. Foreign aid is now only one percent of our federal budget.

In September, we will mark the ten-year anniversary of the 1990 World Summit for Children. At that summit, the U.S. joined with over 70 other nations in committing to the reduction of child and maternal deaths. Substantial progress has been made since 1990, but many goals have not yet been met. We need to redouble our efforts to expand programs that can sharply reduce the millions of preventable deaths.

Despite the good work of many organizations and individuals worldwide, each year more than ten million children die before reaching their fifth birthday due to preventable infectious diseases, such as pneumonia, measles, and diarrhea. This is equivalent to every child living in the eastern half of the United States. While diarrhea remains one of the leading causes of death in the developing world, at present one million childhood deaths are averted every year due to diarrhea prevention and appropriate treatment programs.

Clean water and sanitation prevent infectious, and oral rehydration therapy (a simple salt sugar mixture taken by mouth, which costs only pennies and was developed through U.S. research efforts overseas) has been proven to be among the most effective public health interventions ever developed.

Global immunization coverage has soared from less than 10 percent of the world's children in the 1970s to almost 75 percent today. Annually, immunizations avert two million childhood deaths from measles, neonatal tetanus, and whooping cough. The success of these programs in the world's poorest regions is even more striking when one considers that the vaccination rate in the United States only reached 78 percent in 1998.

Unfortunately, immunization rates are not improving everywhere. Coverage in sub-Saharan Africa has decreased. 30 percent of children still do not receive their routine vaccinations—30 million infants. Measles immunization rates have improved in the past ten years but there are still 30 million cases of measles every year.

If a child is not killed by measles, it may cause blindness, malnutrition, deafness or pneumonia. It is possible to save millions of children per year just by increasing immunization rates from 75 percent to 90 percent, and by assuring access of essential nutrients such as Vitamin A, which increases resistance to disease and infection. Vitamin A supplementation is protective and will protect a child from the most serious consequences of measles, such as blindness and death, and costs only four cents per year per child. Deficiencies of both iron and iodine are among the most harmful types of malnutrition with regard to cognition. Iodine deficiency disorder is the leading preventable cause of mental retardation in children and it renders children listless, inattentive and uninterested in learning.

We must reduce hunger and malnutrition, which contribute to over one-half of childhood deaths around the world. We can do so through these Child and Maternal Health programs. An estimated 150 million children are malnourished, which puts them at even greater risk for infections. Protecting children from disease and malnutrition increases their ability to learn and thrive. The issue of hunger and nutrition was so important to my predecessor, Mickey Leland, that along with Congressmen TONY HALL and BEN GILMAN, he founded the House Select Committee on Hunger in 1983. The bi-partisan non-profit Congressional Hunger Center grew out of this effort in 1993 and fights national and global hunger. It is important that we in Congress continue these efforts.

According to the United Nations, approximately 838 million people are chronically undernourished in the world today. Approximately 300 million are children. UNICEF reports that 32 percent of the worlds' children under five years of age, about 193 million, have stunted growth, which is the key indicator for undernutrition.

Weak health and poor nutrition among school age children diminish their cognitive development either through physiological changes or by reducing their ability to participate in the learning experience, or both. The

extra demand on school age children to perform chores, for example, or walk long distances to school, creates a need for energy that is much greater than that of younger children. Available data indicate high levels of protein energy malnutrition and short-term hunger among school age children, and deficiencies of critical nutrients are pervasive.

Poor nutrition and health among school children contribute to the inefficiency of the educational system. Children with diminished cognitive abilities and sensory impairments perform less well and are more likely to repeated grades or drop out of school. The irregular school attendance of malnourished and unhealthy children is one of the key factors in poor performance. Even temporary hunger, common in children who are not being fed before going to school, can have an adverse effect on learning.

For those of you who worry that their home districts will not support such additional aid, I offer that polls consistently show that Americans support putting a high priority on addressing world hunger and poverty. In a recent survey by the Program on International Policy Attitudes at the University of Maryland, 87% polled support foreign food and medical assistance. Only 20% surveyed supports cuts in efforts to reduce hunger. 62% said that combating world hunger should be a very important goal for the United States. 76% positively rated giving child survival programs more money. Only about one fourth positively viewed giving military aid to countries friendly to the United States.

U.S. food aid alleviates poverty and promotes economic growth in recipient countries. As incomes in developing countries rise, consumption patterns change, and food and other imports of U.S. goods and services can increase. Hence, supporting child nutrition programs is an effort that we can and must all support.

This amendment will benefit families in many other important ways. Nearly 500,000 women die of pregnancy-related causes each year. Every minute, around the world, 380 women become pregnant, 110 women experience pregnancy-related complications, 1 woman dies. Each year, an additional 15 million women suffer pregnancy-related health problems that can be permanently debilitating, and over 4 million newborns die from poorly managed pregnancies and deliveries.

Ninety-five percent of maternal deaths occur in the developing world. In some sub-Saharan African countries, the risk jumps still further: one in every 14 girls entering adolescence will die from maternal causes before completing her child-bearing years—compared to 1 in 1,800 girls in developing countries.

According to the World Health Organization, maternal health is the largest disparity between the developed and developing countries. While infant mortality (death to infants less than one year), for example, is almost 7 times higher in the developing world than in the developed, maternal mortality is on average 18 times higher. Beyond the consequences for women, the health of their children is also put at risk. Children are much more likely to die within two years of a maternal death. The chances of death are 10 times greater for the newborn and 3 times greater for children 1 to 5 years.

Reducing maternal deaths is an effective investment in healthy families—and therefore in sustainable development—around the world. These deaths can be averted through services that include skilled attendants at birth with necessary equipment and supplies, community education on safe motherhood, improvement of rural and urban health care facilities. Most of these interventions are low-tech and low cost.

Maternal deaths affect women in their most productive years, and as a result the impact reverberates through their families, their communities, and the societies in which they live. The diminished potential productivity of the women who die is $7.5 billion annually and $8 billion for the newborns who do not survive.

Ninety-nine percent of maternal deaths can be prevented with improved pregnancy care, nutrition, immediate postnatal care as well as appropriate treatment for the complications of incomplete abortions. The WHO Mother-Baby program has identified a package of health interventions that, for a cost of $1–3 per mother, can save the lives of countless women and will begin to do so immediately upon implementation.

U.S. funding for maternal health programs has remained level at $50 million for the past 3 years. While other global health and development programs have received increased attention, women continue to die needlessly of preventable causes.

Through this amendment, we also seek additional funding to prevent infectious diseases. Almost 2 million people die each year from tuberculosis (TB). It is estimated that one-third of the world's population is infected with tuberculosis, although it lies dormant in most people. Deadlier and more resistant forms of TB have emerged and have spread to Europe and the U.S., re-introducing the possibility of TB becoming a global killer. Moreover, since HIV/AIDS reduces one's resistance to infectious diseases, TB is easily transmitted to an infected individual. It is regarded as the most common HIV-related opportunistic infection in developing countries.

Many advances have been made to reduce the prevalence of these diseases by the USAID, in collaboration with other international agencies. For example, the World Health Organization's Roll Back Malaria campaign had decreased the death rate from malaria by 97% in some countries. WHO has also started a "directly observed treatment strategy," or DOTS, to fight tuberculosis. Under this strategy, patients are given second-line drugs when they become resistant to first-line drugs.

Similarly, tuberculosis (TB) has re-emerged on the world stage in deadlier and more resistant forms. With the appearance of multi-drug resistant TB, and its spread to Europe and the U.S., we face the possibility that this could again become a leading killer of the rich as well as the poor.

Infectious diseases account for 8% of all deaths in the richest 20 percent of the world and 56% in the poorest 20 percent. This poorest fifth of the world's population is seven times more likely to die as a result of infectious diseases, accounting for 56% of deaths within this population segment. Children are particularly susceptible to infectious diseases, which tend to be exacerbated by malnutrition, an all-too common condition in developing countries.

Finally, this amendment does not seek to cut any economic assistance for the Andean region, assistance for Peru or Bolivia, or funding for the Colombian National Police. It only seeks to cut some military aid to Colombia, aid that does not help the Colombian people, as will these valuable health programs.

The human rights situation in Colombia has deteriorated since Congress approved last year's aid package. The Colombian military continues to collaborate with right-wing paramilitaries that commit over 70% of human rights abuses, such as the paramilitary massacres of civilians that have nearly doubled in 2001 compared to last year.

The U.S. is engaged in a costly military endeavor with no clear exit strategy. The high level of military aid threatens to draw the U.S. further into Colombia's civil war. The amendment leaves intact $152 million in police aid, an estimated $80 million in the Defense Appropriations bill, $30 million in expected drawdowns and IMET and $158 million in military aid in the pipeline from FY 2001. Security assistance accounts for 71% of expected U.S. aid to Colombia this year.

Military aid escalates the conflict and weakens the fragile peace process by emboldening those who hope to solve the conflict on the battlefield and undermining government and civilian leaders seeking a peaceful resolution to the conflict.

President Bush himself said this Tuesday that "A world where some live in comfort and plenty, while half of the human race lives on less than $2 a day, is neither just, nor stable."

I urge my colleagues to support this amendment.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of sections 103, 105, 106, and 131, and chapter 10 of part I of the Foreign Assistance Act of 1961, $1,098,000,000, to remain available until September 30, 2003: *Provided*, That none of the funds appropriated under this heading may be made available for any activity which is in contravention to the Convention on International Trade in Endangered Species of Flora and Fauna (CITES): *Provided further*, That of the funds appropriated under this heading that are made available for assistance programs for displaced and orphaned children and victims of war, not to exceed $25,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of such programs: *Provided further*, That $135,000,000 should be allocated for children's basic education.

AMENDMENT NO. 33 OFFERED BY MR. ROEMER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 33 offered by Mr. ROEMER:

Page 10, line 20, after the dollar amount, insert the following: ''(increased by $12,000,000)''.

Page 13, line 13, after the dollar amount, insert the following: ''(reduced by $1,100,000)''.

Page 37, line 20, after the dollar amount, insert the following: ''(reduced by $3,900,000)''.

Page 38, line 6, after the dollar amount, insert the following: ''(reduced by $7,000,000)''.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Indiana (Mr. ROEMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. ROEMER) for 5 minutes.

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

Mr. Chairman, in government we do some things extremely well, and occasionally we make some mistakes. In the Microenterprise Loans for the Poor Program, this is an exemplary program that is innovative, that works off a revolving loan basis, that regenerates money, and helps the poorest of the poor people help themselves out of poverty. It is directed primarily at growing small businesses in the smallest and poorest countries, and it helps primarily women and their children.

What more could you ask for than an effective aid program for the United States to run and assist other people in other countries around the world?

This program works so well, Mr. Chairman, that it helps people like Sarah Doe, from Liberia, who fled the Ivory Coast and lost her husband tragically in war. She has four children. This Microenterprise Loans for the Poor Program loaned her $16. Now, to us, $16, people spend that at lunch; $16 is what she might see in a year. This helped her grow a small business selling donuts. She continued to grow it and get some more loans. She now has a savings account, a successful business, and she is putting her four children through school.

This is a great program. It is an innovative program. We are talking about new things to use in the Microenterprise Loans for the Poor Program like the poverty assessment tools, trying to make sure that we continue to target loans at the poorest children.

Twelve million dollars is what this amendment would increase the $155 million in this appropriations bill by; $12 million to literally help millions of people, women, small businesses and their children.

I think this $155 million in the bill, it is not a ceiling on what we can spend, so I am hopeful that the gentleman from Arizona (Mr. KOLBE), who has been an advocate and proponent of this program, and certainly the gentlewoman from New York (Ms. LOWEY), who champions this program left and right, can hopefully fight for more money, more innovation, and more revolving loans that help the poorest of the poor around the world.

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

Mr. KOLBE. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes.

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

Mr. Chairman, I am not really in opposition to what the gentleman is certainly attempting to do. Let me just say that the gentleman has very eloquently laid out the case I think for microlending programs. I have had an opportunity, as I know the gentleman has, to see a number of these programs very recently, and before that found some very heartwarming stories in Uganda when I was there a few years ago of some of our micro-credit programs we have in that country.

I think one of the arguments that is frequently lost in our debate about health issues, is how important economic growth is to addressing some of the health issues that we have been talking about here at great length today.

A country cannot have a health system, infrastructure, hospitals, nurses, midwives, or clean water if it does not have economic growth. Micro-credit is a jump-start. It is what we can use to get economic growth going. I think it is a very, very important part of our assistance program; and I am very, very much in support of that program.

I also think it is worth noting when we talk about health that micro-credit can be very important in communities that have been ravaged by HIV and AIDS, because in those communities frequently the only thing that is available, not large investments, not large amounts of capital, the only thing available for those people to survive and sustain themselves are small projects, craft projects very often, and those can only be done with this kind of micro-credit.

So I think the gentleman from Indiana is absolutely correct. I think that what the gentleman is attempting to do here is the right thing to do, and I have continued to urge and will continue to urge USAID to put as much emphasis as possible on this program, because I am very supportive of it.

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

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

Mr. Chairman, I want to congratulate my colleague for again speaking out so forcefully for microenterprise. We have been working on this issue a very long time, and I do applaud the gentleman's efforts in this area.

We know that microenterprise is not charity; it is an outstanding investment. It helps the poorest of the poor break the cycle of poverty and achieve self-sufficiency. With barely more money than any of us would spend on a new suit or a weekend away, a woman receiving a microenterprise loan can literally change the course of her life. The loan may enable her to open a small restaurant, start a small business, buy some chickens, sell their eggs, make bread to sell to her neighbors.

The small amount of income and the small amount of savings that this loan makes possible will pay for a small uniform for her daughter, who may not have otherwise gone to school. It will pay for doctor visits for her family, for nourishing food to keep everyone healthy and active.

This small amount of money, which is paid back in full and on time more than 95 percent of the time, often less than $300 and many times less than $100, will give an entire family new hope for the future.

Mr. Chairman, microenterprise works. We should increase our investment in these important programs. I want to applaud my colleague again for his focus on microenterprise, and I want to assure the gentleman that I intend to work with our Chair, who is a very, very active supporter of microenterprise as well, that we will do all we can to get additional funds in this program.

Mr. Chairman, I am very pleased to yield to the gentlewoman from California (Ms. PELOSI), the ranking member of the Permanent Select Committee on Intelligence, who has worked with us on this very critical issue.

Ms. PELOSI. Mr. Chairman, I thank the ranking member for yielding me time, and I commend her and our distinguished chairman and the maker of this motion, the gentleman from Indiana (Mr. ROEMER), for their interest in this micro-lending.

The gentlewoman from New York (Mrs. LOWEY) and I have visited these micro-lending sites throughout the world. We visited in India, Guatemala, and just all over; and we have seen how these small businesses have changed not only the families, but the communities. So it is money well spent. It is a remarkable thing what a difference a few hundred dollars can make.

□ 1745

Again, it is all part of the integrity of the bill when we talk about debt forgiveness, alleviation of poverty, raising the standard of living, raising the literacy rates, improving the health of children, child survival; it is all of one piece, because the economic opportunity that is there has a tremendous impact on families and the empowerment of women.

So I commend the gentleman from Indiana (Mr. ROEMER) for his leadership on this. It is a very, very important issue. I cannot think of another place

where a small amount of money goes such a very long way.

Mrs. LOWEY. Mr. Chairman, reclaiming my time, again, I want to thank the gentleman from Indiana for his leadership. I look forward to working with him on this very important issue, and I look forward to working with the chairman.

Mr. ROEMER. Mr. Chairman, I yield myself the remaining time to conclude by thanking the eloquent Members of the House of Representatives, the gentlewoman from California (Ms. PELOSI), the ranking member on the Committee on Intelligence, who has, in her previous job on the Subcommittee on Foreign Operations fought so hard and so successfully for these programs; the gentlewoman from New York (Mrs. LOWEY), who is a real champion of these programs, visiting them across the world; and the gentleman from Arizona (Mr. KOLBE), who is so articulate and champions this program, and I hope will continue to work with Senator LEAHY to see that more funds are included for this good effort and goodwill in conference.

I do not think if I pushed this to a vote, Mr. Chairman, and won unanimously that I could get the kind of eloquence and support from such important people making decisions in conference as I have from this colloquy. So with that, I would like to work with the chairman on some report language on poverty assessment tools.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses for international disaster relief, rehabilitation, and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, as amended, $200,000,000, to remain available until expended.

AMENDMENT NO. 32 OFFERED BY MS. PELOSI

Ms. PELOSI. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 32 offered by Ms. PELOSI:

Page 11, after line 12, insert the following:

In addition, for international disaster assistance for El Salvador, $250,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from California (Ms. PELOSI) and a Member opposed each will control 20 minutes.

Does the gentleman from Arizona (Mr. KOLBE) seek to control time in opposition?

Mr. KOLBE. I do, Mr. Chairman, and I also reserve a point of order on this amendment.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) reserves a point of order and will control the time in opposition.

The Chair recognizes the gentlewoman from California (Ms. PELOSI) for 20 minutes.

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

This amendment will provide $250 million in emergency international disaster assistance for El Salvador. The United States has been a leader and a major contributor to international humanitarian disasters. Last year, the committee provided $135 million in emergency funding for Mozambique and southern Africa, so there is precedent for doing this funding under the emergency funding in this bill.

Two years ago, the committee provided approximately $621 million in emergency funding for Hurricane Mitch. The earthquakes in El Salvador this year in January and February, caused more damage in El Salvador than Hurricane Mitch did in the entire area of Central America. This is a terrible, terrible disaster.

During Hurricane Mitch, the United States provided approximately 40 percent of the overall international contribution. This amendment for $250 million would increase the overall U.S. contribution to about 40 percent of the overall international contribution.

USAID called the El Salvador earthquakes the worst disasters in the region in over 50 years. Estimated costs of rebuilding El Salvador ranged between $1.6 and $2.8 billion.

It is important to note that in terms of the disaster and the tragedy there, in terms of housing, 200,000 homes were destroyed by the earthquake, leaving about a half a million people homeless. Roads, bridges, health care and water facilities were either damaged or destroyed and hundreds of people died. On March 7, 2001, the gentleman from Massachusetts (Mr. MOAKLEY) led a bipartisan group of 75 Members of Congress in sending a letter to President Bush asking for a significant emergency package for El Salvador. On March 21, 2001, the House passed H. Con. Res. 41 by a vote of 405 to 1 supporting substantially increasing reconstruction and relief assistance for El Salvador in connection with the earthquakes.

For many years, Mr. Chairman, the United States took a leading role in the affairs of El Salvador, and it is only right that we remain involved today. This tragedy has left thousands of children, women, and men at risk, and the entire country's future is in serious jeopardy. A compassionate and generous response from the United States is essential to those lives and to the region's stability.

Mr. Chairman, I urge my colleagues to support this amendment for $250 million in emergency spending for disaster relief in El Salvador.

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

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

Mr. Chairman, I will be very brief on this, as I reserve the point of order.

I would just say that the gentlewoman's amendment again, like many others here, I think, is right from the heart; and there is no question that the devastation that has occurred in El Salvador has been tremendous. I have been down there since the earthquake just a month after the second earthquake occurred down there. The devastation is tremendous. I was down there just a few days after Hurricane Mitch in Honduras and in Nicaragua.

The gentlewoman is absolutely right; in the areas where this is concentrated, the damage is even worse and the number of deaths that occurred is greater than we experienced in Hurricane Mitch. So the devastation to this one tiny country of El Salvador, which was working so hard and making so much progress to get back on its feet economically, has been tremendous.

However, let me just say that we believe that we have in our account for disaster assistance, we have sufficient funds to pay for what is going to be needed to help in the immediate future to help to do three things: one, the cleanup after the disaster; and now, the housing, the temporary housing and converting that into more permanent housing; and then the beginnings of the rebuilding of the infrastructure. The amounts that we have available in our account for that this year, in my opinion, are sufficient.

Since the gentlewoman is removing so much money from a particular account, I would have real objections to doing that. But again, I want to say to the gentlewoman that I certainly accept in good faith what she is trying to do and I believe that the problem down there is a very major one, and I hope that these words that she has said and that I am saying are being listened to by our people in the State Department and USAID, and that we are going to move as quickly as possible to give all assistance that we can to El Salvador.

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

Ms. PELOSI. Mr. Chairman, I yield myself 1 minute.

I would just like to respond to the distinguished chairman. I know that he is concerned about the people of El Salvador, and I accept as a compliment his

statement that my amendment comes from the heart, and maybe it does, but it indeed also comes from the head.

A tremendous need is there, and we can express all the compassion in the world that we want, but it is no substitute for real funding to meet the needs of the people of El Salvador.

My concern about what the distinguished chairman has said is that the funds that will be used under his plan are coming from other disaster assistance. It is coming out of funding for the Sudan, Afghanistan, the Congo, and even taking money from the child survival and development assistance account. I do not think the poorest children in the world should have to pay for the compassion of the American people to meet the needs of the El Salvadorans at this time of tragedy.

Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Massachusetts (Mr. OLVER), who has helped fight this fight in full committee, who has visited El Salvador and speaks with authority on the subject.

Mr. OLVER. Mr. Chairman, I thank the gentlewoman for yielding me this time.

Mr. Chairman, on January 13 of this year, a 7.6 Richter magnitude earthquake hit El Salvador. It was followed 1 month later on February 13 by a quake that measured 6.6 on the Richter scale. The combined devastation included 1,200 people killed and more than $2 billion in damage. Approximately 175,000 homes lie anywhere between severe damage and utter rubble, leaving 15 percent of the population of the country without habitable homes; homeless.

Now, the gentlewoman's amendment will add $250 million in disaster relief to the promised $100 million in the bill. This is really a very modest sum. The $100 million in the bill is a small sum; even with the 250 added, it would be a modest sum, particularly when we consider America's recent involvement in El Salvador.

During the 1980s, there was an 11-year period when more than 75,000 people lost their lives in El Salvador's civil war and at least 20 percent of the population went into exile. Nearly three-quarters of a million of those exilees are in the United States, many of them citizens, and others very close to citizenship. So we have a large Salvadoran population in the United States. The U.S. Congress helped to fuel this devastation by $1 billion over those years in military aid, mostly to the military government in El Salvador, which helped to lead to the devastation.

In addition, there was a good deal of other aid. Total U.S. aid was nearly $300 million per year other than the military assistance; $300 million per year for 11 years in that Nation. So indeed, the $100 million for this disaster is a very modest sum, and even with the $250 million added, it is still a modest sum.

I had the opportunity to visit El Salvador with the distinguished chairman of the subcommittee, and there is some reluctance in making the argument on this, because I know how hard he works, and I know he views this as a serious matter. But we had an opportunity to see villages and towns that had the worst of the destruction near the epicenter, the capital city, the large capital city was not much affected. We saw communities of 10,000 and 20,000 where virtually every home was so severely damaged that it was not habitable. We visited a large town where the hospital was so severely damaged that the operating room was out in the front yard in the patio under a tent.

So there is no question about the need. The increased U.S. funding is needed to ensure that aid reaches the places of greatest need. The best disaster relief work is being done by local municipalities in combination with churches and grass-roots groups and NGOs. Our disaster aid agency, USAID, can help to address this by delivering assistance through the nongovernmental channels and using the aid process to support decentralization and the development of municipal governments there.

Mr. Chairman, the disaster has ravaged our neighbor, El Salvador. It is critically important that we help the people of El Salvador rebuild their lives. The money promised in this bill is a step in the right direction, but the amendment that has been offered by the gentlewoman from California is needed. I urge my colleagues to support this amendment.

□ 1800

Mr. KOLBE. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Virginia (Mr. TOM DAVIS), who has worked so hard to better the lives of the Salvadoran people.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I rise to support the Pelosi amendment to provide some more emergency disaster assistance to El Salvador, but I want to take a moment to thank the gentleman from Arizona (Chairman KOLBE) for putting $100 million in the current legislation before us to send down there.

Two devastating and deadly earthquakes rocked the central American Nation of El Salvador on January 13 and again on February 13. The first quake measured 7.6 on the Richter scale and had a depth of 9.6 miles and occurred off the El Salvadoran coastline 5.6 miles southwest of San Miguel.

The second quake measured 6.6 on the Richter scale, had a depth of about 20 miles, and occurred 48 miles east of San Salvador. Neighboring countries of Guatemala and Honduras also felt this quake. I visited El Salvador and personally saw the destruction these quakes left in El Salvador.

Recently, I visited this proud country and had the opportunity to see firsthand the devastation and effect these quakes have had on the people. I met with many Salvadorans who shared with me their personal tragedies which resulted from the earthquakes. Crops have been ruined, homes destroyed, and families left destitute.

I also met with the President of El Salvador, who shared his concerns about the fate of El Salvador and its people. This tragedy has directly affected hundreds of thousands of children, women, and men throughout the country. These devastating earthquakes were responsible for over 1,100 deaths and more than 8,500 injuries. In addition, the quakes damaged or destroyed over 330,000 homes. In total, over 1.5 million Salvadorans have been affected by these national catastrophes.

The humanitarian needs of our neighbors in El Salvador are substantial. El Salvadorans need clean water, health care, homes, schools, crop assistance, and paved roads. These needs are compounded by severe poverty, particularly in the rural areas, which affects 63 percent of El Salvador's rural population.

The damage assessments continue to rise. The United States Agency for International Development reports that the cost of rebuilding after the two earthquakes will be more than $2.8 billion.

Adding to the devastation are the aftershocks that continue to occur in El Salvador. The United States Geological Survey reports that hundreds of landslides have occurred, making the roads impassible in some places around lakes, while debris flowing around such lakes have altered drainage patterns, which will cause sediment dams to form during the rainy season.

In addition, many roads and bridges have been washed out or blocked by landslides and mudslides. Tens of thousands of people still lack adequate drinking water and must depend on clean water transported by trucks. Currently, UNICEF is organizing the distribution of water and working closely with the Pan American Health Organization and the World Health Organization.

Mr. Chairman, I believe the Pelosi amendment is critical to provide much-needed funding for emergency international disaster assistance to El Salvador. The U.S. has been a leader and major contributor to relief of humanitarian disasters.

For example, last year Congress provided $135 million in emergency funding for Mozambique and southern Africa. Two years ago, Congress provided approximately $621 million in emergency funding for Hurricane Mitch. USAID has rated the El Salvador earthquakes as the worst disasters in the region in over 50 years, dwarfing

damage done by Hurricane Mitch to all of Central America.

At this time, estimated costs of rebuilding El Salvador are substantial. Humanitarian needs are staggering. Efforts thus far to reprogram funds will not adequately address the needs of Salvadorans at this critical time.

I believe this emergency funding is a necessary first step to address the needs of the rural poor and the areas hit hardest by the earthquakes. The $250 million in the Pelosi amendment would help to restore community infrastructure in housing, schools, health facilities, potable water systems, and municipal facilities.

After years of brutal civil war and unrest, El Salvador has emerged as one of the most stable nations in Central America. Not only has El Salvador developed a thriving economy, but also it has instituted many significant democratic reforms.

I am deeply concerned that the damage and human suffering caused by these earthquakes threaten the future stability and the economic success of this great country. I cannot stand by and allow this tragedy to result in sociopolitical backsliding.

I thank the gentlewoman from California (Ms. PELOSI) for raising this issue, and encourage the Congress to reexamine the possibility of providing much-needed additional emergency assistance to the people of El Salvador.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 4 minutes to the distinguished gentleman from Virginia (Mr. MORAN), who has been in this fight for a long time for this funding for disaster assistance to the people of El Salvador. On any number of occasions in the full committee under the supplemental and on this bill he has been a champion.

Mr. MORAN of Virginia. Mr. Chairman, I thank my friend, the very distinguished gentlewoman from California, for yielding time to me. She has introduced an amendment that we should all support.

Mr. Chairman, our neighbor needs our help desperately. What is our excuse for not helping our neighbor? We have a $10 trillion economy, we have more surplus than we have ever had, we just gave ourselves a $2 trillion tax cut, and our neighbor needs our help desperately. They had an earthquake that they could not have done anything about.

Imagine, 1.6 million, one out of four people in El Salvador has been affected. In fact, about 10,000 were killed or seriously injured. Our neighbor needs our help.

Three hundred thirty-five thousand homes were destroyed, and El Salvador tells us that they do not possibly have the money to build even 30,000. So 90 percent of the people lost their homes and are not going to be able to rebuild a home. They are families. They all have kids. They are living in tents. Our neighbor needs our help.

We have never had as much capacity as we do today to help. We have no excuse not to help. When we think of the health care, the sanitation needs, the housing, they need it all.

We provided $6 billion during the 1980s in military aid. Where are our priorities? Tens of thousands of Salvadorans are in this country because of the terror of the ''death squads'' that we contributed to. Where are our priorities? We have $100 million in this bill to help our neighbor. They need $2.1 billion, according to the United Nations development program; and we pledge $110 million, 5 percent.

Where is the other 95 percent going to come from? They have no other neighbors as close nor as capable as we are of helping. So we are going to turn our backs on our neighbors? That is what we are doing with 5 percent? It is an insult.

Mr. Chairman, this is defining of who we are as a nation. I know the gentleman's heart is in the right place. Certainly his words were in the right place in the supplemental. This should have been in the emergency supplemental. We were told when we tried to get the money that there was going to be more money in the regular bill, but it is not here. The money is available; but the priorities are not in the right place.

This is wrong, not to do more for our neighbor. One out of four people were affected, killed, injured, homeless. They are desperate. We need to go to their assistance. We need to define what kind of a country, what kind of a people we are. There are a lot of Salvadoran Americans who believe in the compassion and greatness of that definition, who came to this country because they believed we were capable of doing more than we are doing now for their home country.

This should be a national priority. We should support the Pelosi amendment.

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

Mr. Chairman, I will be very brief. I just wanted to respond to the gentleman from Virginia, who I have great admiration for and who I have traveled with on many occasions, including to Latin America.

It is not a correct statement, though, to say that we have no money in our legislation. We have $100 million, and it is earmarked. It is a legal earmark. We have it set aside specifically for El Salvador.

One can argue and make a case that that is not sufficient. We tried to balance the various priorities that we have. I know Members have heard that before. But I do not want that to go unchallenged here. I do not want Members to go away thinking that we have not provided anything for El Salvador. We have, indeed. We do have $100 million.

He also made the statement that the money is there for the rest of it. I do not know where he is referring to, but since we know all of our allocation is used, if we want to put more money in, if we do not do it as an emergency, we cannot. If we do it as an emergency, it is there, from the American taxpayers, by borrowing or reducing the surplus. But it has to come from someplace. It comes from the American taxpayers.

If we are talking about taking it out of our current bill, our current allocation, I would just note that it is entirely used, so we do have to take it from someplace else. I would say that, as we have heard here earlier, whatever the issue is, there are a lot of competing interests here.

I just want to make it clear to my colleagues who might be listening to this debate that we do indeed have $100 million earmarked in the bill for reconstruction and for relief, disaster relief in El Salvador.

Ms. PELOSI. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from New Jersey (Mr. MENENDEZ), the Vice-Chair of the Democratic Caucus and a champion on this issue.

Mr. MENENDEZ. Mr. Chairman, let me first thank the gentlewoman, not only for yielding time to me but for her amendment and for her work in this regard. She has helped bring us to the forefront on this issue. I appreciate her work, working with me as the ranking Democrat on the Subcommittee on the Western Hemisphere.

Earlier this year, the Central American nation of El Salvador was devastated by two earthquakes. The U.S. Agency for International Development estimates that close to 1,200 people died and over 85,000 were injured. There were 335,000 homes that were destroyed or damaged. Nearly 1.6 million Salvadorans have been affected, almost one in every four of the country's population; and the estimated costs of rebuilding El Salvador ranges between $1.6 and 2.8 billion.

The January and February earthquakes caused more damage in El Salvador than Hurricane Mitch did throughout the whole of Central America. In fact, USAID called the El Salvador earthquakes the worst disaster in the region in over 50 years, dwarfing the damage done by Hurricane Mitch.

Yet, in the aftermath of Hurricane Mitch, the United States provided approximately $621 million in emergency funding and close to $1 billion when DOD costs were included. That is about 40 percent of the overall relief contribution. In response to this calamity, we introduced, along with 26 of my colleagues, the recovery bill to authorize emergency appropriations of about $350 million in international disaster assistance for El Salvador. The House and Senate responded by passing resolutions in support of increased funding for El Salvador.

On March 7 of this year, our beloved late colleague, the gentleman from Massachusetts, Mr. Moakley, led a bipartisan group of 75 Members of Congress in sending a letter to President Bush asking for a significant emergency aid package for El Salvador.

On March 21, the House passed House Concurrent Resolution 41 by a vote of 405 to 1 supporting ''substantially increasing reconstruction and relief assistance for El Salvador in connection with the earthquakes.''

But the House Subcommittee on Foreign Operations, Export Financing and Related Programs has included a paltry $100 million from existing programs for El Salvador in this bill. That is certainly better than the $58 million requested by the administration, and I appreciate the chairman doing that, but it remains woefully inadequate and certainly does not substantially increase, as the resolution calls for, the funding. In fact, it provides just about 5 to 6 percent of what the country actually needs.

The Salvadoran people have set an example for the entire world with their impressive transition from authoritarian rule and horrific civil war, in which 75,000 Salvadorans died, to democracy and peace. Our nations are closer than ever. The U.S. is El Salvador's largest trading partner and is an important ally on many fronts, including drug trafficking.

We invested billions of dollars in Central America during the 1980s in terms of promoting peace and democracy, but we did it through a military context. Now, since those peace accords were signed in 1992, El Salvador has developed a thriving economy and instituted significant democratic reforms, making it one of the most stable nations in the region.

How could we let that investment go to rot? Because what is happening in that country, with such enormous displacement, is to put at risk the very stability, the very democratic institutions, the very underpinnings of democracy that we spent billions in Central America trying to create.

That is not in the national interest of the United States; and it is not in the national security interests of the United States when we allow the consequences of what is happening in El Salvador in immigration, in a variety of health consequences, in a variety of subjects that we are concerned about, as our neighbors to the south have those problems, affect us as well.

It is in the national interest of the United States to support the Pelosi amendment. I do hope that the other side will allow it to be made in order so this House can have a vote on this most important issue.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from California (Mr. BECERRA), and thank him for his leadership in this fight, as well.

Mr. BECERRA. Mr. Chairman, let me thank the gentlewoman for yielding time to me but, more importantly, for her longstanding and abiding concern and help in areas of Latin America, and for understanding the issues so well.

I would also like to make sure I recognize the chairman of this subcommittee from the Committee on Appropriations for his long-standing work in the area as well.

Mr. Chairman, this is not just help, but it is an investment. This is a chance to help Salvadorans get on their feet and back to work. It is a chance to help them rebuild their homes and businesses in El Salvador and not have them think about going to other places to have those opportunities to feed the family and have an opportunity to grow.

□ 1815

Let us help them in their home country.

Remember, El Salvador is a nascent democracy. It is a fragile democracy that 15, 20 years ago did not exist. Rather than forget it and let it go back to the old days when they did not have a chance to let their people make decisions for that country, let us help them get back on their feet.

Salvadorans are doing their best to get back on their feet, and Americans of Salvadoran descent are doing their fair share. More than $1.7 billion on an annual basis goes from Americans of Salvadoran descent to family members still in El Salvador to try to help them in their home country of El Salvador. We should be there to help as well.

We can do more; we should do more. This assistance is not a handout; it is an investment with a partner to say to them we will help you roll up your sleeves and with your own hands rebuild your country. It is the right thing to do.

I join my colleague and friend, the gentleman from Virginia (Mr. TOM DAVIS), in supporting this request. I know we have limited dollars, but I believe that the good work of the gentleman from Arizona, who has been so demonstrative in his efforts to try to help so many people around the world, and with the good efforts of the gentlewoman from California we can get this thing done and show the people of El Salvador we are ready to help them; not with a handout but to let them, with their own hands, rebuild their country with the good assistance of a partner like the United States of America.

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. FARR), a member of the Committee on Appropriations, and thank him for his leadership on this issue.

Mr. FARR of California. Mr. Chairman, I thank the gentlewoman for yielding me this time. I want to also thank the chairman of the committee for inviting me to go to El Salvador right after the earthquake. As a former Peace Corps volunteer from South America, I was able to bring some insight into it.

What I learned is more than what I took, and that is that Congress needs to step up to the plate and do more. And not only Congress needs to do more. The churches that have done a wonderful job need to do more; the people-to-people programs need to do more; and the adoptive city programs that have been so effective in El Salvador need to do more. We all need to do more because we cannot afford not to make El Salvador's modernization work. It is a country that has gone through all the struggles we have watched.

If, indeed, nation building is going to work, peacekeeping is going to work, microloan programs are going to work, trade policy is going to work, if indeed the credibility of the United States is going to work, then we have to step up to that plate and continue to be there in this incredible disaster.

I was able to visit after Hurricane Mitch in Honduras and in Venezuela. El Salvador even needs more help than those countries.

Ms. PELOSI. Mr. Chairman, I yield myself the balance of my time.

I want to thank the chairman for allowing us to have the debate, because he could have insisted on his point of order at a much earlier time. I am grateful for that so that our colleagues and those who follow Congress can know about this important issue.

I do regret, however, that at the end of the day we are not going to have a respectable package of assistance to El Salvador. When the emergency supplemental bill came before our committee, which would have been the vehicle for all of this emergency spending, the representation that was made to us was that we will revisit this in our bill for the fiscal year 2002, and that we did less in the supplemental than we would have liked to have done.

Well, we have come down this road from supplemental to subcommittee to full committee to the floor, and what we have is a nice contribution but not a real sign of seriousness of how we take the disaster in El Salvador. I am very sad because the $100 million that the gentleman from Arizona (Mr. KOLBE) has in the package comes from other disaster assistance, from the child survival account, from economic support funds. Why do those important programs, why do the poorest children in the world have to pay for U.S. assistance to El Salvador?

I visited El Salvador in the 1980s. I saw the military assistance, $6 billion worth, going down there because it was said it was in our national interest. Well, if El Salvador is an area of concern to the United States to the tune

of $6 billion in the middle 1980s, why can we not be generous to the tune of $250 million to do our share in helping the people of El Salvador in this time of need?

Again, I wish the chairman would not insist on his point of order, and I thank my colleagues for this very serious debate.

Mr. KOLBE. Mr. Chairman, I yield myself the balance of my time, before I make a point of order, and say to the gentlewoman that I appreciate her comments and again would say that I am very sympathetic.

The Salvadoran people are wonderful people. I have known many of them in my own community and had one of them who came as a refugee from Salvador as an intern working for me and is today one of my very close friends. They are wonderful people, and they deserve all the help we can give them; and I hope we will be able to give them support and even more support than perhaps is in this bill.

But I would note that we do have the $100 million, and while $25 million may come from current assistance accounts, the rest is money that would be added. So I do think that we are making a good start in helping El Salvador.

POINT OF ORDER

Mr. KOLBE. Mr. Chairman, I yield back the balance of my time, and I make a point of order against the amendment.

I would make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI. The rule states in pertinent part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment includes an emergency designation under section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 and, as such, constitutes legislation in violation of clause 2 of rule XXI.

I ask for a ruling from the Chair.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

If no Member wishes to be heard on the point of order, the Chair is prepared to rule.

The Chair finds this amendment includes an emergency designation under section 251(b)(2)(a) of the Balanced Budget and Emergency Deficit Control Act of 1985. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

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

Mr. Chairman, I rise for some additional comments on the Pelosi amendment. The recent earthquakes in El Salvador devastated the country, destroying 175,000 homes, leaving over 1 million people homeless, leveling schools, community buildings, and demolishing key components of the country's infrastructure. Although we did include $100 million, as our chairman has stated, in this bill, the low level of assistance, especially to a country where we invested billions of dollars to end conflict and achieve stability, is simply tragic.

I am proud that the United States was able to react to the devastation quickly. Our relief supplies reached those who needed them most in a timely manner and earthquake victims appreciate our help. It is time, my colleagues, to make a larger commitment to helping the people of El Salvador recover from this natural disaster. We should not be satisfied with shifting funds around to piece together an assistance package. We must, in my judgment, make a serious investment in building infrastructure, constructing permanent housing, reconstructing schools and clinics and creating jobs.

The United States needs to show leadership in helping El Salvador. The international community will follow our lead. Our lack of generosity in this instance has affected and will continue to affect the willingness of the international community to devote funds to relief and construction efforts.

The United States has had a strong national security interest in achieving stability in El Salvador and has demonstrated this interest in past years with serious investment. It would be unconscionable, in my judgment, to turn our backs on El Salvador at this critical point when the future of the country is hanging by a thread.

If we invest in the short- and long-term health of El Salvador now, we will avoid costly problems later on. If we continue to withhold a serious commitment of resources, there is no telling what the price will be in terms of instability and unrest later on. And that is why I strongly support the Pelosi amendment.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 20, line 7 be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the bill from page 11, line 13, through page 20, line 7, is as follows:

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, $40,000,000, to remain available until expended, to support transition to democracy and to long-term development of countries in crisis: *Provided*, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: *Provided further*, That the United States Agency for International Development shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance.

DEVELOPMENT CREDIT AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

For the cost of loan guarantees, up to $12,500,000, as authorized by sections 108 and 635 of the Foreign Assistance Act of 1961: *Provided*, That such funds shall be derived by transfer from funds appropriated by this Act to carry out part I of the Foreign Assistance Act of 1961, and under the heading ''Assistance for Eastern Europe and the Baltic States'': *Provided further*, That such funds shall be made available only for micro and small enterprise programs and other programs which further the purposes of part I of the Act: *Provided further*, That during fiscal year 2002, commitments to guarantee loans shall not exceed $177,500,000: *Provided further*, That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to loan guarantees provided under this heading. In addition, for administrative expenses to carry out credit programs administered by the United States Agency for International Development, $7,500,000, all of which may be transferred to and merged with the appropriation for Operating Expenses of the Agency for International Development: *Provided further*, That funds appropriated under this heading shall remain available until September 30, 2003.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the ''Foreign Service Retirement and Disability Fund'', as authorized by the Foreign Service Act of 1980, $44,880,000.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For necessary expenses to carry out the provisions of section 667, $549,000,000: *Provided*, That none of the funds appropriated under this heading may be made available to finance the construction (including architect and engineering services), purchase, or long term lease of offices for use by the United States Agency for International Development, unless the Administrator has identified such proposed construction (including architect and engineering services), purchase, or long term lease of offices in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of these funds for such purposes: *Provided further*, That the previous proviso shall not apply where the total cost of construction (including architect and engineering services), purchase, or long term lease of offices does not exceed $1,000,000.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667, $30,000,000, to remain available until September 30, 2003, which sum shall be available for the Office of the Inspector General of the United States Agency for International Development.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II,

$2,199,000,000, to remain available until September 30, 2003: *Provided*, That of the funds appropriated under this heading, not less than $720,000,000 shall be available only for Israel, which sum shall be available on a grant basis as a cash transfer and shall be disbursed within 30 days of the enactment of this Act or by October 31, 2001, whichever is later: *Provided further*, That not less than $655,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis, and of which sum cash transfer assistance shall be provided with the understanding that Egypt will undertake significant economic reforms which are additional to those which were undertaken in previous fiscal years: *Provided further*, That in exercising the authority to provide cash transfer assistance for Israel, the President shall ensure that the level of such assistance does not cause an adverse impact on the total level of nonmilitary exports from the United States to such country and that Israel enters into a side letter agreement in an amount proportional to the fiscal year 1999 agreement: *Provided further*, That not less than $35,000,000 of the funds appropriated under this heading should be made available for Lebanon to be used, among other programs, for scholarships and direct support of the American educational institutions in Lebanon: *Provided further*, That not less than $15,000,000 of the funds appropriated under this heading should be made available for Cyprus to be used only for scholarships, administrative support of the scholarship program, bicommunal projects, and measures aimed at reunification of the island and designed to reduce tensions and promote peace and cooperation between the two communities on Cyprus: *Provided further*, That funds appropriated under this heading may be used, notwithstanding any other provision of law, to provide assistance to the National Democratic Alliance of Sudan to strengthen its ability to protect civilians from attacks, slave raids, and aerial bombardment by the Sudanese Government forces and its militia allies, and the provision of such funds shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That in the previous proviso, the term ''assistance'' includes non-lethal, non-food aid such as blankets, medicine, fuel, mobile clinics, water drilling equipment, communications equipment to notify civilians of aerial bombardment, nonmilitary vehicles, tents, and shoes.

INTERNATIONAL FUND FOR IRELAND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $25,000,000, which shall be available for the United States contribution to the International Fund for Ireland and shall be made available in accordance with the provisions of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99–415): *Provided*, That such amount shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided further*, That funds made available under this heading shall remain available until September 30, 2003.

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989, $600,000,000, to remain available until September 30, 2003, which shall be available, notwithstanding any other provision of law, for assistance and for related programs for Eastern Europe and the Baltic States: *Provided*, That funds made available for assistance for Kosovo from funds appropriated under this heading and under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'' should not exceed 15 percent of the total resources pledged by all donors for calendar year 2002 for assistance for Kosovo as of March 31, 2002: *Provided further*, That none of the funds made available under this Act for assistance for Kosovo shall be made available for large scale physical infrastructure reconstruction.

(b) Funds appropriated under this heading or in prior appropriations Acts that are or have been made available for an Enterprise Fund may be deposited by such Fund in interest-bearing accounts prior to the Fund's disbursement of such funds for program purposes. The Fund may retain for such program purposes any interest earned on such deposits without returning such interest to the Treasury of the United States and without further appropriation by the Congress. Funds made available for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

(c) Funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance.

(d) With regard to funds appropriated under this heading for the economic revitalization program in Bosnia and Herzegovina, and local currencies generated by such funds (including the conversion of funds appropriated under this heading into currency used by Bosnia and Herzegovina as local currency and local currency returned or repaid under such program) the Administrator of the United States Agency for International Development shall provide written approval for grants and loans prior to the obligation and expenditure of funds for such purposes, and prior to the use of funds that have been returned or repaid to any lending facility or grantee.

(e) The provisions of section 529 of this Act shall apply to funds made available under subsection (e) and to funds appropriated under this heading: *Provided*, That notwithstanding any provision of this or any other Act, including provisions in this subsection regarding the application of section 529 of this Act, local currencies generated by, or converted from, funds appropriated by this Act and by previous appropriations Acts and made available for the economic revitalization program in Bosnia may be used in Eastern Europe and the Baltic States to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989.

(f) The President is authorized to withhold funds appropriated under this heading made available for economic revitalization programs in Bosnia and Herzegovina, if he determines and certifies to the Committees on Appropriations that the Federation of Bosnia and Herzegovina has not complied with article III of annex 1–A of the General Framework Agreement for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces, and that intelligence cooperation on training, investigations, and related activities between Iranian officials and Bosnian officials has not been terminated.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

(a) For necessary expenses to carry out the provisions of chapters 11 and 12 of part I of the Foreign Assistance Act of 1961 and the FREEDOM Support Act, for assistance for the Independent States of the former Soviet Union and for related programs, $768,000,000, to remain available until September 30, 2003: *Provided*, That the provisions of such chapters shall apply to funds appropriated by this paragraph: *Provided further*, That of the funds made available for the Southern Caucasus region, notwithstanding any other provision of law, 15 percent may be used for confidence-building measures and other activities in furtherance of the peaceful resolution of the regional conflicts, especially those in the vicinity of Abkhazia and Nagorno-Karabagh: *Provided further*, That of the funds appropriated under this heading, not less than $1,500,000 should be available only to meet the health and other assistance needs of victims of trafficking in persons.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

(b) Of the funds appropriated under this heading, not to exceed $125,000,000 may be made available for assistance for Ukraine.

AMENDMENT NO. 50 OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 50 offered by Ms. KAPTUR:

Page 20, beginning on line 8, strike ''not to exceed $125,000,000 may'' and insert ''not less than $125,000,000 should''.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Ohio (Ms. KAPTUR) and a Member opposed each will control 10 minutes.

Mr. KOLBE. Mr. Chairman, I rise to claim the time in opposition and to reserve a point of order against the amendment.

The CHAIRMAN. A point of order is reserved on the amendment, and the gentleman from Arizona (Mr. KOLBE) will control the time in opposition.

The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 10 minutes.

Ms. KAPTUR. Mr. Chairman, I yield myself such time as I may consume, and I rise and wish to present to the committee an amendment that concerns Ukraine.

The real issue for us here in the House today is whether the United States should begin walking away from the most strategic country in Central Europe: Ukraine. My amendment says stay the course with the democratic forces for reform. It says do not single out Ukraine as the only nation in the world that will receive a one-third cut from last year's allocation. My amendment will allow the committee and will allow this Congress more flexibility as we move towards floor passage and conference in order to restore the funds that rightfully should go to democracy building in that new republic.

Let me just say that proposing to reduce assistance for Ukraine comes at absolutely the wrong time. The third

set of parliamentary elections are about to occur. During the last week of August, Ukraine will celebrate its 10th year of independence. This kind of ill-advised action by this Congress is going to give the forces that are against reform a greater share of authority inside that country. I do not really think that the gentleman, the chairman of the committee and other Members that proposed this initially, really want that to happen.

Put it in the context of our own country. It took us 11 years from the time of the Declaration of Independence to adopt our own Constitution, 89 years to end slavery at the end of the Civil War, 141 years to give women the right to vote, and 188 years for the adoption of the civil rights acts of our country. Now, I am not suggesting Ukraine should take that long. All I am saying is that after 10 years certain Members may be expecting too much.

Let me also say that other nations, like Russia, are making very favorable overtures toward Ukraine, particularly with the recent appointment of former Russian Prime Minister Viktor Chernomyrdin as the new Russian Ambassador to Ukraine. America should be no less interested in Ukraine. Further, the House bill does not even meet the administration's request of $170 million for Ukraine, and President Bush and Secretary Powell have both stressed the importance of this strategic partnership.

Even the wife of the slain journalist Heorhiy Gongadze wrote a letter to all of us in which she says, ''Do not do this. It would be a terrible mistake to adopt the House committee version.'' She says, ''Condemn the actions and inactions of the Ukrainian executive power when appropriate, demand open and honest investigations, seek the truth about my husband's murder, and cut off funding or restrict it, if you deem it necessary, but please do not reduce the aid to Ukraine that is so important in the building of a normal Democratic society.'' I will insert her full letter in the RECORD.

This September, we are going to have the first Rada-Congressional exchange to try to more completely work together as legislative bodies in our respective communities, to try to help to integrate Ukraine more fully into the world community.

□ 1830

Do I think everything is rosy in Ukraine? I would be the first to say no. Much more remains to be done on nuclear safety.

I wish to insert in the RECORD two letters. One from our U.S. Department of Energy and one from the Ukrainian Ambassador to the United States talking about the serious nuclear safety issues that still remain and need to be addressed in Ukraine.

We need full investigations into the suspicious deaths of independent journalists. We need an independent and free press and media and allow them to develop and help them to develop in that country. We need to urge Ukraine to create a judicial system and rule of law that yields justice. We need to ensure human rights and free speech to help advance that country toward a more open free market economy with reliable and transparent credit institutions, and we need to help them complete land title reform and agricultural transition to a privatized system of production.

The report that accompanies the bill is also inadequate. I am going to also insert into the RECORD tonight more complete language that should be in the report that urges Ukraine toward these types of reforms.

But let me remind our colleagues, Ukraine has had major accomplishments over the last decade. It has, at our request, completely dismantled its nuclear weapons. It has worked to become and wishes to be part of the full union of European and western states. Ukraine refused to sell turbines to Iran giving up an economic sale in excess of over $100 million.

The current President of the Ukraine personally invited Pope John Paul II for an historic visit with Ukraine. I might say to the chairman of the full subcommittee, with all due respect, last week you spoke eloquently of not isolating China and you voted on behalf of opening China up. I can tell you China arrests Catholic bishops. She would not invite the Pope into that country. In fact, she ordains phony bishops. So I would say do not treat Ukraine in a manner any worse than you would treat China.

If you look at Ukraine, she has a growing middle class. It has grown at over 6 percent this last year. Industrial production is up by a fifth. Land privatization is occurring. Small businesses are up by 40 percent. Small bank accounts have started. In fact, and this is really important for our colleagues to understand, almost all of the U.S. assistance to Ukraine does not go to the government. In fact, it goes to help the development of the very organizations that are working for all the good causes I have just talked about: small business development, exchange programs, support for independent media, municipal development, nuclear clean up; all these very, very worthy causes.

So in offering this amendment today it was my hope to put some of this on the RECORD. It is my hope that as this bill moves toward full passage and over to the Senate that we might get some perfecting language that would not single out Ukraine for this type of harsh treatment by the people of the United States.

In fact, our hope is that this discussion today and the chairman's willingness to allow us to talk about this in giving us some time on the floor will help to give us a meeting of minds so that we can, in fact, perfect the House language and help Ukraine move herself into the company of the free nations of the world.

DEPARTMENT OF ENERGY,
NATIONAL NUCLEAR SECURITY ADMINISTRATION,
Washington, DC, July 23, 2001.

Ambassador WILLIAM B. TAYLOR, Jr.,
Coordinator of U.S. Assistance to the NIS, U.S. Department of State, Washington, DC

DEAR AMBASSADOR TAYLOR: We understand that the House Committee on Appropriations report on foreign operations limits Ukraine assistance in 2002 to $125 million, based partly on the completion of major nuclear safety projects. The International Nuclear Safety Program has completed the safety parameter display system project, the simulator project, and the Chernobyl Replacement Heat Plant project. However, additional nuclear safety work is needed in Ukraine.

Projects that are not yet complete include: simulator and operator training; completion of in-depth safety assessments; physical security upgrades; nondestructive examination improvements; operational safety improvement's; emergency cooling reliability upgrades; plant computer upgrades; and nuclear fuel qualification.

I recently returned from a visit to Ukraine for commissioning of the Chernobyl replacement heat plant and for reviewing State/AID supported projects at the Khmelnytskyy nuclear power plant. I saw impressive progress due to State/AID assistance at both locations. The Ukraine safety program is at a pivotal stage. On the one hand, clear improvements to safety and operations are evident and documented. However, an enduring safety culture has not taken hold and important projects remain to be completed which Ukraine is currently unable to provide for itself. Until that safety culture is firmly established, cutbacks may endanger the progress made to date, e.g., they may drive Ukraine to seek help from Russia in some areas.

We plan to complete nuclear safety improvements at reactors in the countries of the former Soviet Union by 2006. A reduction in funding would prevent current projects from being completed, and reduce the sustainability of the already completed projects. We hope you will support this important work at the same level as last year. We look forward to continuing to work with you.

Sincerely,

JAMES M. TURNER,
Assistant Deputy Administrator.

EMBASSY OF UKRAINE,
July 17, 2001.

Re Foreign Operations Appropriations Bill—Assistance for Ukraine.

Hon. JIM KOLBE,
Chairman, Subcommittee on Foreign Operations Appropriations, House of Representatives, Washington, DC.

DEAR MR. KOLBE: This letter is written to express my alarm about the level of funds provided for assistance to Ukraine in the Foreign Operations Appropriations bill. I am the widow of Georgiy Gongadze, the Ukrainian journalist whose brutal, unsolved murder has received so much international attention

and which led to my seeking refuge in America. As I understand it, the House Appropriations Committee reduced the President's recommendation for aid to Ukraine by $44 million. I think this is a terrible mistake. Furthermore the Committee's proposal indirectly refers to my husband's murder to justify their reduction.

If Congress uses my husband's murder as justification to reduce U.S. aid to Ukraine, this will send absolutely the wrong message to those honorable people who are still working (and with whom I worked) so hard to build a democratic nation. Conversely, such an approach will play into the hands of the anti-reformists who seek to thwart democracy and benefit from the perpetuation of the corrupt legacy of the Soviet system. My husband sought the development of a free and independent media, of non-governmental and of local organizations to build a civil society in Ukraine—these entities are the ones that desperately need America's help. The assistance provided in your bill goes to such programs to help the very people who need and should have American money and counsel, good people who will be isolated and alone without U.S. support. As a lawyer who worked with such groups, I know that American assistance is the lifeblood of these programs—and it is here where the seeds of democracy must be sown.

I am sure that we share very serious concerns about the direction and actions of the Executive branch of Ukraine. However, please do not let these concerns keep the United States from providing the level of aid needed by those that are making a real and valuable difference, especially at the grass roots level. Condemn the actions and inactions of the Ukrainian executive power when appropriate, demand open and honest investigations, seek the truth about my husband's murder and cut off funding or restrict it if you deem necessary, but please—do not reduce the aid to Ukraine that is so important in the building of a normal, democratic society.

Thank you for your time and consideration of my concerns.

Respectfully,

MYROSLAVA GONGADZE.

EMBASSY OF UKRAINE,
Washington, DC, July 9, 2001.

Hon. MARCY KAPTUR,
The House of Representatives,
Washington, DC.

DEAR CONGRESSWOMAN KAPTUR, I wish to address you on a matter of urgency for the country and people I represent as Ambassador here in Washington.

I was informed that a few days ago the Appropriations Subcommittee on Foreign Operations approved a draft Foreign Operations Bill that instituted a cap of $125 million of technical assistance to be made available for Ukraine next fiscal year, thus reducing by $44 million the amount requested for my country by the US Administration.

The draft Committee's Report advances three reasons for this reduction: ''the completion of a long term projects in nuclear safety, the continuing setbacks to needed reform, and the unresolved deaths of prominent dissidents and journalists in Ukraine''.

I believe that both Subcommittee's recommendation and its substantiation would be quite different if all the relevant facts were taken into consideration.

Of particular concern to all Ukrainians would be the message that ''projects in nuclear safety have been completed''. Ukraine just a few months ago marked that 15th anniversary of the Chernoby meltdown and mourned its countless victims. Disastrous effects of that tragedy are still having tremendous negative impact on everyday life of millions in Ukraine—diverting close to 10% of the GDP for programs to alleviate the damage from this horrific calamity. The message that the United States considers its involvement in upgrading nuclear safety of the existing nuclear reactors in Ukraine as ''completed'' would only exacerbate deeply felt sense of so many Ukrainians that we have been abandoned by the international community to deal single-handedly with the problem of a global magnitude.

As to ''continuing setbacks to needed reform'', it is clear that we could have done better in the past. On the other hand, the country has demonstrated spectacular sustained economic growth over the last 18 months while being fully dependent on imports of gas and oil and getting no assistance from the international financial institutions. It is rather difficult to imagine how this could have been achieved without reforms finally starting to produce the positive effects on the economy.

As for the last reasoning of the Subcommittee recommendation, let me unequivocally state that the disappearance of journalist Heorhiy Gongadze is considered in Ukraine not only as a terrible human tragedy but also as a case that needs to be fully investigated in a manner that would leave no doubt as to its circumstances and culprits. We value assistance provided by the FBI to the Ukrainian law enforcement agencies in the investigation and hope that this cooperation will help resolve the case in the near future.

This August Ukraine marks 10th Anniversary of our independence. After hundreds of years of oppression, unimaginable sufferings and millions of deaths the Ukrainian people will be celebrating our first decade of freedom. This will be the time for festivities but also for deep reflections on our past, present and future. This will also be the time when Ukrainians will remember the crucial role of the United States in helping us achieve this long sought and hard earned freedom. When Ukraine was under Soviet dominance the United States Congress created a strong bond between the Ukrainian and American peoples by adopting each year resolutions demanding freedom for captive nations. Ten years after this freedom had become reality this bond could and should be reinforced by continuous assistance provided by the Congress directly to the Ukrainian people.

I rely on your deep knowledge and understanding of the crushing problems a newly independent state has to overcome and your vision of Ukraine's future as a democratic and prosperous member of Western community of nations, that you have shared with me, in helping to provide next fiscal year adequate funds for effective and meaningful technical assistance to the People of Ukraine.

Sincerely,

KOSTYANTYN GRYSHCHENKO,
Ambassador.

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

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

Mr. Chairman, I will be brief on this as I reserve my point of order on this.

I would just like to respond to the gentlewoman from Ohio (Ms. KAPTUR) and the comments she has made. I understand how strongly she feels about this issue. I also feel strongly about the people of the Ukraine and their rights to have a free and an open society.

Mr. Chairman, this bill does not signal an abandonment of Ukraine. Let me note that we have $125 million in the bill for the Ukraine. Is that down? Yes, it is down. Last year was $170 million; before that it was $225 million. Nonetheless, at $125 million we are two and a half times the amount that we have in the bill for India, a country of a billion people. So the $125 million that we are spending on this one country, we hope this newly emerging democracy in Central Europe, is certainly not pocket change.

As the gentlewoman from Ohio (Ms. KAPTUR) knows, the Ukraine is a struggling new republic. I am quoting here from her own letter, ''a struggling new republic riddled with corruption, lacking a robust justice system and crawling its way to an open society. There are horrendous abuses there.''

Those are her words from her own dear colleague letter.

After 10 years and after spending more than $1 billion in U.S. taxpayers money in aid to the Ukraine, this subcommittee, this committee has decided to send a strong message to the government of the Ukraine, and that is that our admiration for the long suffering and freedom loving people of the Ukraine does not excuse the abysmal failures that we have seen demonstrated over and over again by its government. Most recently, as the gentlewoman has referred to the letter from the widow of the person murdered in that horrible and tragic murder of a journalist in the Ukraine, one that remains unsolved these weeks later with not much prospect that we are going to see a resolution of it.

Mr. Chairman, I would say when we go to conference that the House position on aid to the Ukraine is going to hinge on what happens in Kiev between now and then. It does not hinge on perfecting language here on the floor of the House of Representatives. It hinges on actions by the government of the Ukraine. If that happens, we will certainly, in the conference committee, be able to make changes to the amount of aid that we make available to that country. But until then I think clearly we were sending the right message.

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

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH).

Mr. KOLBE. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, I rise in strong support of the Kaptur amendment which would create a floor rather than a ceiling for the level of funding to the U.S. assistance to the Ukraine. The level of funding

provided for assistance to Ukraine, as has been pointed out, $125 million, is not insignificant. However, it does represent a precipitous $44 million reduction from last year, the 2001 level of $169 million.

I share the concerns about some of the recent developments in the Ukraine which are raised in the report language, including the unresolved deaths of Ukrainian journalists. In fact, I was the first Member to express concerns about murdered journalist Georgiy Gongadze following his disappearance last September.

In May, the Helsinki Commission, which I co-chair, held a hearing devoted exclusively to the situation in Ukraine. Clearly the downward trends and negative developments in Ukraine were enumerated, and the leadership of Ukraine were strongly encouraged to demonstrate in word, and as the chairman pointed out, in deed as well, greater respect for human rights and the rule of law.

Mr. Chairman, 2 weeks ago I co-chaired the U.S. delegation to the OSCE Parliamentary Assembly in Paris. One of the most moving and most powerful moments of that entire meeting was Mrs. Gongadze's acceptance of the OSCE Prize for Journalism and Democracy on behalf of her murdered husband. And as the gentlewoman pointed out, she has called on this body not to cut this funding.

While we were troubled by the developments in the Ukraine, including the situation of the media and the April ouster of Ukraine's reformist Prime Minister, we cannot deny the positive developments either. These include for the first time in over a decade strong economic growth, continued good relations with her neighbors, and a cooperative partnership with the West, especially the United States.

Now is not the time to cut assistance. Ukraine still has tremendous needs. For example, the Chernobyl power plant was shut down last December, but the consequences of that nuclear disaster still leaves an indelible mark on the Ukrainian nation.

They need continued assistance in overcoming this devastating legacy, especially its toll in cancer and other serious illnesses. Ukraine's weak medical infrastructure still faces considerable challenges, such as the growing AIDS problem. As the gentlewoman from Ohio (Ms. KAPTUR) pointed out, very little of our assistance benefits directly the Ukrainian government. Instead, it goes to programs that help NGOs and the independent media or municipal and small business development.

With the parliamentary elections approaching next March, NGOs, political parties and reform-oriented local governments working to strengthen democracy in Ukraine need our support, as does the independent media.

Finally, Mr. Chairman, in his address at Warsaw University during his visit to Poland last month, President Bush stated, ''The Europe we are building must include Ukraine, a nation struggling with the trauma of transition. Some in Kiev speak of their country's European destiny. If this is their aspiration, we should reward it.''

Mr. Chairman, I hope the gentlewoman's amendment is adopted as this work-in-progress makes its way through the House and conference.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. SCHAFFER).

Mr. KOLBE. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. SCHAFFER).

Mr. SCHAFFER. Mr. Chairman, Ukraine has demonstrated a consistent willingness to develop a robust friendship and mutually beneficial partnership with the United States.

At our request, Ukraine has abolished the third largest nuclear arsenal in the world and has maintained a consistent nonproliferation policy ever since. I might add that in some cases this has been done at considerable fiscal detriment to Ukraine. The refusal of aid to Iran in their nuclear program is one such program that warrants our praise and appreciation.

Ukraine has successfully and peacefully negotiated border treaties with all of its neighboring countries and has maintained a distinctive partnership with NATO. Ukraine has made significant contributions to regional and international peace and stability through its participation in NATO-led peacekeeping missions.

The economic growth of Ukraine is integral to its development as a democracy. Without Ukraine's stable government and infrastructure, the hope of further Democratic reforms will fade because a government preoccupied with its own survival cannot guarantee even basic rights for its citizens.

There are members of government in Ukraine, hard-line Communists, who would like to see Ukraine return to the days before Ukraine's independence. It has been a consistent struggle for Ukraine to come so far, and I think, frankly, the timing of the cut proposed in the bill here could not be worse. In my estimation, it will unwittingly empower the antireformists and stall the progress for years which have been made.

Ukraine, on August 24, will celebrate its 10th anniversary of independence. The Ukrainian people will mark their first 10-year anniversary of freedom after hundreds of years of oppression. This is a monumental achievement and should be welcomed and praised. While I understand the concerns that were raised by the committee and do not wish to minimize them, there are very, very many positive achievements in Ukraine that have been achieved with the support and assistance of this Congress.

Mr. Chairman, I hope that we can stand behind those positive reforms and see them sustained. I would ask the gentleman's assistance as this process moves forward in achieving that.

The CHAIRMAN. The gentlewoman from Ohio (Ms. KAPTUR) has ½ minute remaining. The gentleman from Arizona (Mr. KOLBE) has 4 minutes remaining.

Ms. KAPTUR. Mr. Chairman, I yield ½ minute to myself.

Mr. Chairman, I urge my colleagues to support the Kaptur-Schaffer amendment and to maintain levels of funding for Ukraine. Help Ukraine move toward reform, especially in memory of the slain journalists. Many of those independent journalists would want us to help their cause inside Ukraine. Do not walk away from her now.

Mr. Chairman, I want to also express my great appreciation to the gentleman from Arizona (Mr. KOLBE), the chairman of the subcommittee, for allowing this discussion to ensue this afternoon, for the serious manner with which he has dealt with those who do not share his position, and the gentlewoman from New York (Mrs. LOWEY) for her graciousness as we move this amendment forward.

□ 1845

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

I wanted to extend my congratulations to the gentlewoman for her strong support of the people of Ukraine. I know of her work as the ranking member of the Subcommittee on Agriculture in providing technology and assistance to the good people, understanding that by giving them the tools and giving them the skills they can help themselves to a strong democracy.

I just want to assure the gentlewoman that I support maintaining a robust assistance program in Ukraine. Our aid helps build democracy, strengthens local government, encourages a free press and builds a stable and prosperous society. The current situation in Ukraine dictates that we maintain support for those in Ukrainian society who seek democracy, freedom and stability.

Again, I want to thank her for her important work. I know that we will continue to work together.

Mr. KOLBE. Mr. Chairman, before I yield back my time, continuing to reserve my point of order, I would just like to say I also thank the gentlewoman from Ohio and the gentleman from Colorado for their contributions not only to this debate but to the ongoing work that both of them and other Members of the House of Representatives have done to help support the people of the Ukraine.

I think there is no doubt, Mr. Chairman, that we have a common objective. We all want to make sure that the Ukrainian people have their opportunity to have a democracy, to have their voices heard in their country. They want to have freedom. They want to have the same rights that Americans have and that other peoples around the world have. We have no disagreement with that. We have no disagreement among ourselves about the objectives. There are sometimes differences over how we achieve that objective. Sometimes it is carrot, and sometimes it is a stick. Sometimes we do not always agree on which is the right time to administer either the carrot or the stick, and we may have that disagreement here, but we do not have any disagreement over the objectives that we are trying to achieve for the Ukraine.

I will certainly pledge to continue to work with the gentlewoman from Ohio on making sure that everything that we do in our subcommittee is designed to help promote democracy and a civil society in the Ukraine.

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

POINT OF ORDER

Mr. KOLBE. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

That rule states, in pertinent part, ''an amendment to a general appropriation bill shall not be in order if changing existing law.'' The amendment gives affirmative direction, in effect.

Mr. Chairman, this amendment does do that and therefore, I believe, is not in order.

I ask for a ruling from the Chair.

The CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this amendment includes language imparting direction.

The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

Mr. KOLBE. Mr. Chairman, I move to strike the last word for the purpose of entering into a colloquy with the gentleman from Florida (Mr. MILLER).

I yield to the gentleman from Florida.

Mr. MILLER of Florida. Mr. Chairman, today I had planned to offer an amendment to the Foreign Operations bill that would allow aid to only be given to countries who have extradition treaties with the United States.

Mr. Chairman, I will not be offering that amendment today, but I would like to take this opportunity to discuss the importance of placing international extradition treaties higher on our foreign policy priority list. Will the committee agree that this is a pressing issue that needs to be addressed?

Mr. KOLBE. Yes, I would say that the current process of extradition certainly is a very troubled one and needs to be reformed.

Mr. MILLER of Florida. This past week Ira Einhorn was finally extradited from France. While this is a notable victory, the extradition came only after several years of legal maneuvering and political posturing by Einhorn and the government of France. The Pennsylvania legislature actually had to pass a new law in order for the French to agree to the extradition. Four long years after the first request and 24 years after the murder of Holly Maddux, justice has finally been served. I know that Holly's family is more than relieved to have their sister's killer behind bars, but had they not had the financial resources to continue their pursuit of justice for 24 years, he may never have been returned.

Whether or not a country approves of the U.S. system of justice should not be a factor in the decision to return a convicted killer to the United States. For those countries receiving foreign aid, that point could not be more valid. I cross-referenced the list of nations who would receive aid in this year's Foreign Operations bill with the list of countries who do not have extradition treaties. The result was a distressing 65 countries. That means that the United States taxpayer dollar goes to 65 countries who have not taken the time to negotiate a treaty with the United States on extraditing violent criminals. That is unacceptable. The problem needs to be addressed.

An extradition treaty is not a matter of rocket science. It is a document typically no longer than a few pages that establishes an agreement of cooperation in returning criminals.

The blame cannot be placed entirely on these countries. Our own Department of State needs to make negotiating extradition treaties a higher priority. Some of these nations are willing to come to the table and work with us, but the United States must also be willing to put forth the effort needed to get the job done. It is a mutually shared responsibility that we have put off for far too long.

For every Ira Einhorn there is another 3,000 cases that remain open. Families of these victims need closure. It is not right for the U.S. to willingly support countries who spit in the face of our system of justice.

Last Thursday, I introduced legislation that would reform international extradition. H.R. 2574 would put uncooperative nations on notice. This bill gives teeth to the Departments of State and Justice in requesting that a criminal be extradited. Right now, all we can say is ''please,'' and most of the time that is insufficient.

H.R. 2574 would require the Department of State to submit a country by country report on outstanding extradition cases. The President would then, based on that report, submit to Congress a list of uncooperative countries. Those nations would then face the threat of sanctions, including a loss of U.S. foreign aid, refusal of visas to government officials visiting the U.S., and U.S. votes against the country in any international financial institution.

Mr. Chairman, I hope the gentleman can help with this in the future.

Mr. KOLBE. Reclaiming my time, the gentleman from Florida has certainly been a leader on this issue. I appreciate his calling this matter to our attention and highlighting it today. I look forward to working with him on ways that we can improve our extradition laws and will be sure to discuss this topic with any of the countries that come before our committee or approach me on receiving aid.

Mr. MILLER of Florida. I thank the gentleman. I hope we can get the Department of State to put this at a higher priority and we can continue to push this issue.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 25, line 2, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the bill from page 20, line 11, through page 25, line 2, is as follows:

(c) Of the funds appropriated under this title, not less than $82,500,000 should be made available for assistance for Georgia.

(d) Of the funds appropriated under this title, not less than $82,500,000 should be made available for assistance for Armenia.

(e) Section 907 of the FREEDOM Support Act shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of Public Law 104–201;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee, or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

(f) Not more than 30 percent of the funds appropriated under this heading may be made available for assistance for any country in the region. Activities authorized under title V (nonproliferation and disarmament programs and activities) of the FREEDOM Support Act shall not be counted against the 30 percent limitation.

(g)(1) Of the funds appropriated under this heading that are allocated for assistance for

the Government of the Russian Federation, 60 percent shall be withheld from obligation until the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation:

(A) has terminated implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability; and

(B) is providing full access to international non-government organizations providing humanitarian relief to refugees and internally displaced persons in Chechnya.

(2) Paragraph (1) shall not apply to—

(A) assistance to combat infectious diseases or assistance for victims of trafficking in persons; and

(B) activities authorized under title V (Nonproliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

(h) Of the funds appropriated under this heading, not less than $45,000,000 should be made available, in addition to funds otherwise available for such purposes, for assistance for child survival, environmental and reproductive health, and to combat infectious diseases, and for related activities.

INDEPENDENT AGENCIES

INTER-AMERICAN FOUNDATION

For expenses necessary to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, and to make commitments without regard to fiscal year limitations, as provided by 31 U.S.C. 9104(b)(3), $12,000,000.

AFRICAN DEVELOPMENT FOUNDATION

For expenses necessary to carry out title V of the International Security and Development Cooperation Act of 1980, Public Law 96–533, and to make commitments without regard to fiscal year limitations, as provided by 31 U.S.C. 9104(b)(3), $16,042,000: *Provided*, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the President of the Foundation: *Provided further*, That interest earned shall be used only for the purposes for which the grant was made: *Provided further*, That this authority applies to interest earned both prior to and following enactment of this provision: *Provided further*, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the board of directors of the Foundation may waive the $250,000 limitation contained in that section with respect to a project: *Provided further*, That the Foundation shall provide a report to the Committees on Appropriations after each time such waiver authority is exercised.

PEACE CORPS

For necessary expenses to carry out the provisions of the Peace Corps Act (75 Stat. 612), $275,000,000, including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States: *Provided*, That none of the funds appropriated under this heading shall be used to pay for abortions: *Provided further*, That funds appropriated under this heading shall remain available until September 30, 2003.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $217,000,000, to remain available until expended: *Provided*, That any funds made available under this heading for anti-crime programs and activities shall be made available subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That during fiscal year 2002, the Department of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing it to a foreign country under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That of the funds appropriated under this heading, not more than $16,660,000 may be available for administrative expenses.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ANDEAN COUNTERDRUG INITIATIVE

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961 solely to support counterdrug activities in the Andean region of South America, $676,000,000, to remain available until expended: *Provided*, That these funds are in addition to amounts otherwise available for such purposes and are available without regard to section 3204(b)(1)(B) of Public Law 106–246: *Provided further*, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: *Provided further*, That of the funds appropriated under this heading, not more than $14,240,000 may be for administrative expenses.

AMENDMENT OFFERED BY MR. CONYERS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CONYERS:

Page 25, line 8, strike ''these'' and all that follows through the colon on line 13, and insert: section 3204(b) of Public Law 106–246 is amended by adding a new subsection (b)(3) as follows:

''(3) Further exception.—Notwithstanding paragraph (2), the limitation contained in paragraph (1)(B) may be waived (i) if the President certifies to the appropriate committees of the Congress that the aggregate ceiling of 800 United States personnel contained in paragraph (1) will not be exceeded by such waiver, and (ii) if Congress is informed of the extent to which the limitation under paragraph (1)(B) is exceeded by such certification.'': *Provided further*, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading for assistance for Colombia: *Provided further*, That assistance provided with funds appropriated under this heading that is made available notwithstanding section 482(b) of the Foreign Assistance Act of 1961, as amended, shall be made available subject to the regular notification procedures of the Committees on Appropriations:

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 20 minutes.

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

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

Mr. Chairman, this is a very critical discussion that we are about to enter into involving the Andean Regional Initiative. When Plan Colombia was passed in the appropriations bill last year, Congress assured the public that we would not be getting into Colombia's 37-year-old civil war and there would be no mission creep. The goal of assistance to Colombia was to support counterdrug activities. Safeguards were put into Plan Colombia to prevent an escalation of U.S. involvement without congressional oversight, which included a 500-person U.S. military cap and a 300-person U.S. civilian contractor cap. Civilian contractors are those many ex-military people who work closely with the military although they are civilians.

Now, while the appropriations bill before us maintains the 500-person cap on military, it lifts the 300-person civilian contractor cap for Colombia under the Andean Regional Initiative. The current language would permit unlimited increases of U.S. civilian contractors without notifying Congress.

Now, thanks to so many people here on the committee, I have new admiration for the ranking member, the gentleman from Wisconsin (Mr. OBEY), and all of my friends on the other side, but particularly the gentleman from Michigan (Mr. HOEKSTRA) and the gentlewoman from Illinois (Ms. SCHAKOWSKY). We have reached an agreement. This amendment that we now have before us is an amendment in place of amendments 9 and 10 which creates safeguards against an unlimited increase in civilian contractors without congressional notification. The agreement reached would maintain an aggregate ceiling of 800 United States personnel in Colombia which consists of a 500-person cap on U.S. military personnel and 300 on U.S. civilian contractors.

Mr. Chairman, let me just give my colleagues the operative problem that we are working under. Ninety percent of the cocaine and 60 percent of the heroin that reaches the United States is produced in Colombia, and so this is very critical. We have several forces working down there. Besides the U.S. military, we have the Colombian military. Beside three rebel organizations, we have a reactionary paramilitary in Colombia which, once we get the Colombian army to lighten up, then we have the paramilitary coming in doing even more damage than the Colombian army was doing. And then we have our own private civilian contractors doing God knows what under the loose arrangements that we have.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, let me thank my colleague from Michigan for his leadership on this issue and actually my other colleague from

Michigan for his great leadership on this issue as well. I want to make sure that every Member understands the importance of this amendment.

The current law now limits the use of military personnel in Colombia to 500 people and civilian personnel to 300. In order to increase that number of civilian contract personnel, the President must first report to Congress and Congress would have to approve by passing a joint resolution. That is the current law right now.

The bill that then was before us without explanation would have revoked Congress' oversight authority entirely on this subject. But fortunately now we have the Conyers-Hoekstra-Schakowsky amendment that has been agreed to, a unanimous-consent amendment, that would restore the aggregate limit of 800 personnel in Colombia, that would maintain the 500 personnel cap for U.S. military and that would allow an increase of the 300 U.S. civilian contractors but only to the extent that the 500-person military cap has not been reached.

□ 1900

Fortunately, this amendment still requires that a report be made, that Congress be informed if we are going to go beyond the 300.

My concern with the increase in contract personnel has been expressed many times. We all learned with dismay that two American civilians, Veronica Bowers and her infant daughter, Charity, were killed when the missionary plane they were in was shot down over Peru. What was even more shocking was that it became clear that the plane was first identified as suspicious by U.S. civilians working under contract for the CIA.

With all the shock and sadness came a lot of questions; but unfortunately, the CIA, the Department of State, and the private firms involved have not come forward to provide any answers. We also know that employees of these firms have been involved in gun battles in Colombia, some contract employees have died. I have recently found out that we are still employing one of the private firms implicated in the Iran Contra scandal. To me, it is clear we should not be employing private companies to carry out military activities in Colombia at all on behalf of the United States.

But this is not a debate about the use of contractors. Whether or not Members agree on the need for private military contractors or contractors to carry out other duties, Congress must maintain oversight responsibility and a limit for this very important aspect of U.S. policy.

I thank the sponsor of this amendment for maintaining those aspects of oversight and limitations.

The CHAIRMAN. Does the gentleman from Arizona (Mr. KOLBE) seek to control the time in opposition?

Mr. KOLBE. Mr. Chairman, I seek to control the time in opposition. I will take a page out of the book of the gentleman from Wisconsin (Mr. OBEY) and say at the moment I am opposed to the amendment, and will claim the time in opposition to it.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) is recognized for 20 minutes.

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

Mr. Chairman, I do not expect to be in opposition to this amendment at the close of the time. I think it is important to take time to talk about this, because I think, frankly, there has been a lot of misinformation about this issue. I want to thank the gentleman from Michigan and the gentlewoman from Illinois for their efforts to work with us to find what I think is a reasonable compromise, which I will come back to very shortly here in talking about it.

There are two issues that are involved in this amendment. One is the cap on civilian contractors. That is section 3204(b)(1)(B) of public law 106–246. It refers to the cap on the number of civilian contractors that is a part of Plan Colombia funding that was enacted in the Emergency Supplemental Appropriations Bill in fiscal year 2000.

As part of the Plan Colombia supplemental, we put a cap both on military personnel and on civilian personnel. We did not want to get into another Vietnam. We wanted to try to avoid that, so this cap was placed specifically on there for that purpose. It was placed at a level of 500 persons on the military side and 300 on the civilian side.

The military personnel cap has not and is not an issue at all with this committee. We are not close to that, and there are no indications that we would ever reach that amount. The gentleman's amendment would combine the two caps, so the total number of personnel, military and civilian, cannot exceed 800.

Now, why is that important, that we give this greater flexibility by combining those two and making the total number of contractors in Colombia 800? The civilian contractors include those that are associated, of course, with the Department of Defense; but it also includes those that are in the State Department, the Agency for International Development, and the Departments of Justice, Commerce, Treasury and Customs.

The cap applies to all, and I want to repeat that, all U.S. contractors in Colombia. It also includes the search-and-rescue teams for U.S. spray planes. It includes the NGOs helping to improve civil society, including guaranteeing human rights for Colombians and assisting internally displaced persons.

Let me also point out I have been very disappointed in the pace of implementation of the alternative development plans in Colombia. I have been vocal about my concerns, and in our report we address this very specifically I think with some pretty strong language about the economic development and economic assistance side of the Plan Colombia and moving that forward. Less than 5 percent of the funds for judicial reform have been obligated, let alone spent. Less than 5 percent of the funds at USAID have been spent.

While I am extremely disappointed with the pace they have had, it is relevant to note those figures here now, because we do expect that to pick up very dramatically in the months ahead. We believe those funds are going to begin to flow here in the remainder of this fiscal year, and certainly in the beginning of the new fiscal year. These funds will be contracted out to the same civilian contractors that are limited in number by the cap.

Now, the civilian cap of 300 has not been approached to date. As of May 15, the number of civilian contractors in Colombia totalled 171. The number of civilian contractors has also remained steady for about the last 6 months. But with the delivery of the Blackhawk helicopters, and the first of them arrived this month, and the alternative development that is finally beginning to get going as we have been prodding USAID to get moving with that, the number of contractors in Colombia could very easily come close to or could exceed the number of 300 in fiscal year 2002.

For example, deliveries late this year and early next year of 12 new spray planes will require the use of civilian contractors for training and logistical assistance. Contractor support is also required in connection with the delivery of the Blackhawk and the Huey II helicopters in the next year. These are very complicated machinery; and they require a great deal of material and assistance, support, and personnel support, to maintain.

So I think that it is very likely that we could find ourselves bumping up against this cap just when we are talking about the maintenance personnel on the aircraft programs we have down there, not including anything we are trying to do in the civil society, in the justice programs and the other AID programs. So I think that it is very important that we give greater flexibility.

I am interested in seeing this work. I know there is disagreement about the Andean Initiative; but I think all of us, if we are going to spend the money, want to see it have some success. We cannot do that if we do not have the personnel there.

I again thank the gentleman for agreeing to this amendment to give this flexibility. I think the gentleman's amendment does give the flexibility that we need to give to the administration.

If I might, Mr. Chairman, let me take another minute to talk about the other issue, and that is the one where the gentleman from Michigan references section 482(b) of the Foreign Assistance Act. This is the one that prohibits the use of funds to buy arms except for arming of anti-narcotics aircraft, U.S. personnel or U.S. contractors.

Let me state this very clearly: our inclusion in the bill of a waiver of this provision, is not, repeat, not, a change in U.S. policy. There are no secrets that are being kept here. This same provision was in the legislation that was requested by the Clinton administration; it was in the law, the bill, that we passed in 2000, the supplemental appropriation legislation; it was requested again by the Bush administration this year; and it is included again by the subcommittee and the committee this year when we did our report.

So the provision is needed again by the administration in order to train Colombian army counternarcotics battalions that support and protect the eradication efforts. The exceptions provided in this section do not allow for this, and thus a waiver is needed again this year.

When Plan Colombia was introduced last year, a key to the Clinton administration proposal was the training and equipping of three Colombian counternarcotics battalions. The section 482(b) waiver was needed by the administration to complete these goals.

Of the $1.3 billion appropriated for Plan Colombia, $6 million was used to equip the battalions with guns and ammunition, less than ½ of 1 percent of the total funds provided for Plan Colombia.

So let me say one more time, the inclusion of this provision is not a change in policy. We have seen the waiver as a part of the law for over a year, and we have heard of no abuses of the authority in it. The success of the counternarcotics battalions is key to the success of Plan Colombia, what we now call the Andean initiative.

These battalions are a basic pillar of our policy to strengthen Colombia's ability to counter the drug traffickers, provide a safer environment for eradication efforts, and to protect development and the human rights for the non-governmental organizations that operate down there. We should not tie the hands of this administration just as Plan Colombia is getting started. Not only is this an eradication and interdiction effort, but it is also a chance to offer alternatives to the small farmers and the communities in southern Colombia, to strengthen their judicial system and provide human rights monitoring.

The gentleman's amendment does allow for that waiver, with notification; and I have no problem with the notification provision in there. Therefore, I would say that I will vote to accept the Conyers amendment.

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

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to congratulate the gentleman from Michigan for offering this amendment and to explain why I think it is necessary. I have great misgivings about this entire Andean initiative. I think it is a dubious enterprise put together by someone who qualifies more to be permanent president of an Optimist Club than president of anything else. But, nonetheless, I think we have to work with what limited opportunities we have.

My misgivings about this program were expanded even more and magnified even more by one of the provisions in this bill which this amendment corrects. Last year, as part of an effort to ease the passage of this $1.3 billion initiative in the appropriations supplemental, the administration, then the Clinton administration, accepted the Byrd amendment, which limited overall personnel in the region to 800. This bill originally sought to eliminate that cap, and the amendment being offered by the gentleman from Michigan today restores that cap. I want to tell you why I think that is important.

When the Gulf of Tonkin Resolution came up back in the sixties, Senator Gaylord Nelson from my home State was determined to offer an amendment to the Gulf of Tonkin Resolution, which specified that that resolution would not be used in any way to inject troops into Vietnam. He was told by then Senator Bill Fulbright, chairman of the Foreign Affairs Committee, that Fulbright was convinced that there was no need for Nelson to offer that amendment, because President Johnson had assured Mr. Fulbright that he would never use the resolution for that purpose. So Nelson reluctantly agreed not to offer that amendment, preventing the use of that resolution as an excuse to inject American troops above the advisers that were then present. Everyone lived to regret it, except for about 50,000 Americans, who did not when they went to Vietnam.

That is why I think it is important to retain this cap. Better to be safe than sorry.

While I appreciate the gentleman from Arizona's indication that he did not believe this amendment was necessary in order to restrain the administration, I think it is always better for the Congress in instances like this to be safe, rather than sorry. It seems to me that I have only been around here 32 years, and in that time I have had plenty of occasions where I have seen administrations of both parties lie to me.

So, with all due respect to any administration, I would prefer to see the Congress retain its ability to keep us out of a mess. That is what I think this amendment seeks to do; and I hope, as we move to the Senate, we can tighten it even further.

I strongly believe that this Andean effort, while well-intentioned, is misguided and misdirected. I really believe if we want to deal with the drug problem, we will only win that problem by dealing with it here at home.

I firmly believe that every single dollar which we are committing to this effort would be much better spent to see to it that every single American who ought to be in a drug treatment program and is not in that program is afforded the opportunity to get into one of those programs.

To me, if we want to solve the problem of drugs, we will solve it in the end by dealing on the demand side of the ledger. If you can gain a little bonus on the interdiction side, so be it. But I can recall after chairing the Subcommittee on Foreign Operations for a number of years, being told by the deputy in charge of interdiction under President Reagan that in fact we did not during all of those years interdict more than 2 percent of the drugs that were aimed at entry into the United States. I hardly think that statistic, while it has improved somewhat these days, we are not exactly having a crashing success when it comes to interdiction; and I think in the end it would be better if we used money to reduce demand in our own society. But for the moment, we do not have the ability to do that because of the rule under which we are debating this bill.

Meanwhile, I think this is a good reasonable action, and I congratulate the gentleman for agreeing to this compromise. I want to express my appreciation to the gentleman from Arizona for accepting the compromise.

□ 1915

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

Mr. Chairman, I want to thank the gentleman from Arizona (Mr. KOLBE), the chairman of the subcommittee, for the recent way that he and the gentleman from Wisconsin (Mr. OBEY), the ranking member of the full committee, and the gentleman from Michigan (Mr. HOEKSTRA) and the gentlewoman from Illinois (Ms. SCHAKOWSKY) have all helped us come to what I think is an important part of this appropriations bill as any I can think of.

I would like the gentleman from Arizona (Mr. KOLBE) and his staff to join with me in examining something that Arianna Huffington has brought to our national attention. There are two reports, one from the Center for Public Integrity, which has found that the United States' antidrug money is frequently funneled through corrupt organizations in the Latin America side, sometimes it is the military, sometimes it is the paramilitary, sometimes

it is their intelligence organizations; and that this money is really going nowhere and meeting none of the objectives that we voted on it for. In addition, it ends up frequently contributing to the violation of human rights. This cannot go on.

I have a lot of respect, growing respect for the people of Colombia who have to carry the burden of what their government is doing, what their army is doing, what the paramilitary is doing, what the rebel countries are doing, and it seems to me that we need to take a close look at this study to which I have referred.

The other study to which I refer is with much less enthusiasm, but I think it gives a telling message. Here we have the Rand Corporation, a wonderfully dedicated public sector organization commissioned by the United States Air Force to study this whole question of how we deal with the narcotics issue in Colombia. What was their recommendation? They said well, look, why do you not just cut out the pretense of the counternarcotics approach? Why do you not just get in the war and settle this thing and come to the direct assistance of the Colombian government?

For 37 years there has been a fierce civil war going on; 37 years, and their recommendation, because they were paid by the U.S. Government to study this, and their recommendation is, get in the war, help the Colombian Government put down the rebel organizations, of which there are three or more by this time, who hold and have held parts of this country under their command.

So we have to tiptoe through this set of tulips with great care. This is not a simple matter of sending over some ''private contractors'' to join in with our military. Remember, everything the private contractors do is a part of our military operation. They are armed. They are mostly veterans. They know what war is about. They are not there to practice peace. So it is very, very important that we recognize that we are being torn and tested by these two very different reports, one which was done by a nonprofit group, not at government expense, and the other was done, paid for by the U.S. Air Force that said, let us get in the war and really help our Colombian Government out.

Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Mr. Chairman, I thank the gentleman from Michigan for yielding me this time. I applaud the gentleman for bringing forward this amendment, and the gentlewoman from Illinois (Ms. SCHAKOWSKY) and the gentleman from Arizona (Mr. KOLBE) for agreeing to this revised amendment.

I think, as the gentleman from Michigan has stated very effectively, it is important that Congress maintain its oversight and that it preserves our ability to review and monitor what the administration is doing, and in Plan Colombia, one of those measurements that Congress should keep its fingers on, are the number of contractors and the number of U.S. military personnel involved in this process. As the gentleman stated, when this plan was approved in the fiscal year 2001 supplemental appropriations bill, there were many of us that were concerned about ''mission creep.'' These gaps were put in place to ensure that there would be no ''mission creep'' without congressional review and oversight. This amendment preserves that.

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

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

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

The amendment was agreed to.

AMENDMENT NO. 44 OFFERED BY MR. HOEKSTRA

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 44 offered by Mr. HOEKSTRA:

Page 25, line 16, insert before the period the following:

Provided further, That, of the funds appropriated under this heading, $65,000,000 shall not be available for obligation until (1) the Secretary of State submits to the Congress a full report on the incident of April 20, 2001, in which Veronica ''Roni'' Bowers and her 7-month old daughter, Charity, were needlessly killed when a Peruvian Air Force jet opened fire on their plane after the crew of another plane, owned by the Department of Defense and chartered by the Central Intelligence Agency, mistakenly targeted the plane to be potentially smuggling drugs in the Andean region; and (2) the Secretary of State, Secretary of Defense, and Director of Central Intelligence certify to the Congress, 30 days before any resumption of United States involvement in counter-narcotic flights and a force-down program that continues to permit the ability of the Peruvian Air Force to shoot down aircraft, that the force-down program will include enhanced safeguards and procedures to prevent the occurrence of any incident similar to the April 20, 2001, incident.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Michigan (Mr. HOEKSTRA) and a Member opposed each will control 5 minutes.

Mr. KOLBE. Mr. Chairman, while I expect to change my position by the end of the debate, for the moment, I rise to claim the time in opposition.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) will control the time in opposition.

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

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

Let me explain the amendment, but before I do that, I would like to thank my colleagues on the other side of the aisle for agreeing to work with me on this amendment. I also want to thank the gentleman from Arizona (Mr. KOLBE), the chairman of the subcommittee, for working out an agreement that enables us to move forward and reach a compromise that I think we all feel very good about.

Let me explain my amendment. My amendment withholds $65 million from the $676 million in H.R. 2506 for the Andean counter-drug initiative for the Peruvian military and police forces until two things happen. First, the Secretary of State submits to Congress a full report on the incident of April 20, 2001; and secondly, that the Secretary of State, the Secretary of Defense, and the director of the Central Intelligence Agency certify to Congress 30 days before any resumption of the U.S. involvement in counter-narcotics flights in a force-down policy that permits the shooting down of an aircraft by the Peruvian Air Force until enhanced safeguards and procedures are in place to prevent any similar incidents from the April 20, 2001 event, that any incidents in the future would be prevented from occurring.

Let me explain what happened on April 20. On April 20, 2001, two American families engaged in missionary work in South America became innocent victims of our Nation's war on drugs. A young mother and her 7-year-old daughter were needlessly killed when a Peruvian Air Force jet opened fire on their plane which was returning her, her husband, and their two children to their missionary home after flying from Iquitos, Peru to obtain adoption papers for their daughter.

The pilot, who was seriously wounded in the shoot-down, amazingly was able to safely land the plane on the Amazon River, saving the lives of his other passengers and himself.

How did this tragedy happen? While we know a lot of details; unfortunately, at this point in time, Congress and the public have not yet been able to review the investigative report which is still being developed.

Basically, the Peruvian Air Force shot the missionary plane after another plane owned by the United States Department of Defense, chartered by the CIA, and staffed with U.S. Government ''contractors'' mistakenly targeted the missionary plane to be potentially smuggling drugs in the Andean region.

For several years now, the U.S. has been participating in a joint drug interdiction effort with Peru that has a force-down intercept program that permits the Peruvians to shoot down aircraft that our government identifies and targets. I have learned that there have been other concerns about certain actions of the Peruvian Air Force in

the past. The kinds of concerns that could have and should have raised a red flag warning that tragedies such as this could occur.

With so many questions and concerns over obvious procedural, legal, and moral flaws with this type of policy, we have an obligation to review the information. We should review the findings before making a decision whether or not to continue funding our country's direct involvement in a counter-narcotics effort that permits the killing of innocent people and treats it as an acceptable loss. We should be having a serious debate on the merits of our country's participation in this type of force-down policy which, according to the State Department, is only permitted in two Andean countries.

I ask that my colleagues please remember what the real cost of this event has been: a young woman, a daughter, a wife, a mother, a friend, and a woman dedicated to sharing her faith with the people of Peru, along with her young adopted daughter, was killed.

There was no reason for this, there was no purpose, and there was no gain. This is only devastation laid on the doorstep of a family whose life was devoted to sharing the message of God.

As we consider the lives lost and forever altered by this event, we must consider the policy that led to the involvement of the United States. As a Congress, we must weigh our desire to stop the flow of drugs into this country against the need to keep innocent people, no matter what their country of origin, safe. We must carefully consider whether we should continue to embrace a policy that can and has resulted in unnecessary and unwarranted and unacceptable loss of life. As we reflect on the actual events, the policy that led to those events, and the reasons the policy contributed to these events, please do not forget we are talking about real people.

In a July 17, CNN article, a senior Bush administration official was quoted as follows: ''We better ensure that the likelihood of this happening again is as close to zero as humanly possible.'' With the report, review and certification, we can move closer to ensuring that this never happens again.

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

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume to say that I do not intend to oppose the gentleman's amendment. I understand that the intention of the amendment is to limit the funds, to withhold them until there are two conditions, which the gentleman has described, two conditions met by the administration.

There is no reason why the administration should not be willing to or able to meet these conditions. The gentleman is entitled to have a report, and the Members of Congress are entitled to have a report so that we know fully what happened in the tragic incident that the gentleman has described.

Secondly, before there ever is a resumption of this shoot-down policy, there needs to be adequate safeguards to make sure that this kind of tragic accident cannot occur again.

Let me take a moment of my time to discuss the merits of the United States program, assistance program in Peru, because I believe that cutting funds to Peru would be counterproductive in our drug eradication efforts and development assistance to our South American ally.

□ 1930

I know that the administration is going to meet the conditions of the gentleman as soon as possible, but let me point out just last year this very bill included a provision limiting assistance to Peru until free and fair democratic elections took place. And they did, so I do not think it would be the intention of any Member of this body to respond now, after this important event has taken place in Peru, by responding and cutting off aid because of another incident that we are unhappy about.

They met the conditions that we asked them to do, and I do not think that we would want to cut off the aid to Peru, which is now emerging so strongly as a democracy.

Peru is the world's second largest producer of coca leaf and cocaine base. Peruvian traffickers transport the cocaine base to Colombia and Bolivia, where it is converted to cocaine. The alarming recent evidence of a surge in opium and poppy cultivation being established under the direction of Colombian traffickers should be a matter of concern to all of us.

Peru is a prime candidate for spillover effects from Colombia as our eradication efforts in Colombia are successful. But still, for a fifth year in a row, Peruvian coca cultivation declined, an estimated decline of 70 percent since 1995. So the U.S.-Peruvian interdiction program and the manual coca eradication program that is continuing has been a major factor in this reduction.

Our support of law enforcement efforts is complemented by an aggressive effort to establish an alternative development program for coca farmers in key coca growing areas to voluntarily reduce and eliminate coca cultivation. We are now seeing the private sector beginning to cooperate with the effort to create markets for new goods, primarily for coffee and for cacao.

Commitments to coca reduction have increased significantly, with communities coming forward demanding to participate in the program. Over 500 communities in Peru have agreed to a reduction in coca production and coca cultivation, and for the first time leaders of one entire geographic region, the 77 municipalities in San Martin, have agreed to eliminate coca production.

These are good news events that I described. This is progress that we are making; and, for that reason, I would think it would be a terrible mistake for us to cut off our program, our assistance to Peru altogether.

But because I believe that the conditions the gentleman from Michigan has suggested need to be met before we resume this program, I am certainly willing to withhold that aid until they can meet those conditions, as I understand that they are prepared to do. For that reason, I would vote to accept this amendment.

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

The amendment was agreed to.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 75, line 16, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the bill from page 25, line 17, through page 75, line 16, is as follows:

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, contributions to the International Committee of the Red Cross, assistance to refugees, including contributions to the International Organization for Migration and the United Nations High Commissioner for Refugees, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $715,000,000, which shall remain available until expended: *Provided*, That of the funds appropriated under this heading, not more than $15,000,000 may be available for administrative expenses: *Provided further*, That funds appropriated under this heading may be made available for a headquarters contribution to the International Committee of the Red Cross only if the Secretary of State determines (and so reports to the appropriate committees of the Congress) that the Magen David Adom Society of Israel is not being denied participation in the activities of the International Red Cross and Red Crescent Movement.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), $15,000,000, to remain available until expended: *Provided*, That the funds made available under this heading are appropriated notwithstanding the provisions contained in section 2(c)(2) of the Act which would limit the amount of funds which could be appropriated for this purpose.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism and related programs and activities, $311,000,000, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, section 301 of the Foreign Assistance Act of 1961 for a voluntary contribution to the International Atomic Energy Agency (IAEA) and a voluntary contribution to the Korean Peninsula Energy Development Organization (KEDO), and for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: *Provided*, That the Secretary of State shall inform the Committees on Appropriations at least 20 days prior to the obligation of funds for the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: *Provided further*, That of this amount not to exceed $14,000,000, to remain available until expended, may be made available for the Nonproliferation and Disarmament Fund, notwithstanding any other provision of law, to promote bilateral and multilateral activities relating to nonproliferation and disarmament: *Provided further*, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so following consultation with the appropriate committees of Congress: *Provided further*, That funds appropriated under this heading may be made available for the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961 (relating to international affairs technical assistance activities), $6,000,000, to remain available until expended, which shall be available notwithstanding any other provision of law: *Provided*, That these funds shall be subject to the regular notification procedures of the Committees on Appropriations.

DEBT RESTRUCTURING

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the cost of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries, pursuant to parts IV and V of the Foreign Assistance Act of 1961, and of modifying concessional credit agreements with least developed countries, as authorized under section 411 of the Agricultural Trade Development and Assistance Act of 1954, as amended, and concessional loans, guarantees and credit agreements, as authorized under section 572 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100–461), and of canceling amounts owed, as a result of loans or guarantees made pursuant to the Export-Import Bank Act of 1945, by countries that are eligible for debt reduction pursuant to title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public Law 106–113, $224,000,000, to remain available until expended: *Provided*, That of unobligated balances of funds available under this heading from prior year appropriations acts, not less than $25,000,000 may be made available to carry out the provisions of part V of the Foreign Assistance Act of 1961: *Provided further*, That funds appropriated or otherwise made available under this heading in this Act may be used by the Secretary of the Treasury to pay to the Heavily Indebted Poor Countries (HIPC) Trust Fund administered by the International Bank for Reconstruction and Development amounts for the benefit of countries that are eligible for debt reduction pursuant to title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public Law 106–113: *Provided further*, That amounts paid to the HIPC Trust Fund may be used only to fund debt reduction under the enhanced HIPC initiative by—

(1) the Inter-American Development Bank;

(2) the African Development Fund;

(3) the African Development Bank; and

(4) the Central American Bank for Economic Integration:

Provided further, That funds may not be paid to the HIPC Trust Fund for the benefit of any country if the Secretary of State has credible evidence that the government of such country is engaged in a consistent pattern of gross violations of internationally recognized human rights or in military or civil conflict that undermines its ability to develop and implement measures to alleviate poverty and to devote adequate human and financial resources to that end: *Provided further*, That on the basis of final appropriations, the Secretary of the Treasury shall consult with the Committees on Appropriations concerning which countries and international financial institutions are expected to benefit from a United States contribution to the HIPC Trust Fund during the fiscal year: *Provided further*, That the Secretary of the Treasury shall inform the Committees on Appropriations not less than 15 days in advance of the signature of an agreement by the United States to make payments to the HIPC Trust Fund of amounts for such countries and institutions: *Provided further*, That the Secretary of the Treasury may disburse funds designated for debt reduction through the HIPC Trust Fund only for the benefit of countries that—

(a) have committed, for a period of 24 months, not to accept new market-rate loans from the international financial institution receiving debt repayment as a result of such disbursement, other than loans made by such institution to export-oriented commercial projects that generate foreign exchange which are generally referred to as ''enclave'' loans; and

(b) have documented and demonstrated their commitment to redirect their budgetary resources from international debt repayments to programs to alleviate poverty and promote economic growth that are additional to or expand upon those previously available for such purposes:

Provided further, That any limitation of subsection (e) of section 411 of the Agricultural Trade Development and Assistance Act of 1954 shall not apply to funds appropriated under this heading: *Provided further*, That none of the funds made available under this heading in this or any other appropriations Acts shall be made available for Sudan or Burma unless the Secretary of Treasury determines and notifies the Committees on Appropriations that a democratically elected government has taken office: *Provided further*, That the authority provided by section 572 of Public Law 100–461 may be exercised only with respect to countries that are eligible to borrow from the International Development Association, but not from the International Bank for Reconstruction and Development, commonly referred to as ''IDA-only'' countries.

TITLE III—MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $65,000,000, of which up to $1,000,000 may remain available until expended: *Provided*, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: *Provided further*, That funds appropriated under this heading for grant financed military education and training for Indonesia and Guatemala may only be available for expanded international military education and training and funds made available for Indonesia and Guatemala may only be provided through the regular notification procedures of the Committees on Appropriations.

FOREIGN MILITARY FINANCING PROGRAM

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, $3,627,000,000: *Provided*, That of the funds appropriated under this heading, not less than $2,040,000,000 shall be available for grants only for Israel, and not less than $1,300,000,000 shall be made available for grants only for Egypt: *Provided further*, That the funds appropriated by this paragraph for Israel shall be disbursed within 30 days of the enactment of this Act or by October 31, 2001, whichever is later: *Provided further*, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by Israel and the United States, be available for advanced weapons systems, of which not less than $535,000,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: *Provided further*, That foreign military financing program funds estimated to be outlayed for Egypt during fiscal year 2002 shall be transferred to an interest bearing account for Egypt in the Federal Reserve Bank of New York within 30 days of enactment of this Act or by October 31, 2001, whichever is later: *Provided further*, That funds appropriated by this paragraph shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: *Provided further*, That funds made available under this paragraph shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a).

None of the funds made available under this heading shall be available to finance the

procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United States Government specifying the conditions under which such procurements may be financed with such funds: *Provided*, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 515 of this Act: *Provided further*, That none of the funds appropriated under this heading shall be available for assistance for Sudan and Liberia: *Provided further*, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: *Provided further*, That none of the funds appropriated under this heading shall be available for assistance for Guatemala: *Provided further*, That only those countries for which assistance was justified for the ''Foreign Military Sales Financing Program'' in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: *Provided further*, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: *Provided further*, That not more than $35,000,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: *Provided further*, That not more than $348,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2002 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations.

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $135,000,000: *Provided*, That none of the funds appropriated under this heading shall be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

TITLE IV—MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For the United States contribution for the Global Environment Facility, $82,500,000, to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility, by the Secretary of the Treasury, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $803,400,000, to remain available until expended: *Provided*, That in negotiating United States participation in the next replenishment of the International Development Association, the Secretary of the Treasury shall accord high priority to providing the International Development Association with the policy flexibility to provide new grant assistance to countries eligible for debt reduction under the enhanced HIPC Initiative.

CONTRIBUTION TO THE MULTILATERAL INVESTMENT GUARANTEE AGENCY

For payment to the Multilateral Investment Guarantee Agency by the Secretary of the Treasury, $10,000,000, for the United States paid-in share of the increase in capital stock, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Multilateral Investment Guarantee Agency may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed $50,000,000.

CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT CORPORATION

For payment to the Inter-American Investment Corporation, by the Secretary of the Treasury, $10,000,000, for the United States share of the increase in subscriptions to capital stock, to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended, $103,017,050, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury, $5,100,000, for the United States paid-in share of the increase in capital stock, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed $79,991,500.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the African Development Fund, $100,000,000, to remain available until expended.

CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the European Bank for Reconstruction and Development by the Secretary of the Treasury, $35,778,717, for the United States share of the paid-in portion of the increase in capital stock, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the European Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $123,237,803.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For the United States contribution by the Secretary of the Treasury to increase the resources of the International Fund for Agricultural Development, $20,000,000, to remain available until expended.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, $196,000,000: *Provided*, That none of the funds appropriated under this heading shall be made available for the United Nations Fund for Science and Technology: *Provided further*, That none of the funds appropriated under this heading may be made available to the Korean Peninsula Energy Development Organization (KEDO) or the International Atomic Energy Agency (IAEA).

TITLE V—GENERAL PROVISIONS

OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

SEC. 501. Except for the appropriations entitled ''International Disaster Assistance'', and ''United States Emergency Refugee and Migration Assistance Fund'', not more than 15 percent of any appropriation item made available by this Act shall be obligated during the last month of availability.

PRIVATE AND VOLUNTARY ORGANIZATIONS

SEC. 502. (a) None of the funds appropriated or otherwise made available by this Act for development assistance may be made available to any United States private and voluntary organization, except any cooperative development organization, which obtains less than 20 percent of its total annual funding for international activities from sources other than the United States Government: *Provided*, That the United States Administrator of the Agency for International Development, after informing the Committees on Appropriations, may, on a case-by-case basis, waive the restriction contained in this paragraph, after taking into account the effectiveness of the overseas development activities of the organization, its level of volunteer support, its financial viability and stability, and the degree of its dependence for its financial support on the agency.

(b) Funds appropriated or otherwise made available under title II of this Act should be made available to private and voluntary organizations at a level which is at least equivalent to the level provided in fiscal year 1995.

LIMITATION ON RESIDENCE EXPENSES

SEC. 503. Of the funds appropriated or made available pursuant to this Act, not to exceed $126,500 shall be for official residence expenses of the United States Agency for International Development during the current fiscal year: *Provided*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

LIMITATION ON EXPENSES

SEC. 504. Of the funds appropriated or made available pursuant to this Act, not to exceed $5,000 shall be for entertainment expenses of the United States Agency for International Development during the current fiscal year.

LIMITATION ON REPRESENTATIONAL ALLOWANCES

SEC. 505. Of the funds appropriated or made available pursuant to this Act, not to

exceed $95,000 shall be available for representation allowances for the United States Agency for International Development during the current fiscal year: *Provided*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: *Provided further*, That of the funds made available by this Act for general costs of administering military assistance and sales under the heading ''Foreign Military Financing Program'', not to exceed $2,000 shall be available for entertainment expenses and not to exceed $150,000 shall be available for representation allowances: *Provided further*, That of the funds made available by this Act under the heading ''International Military Education and Training'', not to exceed $50,000 shall be available for entertainment allowances: *Provided further*, That of the funds made available by this Act for the Inter-American Foundation, not to exceed $2,000 shall be available for entertainment and representation allowances: *Provided further*, That of the funds made available by this Act for the Peace Corps, not to exceed a total of $4,000 shall be available for entertainment expenses: *Provided further*, That of the funds made available by this Act under the heading ''Trade and Development Agency'', not to exceed $2,000 shall be available for representation and entertainment allowances.

PROHIBITION ON FINANCING NUCLEAR GOODS

SEC. 506. None of the funds appropriated or made available (other than funds for ''Nonproliferation, Anti-terrorism, Demining and Related Programs'') pursuant to this Act, for carrying out the Foreign Assistance Act of 1961, may be used, except for purposes of nuclear safety, to finance the export of nuclear equipment, fuel, or technology.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 507. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, Iraq, Libya, North Korea, Iran, Sudan, or Syria: *Provided*, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents.

MILITARY COUPS

SEC. 508. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance to any country whose duly elected head of government is deposed by decree or military coup: *Provided*, That assistance may be resumed if the President determines and reports to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office or substantial progress has been made towards the holding of democratic elections.

TRANSFERS BETWEEN ACCOUNTS

SEC. 509. None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated, except for transfers specifically provided for in this Act, unless the President, prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations of the House of Representatives and the Senate.

DEOBLIGATION/REOBLIGATION AUTHORITY

SEC. 510. Obligated balances of funds appropriated to carry out section 23 of the Arms Export Control Act as of the end of the fiscal year immediately preceding the current fiscal year are, if deobligated, hereby continued available during the current fiscal year for the same purpose under any authority applicable to such appropriations under this Act: *Provided*, That the authority of this subsection may not be used in fiscal year 2002.

AVAILABILITY OF FUNDS

SEC. 511. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: *Provided*, That funds appropriated for the purposes of chapters 1, 8, 11, and 12 of part I, section 667, chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, section 23 of the Arms Export Control Act, and funds provided under the heading ''Assistance for Eastern Europe and the Baltic States'', shall remain available for an additional four years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: *Provided further*, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 512. No part of any appropriation contained in this Act shall be used to furnish assistance to any country which is in default during a period in excess of one calendar year in payment to the United States of principal or interest on any loan made to the government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President determines, following consultations with the Committees on Appropriations, that assistance to such country is in the national interest of the United States.

COMMERCE AND TRADE

SEC. 513. (a) None of the funds appropriated or made available pursuant to this Act for direct assistance and none of the funds otherwise made available pursuant to this Act to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided*, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: *Provided*, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact in the export of agricultural commodities of the United States; or

(2) research activities intended primarily to benefit American producers.

SURPLUS COMMODITIES

SEC. 514. The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

NOTIFICATION REQUIREMENTS

SEC. 515. (a) For the purposes of providing the executive branch with the necessary administrative flexibility, none of the funds made available under this Act for ''Child Survival and Health Programs Fund'', ''Development Assistance'', ''International Organizations and Programs'', ''Trade and Development Agency'', ''International Narcotics Control and Law Enforcement'', ''Assistance for Eastern Europe and the Baltic States'', ''Assistance for the Independent States of the Former Soviet Union'', ''Economic Support Fund'', ''Peacekeeping Operations'', ''Operating Expenses of the United States Agency for International Development'', ''Operating Expenses of the Agency for United States International Development Office of Inspector General'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''Foreign Military Financing Program'', ''International Military Education and Training'', ''Peace Corps'', and ''Migration and Refugee Assistance'', shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Appropriations Committees for obligation under any of these specific headings unless the Committees on Appropriations of both Houses of Congress are previously notified 15 days in advance: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such

commitment: *Provided further*, That this section shall not apply to any reprogramming for an activity, program, or project under chapter 1 of part I of the Foreign Assistance Act of 1961 of less than 10 percent of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year: *Provided further*, That the requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided further*, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 516. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under this Act or any previously enacted Act making appropriations for foreign operations, export financing, and related programs, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961, shall remain available for obligation until September 30, 2003.

INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 517. (a) None of the funds appropriated under the heading ''Assistance for the Independent States of the Former Soviet Union'' shall be made available for assistance for a government of an Independent State of the former Soviet Union—

(1) unless that government is making progress in implementing comprehensive economic reforms based on market principles, private ownership, respect for commercial contracts, and equitable treatment of foreign private investment; and

(2) if that government applies or transfers United States assistance to any entity for the purpose of expropriating or seizing ownership or control of assets, investments, or ventures.

Assistance may be furnished without regard to this subsection if the President determines that to do so is in the national interest.

(b) None of the funds appropriated under the heading ''Assistance for the Independent States of the Former Soviet Union'' shall be made available for assistance for a government of an Independent State of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: *Provided*, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States.

(c) None of the funds appropriated under the heading ''Assistance for the Independent States of the Former Soviet Union'' shall be made available for any state to enhance its military capability: *Provided*, That this restriction does not apply to demilitarization, demining or nonproliferation programs.

(d) Funds appropriated under the heading ''Assistance for the Independent States of the Former Soviet Union'' for the Russian Federation, Armenia, Georgia, and Ukraine shall be subject to the regular notification procedures of the Committees on Appropriations.

(e) Funds made available in this Act for assistance for the Independent States of the former Soviet Union shall be subject to the provisions of section 117 (relating to environment and natural resources) of the Foreign Assistance Act of 1961.

(f) Funds appropriated in this or prior appropriations Acts that are or have been made available for an Enterprise Fund in the Independent States of the Former Soviet Union may be deposited by such Fund in interest-bearing accounts prior to the disbursement of such funds by the Fund for program purposes. The Fund may retain for such program purposes any interest earned on such deposits without returning such interest to the Treasury of the United States and without further appropriation by the Congress. Funds made available for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

(g) In issuing new task orders, entering into contracts, or making grants, with funds appropriated in this Act or prior appropriations Acts under the heading ''Assistance for the Independent States of the Former Soviet Union'' and under comparable headings in prior appropriations Acts, for projects or activities that have as one of their primary purposes the fostering of private sector development, the Coordinator for United States Assistance to the New Independent States and the implementing agency shall encourage the participation of and give significant weight to contractors and grantees who propose investing a significant amount of their own resources (including volunteer services and in-kind contributions) in such projects and activities.

PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 518. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations: *Provided*, That none of the funds made available under this Act may be used to lobby for or against abortion.

EXPORT FINANCING TRANSFER AUTHORITIES

SEC. 519. Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2001, for programs under title I of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: *Provided*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

SPECIAL NOTIFICATION REQUIREMENTS

SEC. 520. None of the funds appropriated by this Act shall be obligated or expended for Colombia, Haiti, Liberia, Sudan, Zimbabwe, Pakistan, or the Democratic Republic of Congo except as provided through the regular notification procedures of the Committees on Appropriations.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 521. For the purpose of this Act, ''program, project, and activity'' shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts earmarks, ceilings, and limitations with the exception that for the following accounts: Economic Support Fund and Foreign Military Financing Program, ''program, project, and activity'' shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the Agency for International Development ''program, project, and activity'' shall also be considered to include central program level funding, either as: (1) justified to the Congress; or (2) allocated by the executive branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

CHILD SURVIVAL AND DISEASE PREVENTION ACTIVITIES

SEC. 522. Up to $16,000,000 of the funds made available by this Act for assistance under the heading ''Child Survival and Health Programs Fund'', may be used to reimburse United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary organizations for the full cost of individuals (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the United States Agency for International Development for the purpose of carrying out activities under that heading: *Provided*, That up to $1,500,000 of the funds made available by this Act for assistance under the heading ''Development Assistance'' may be used to reimburse such agencies, institutions, and organizations for such costs of such individuals carrying out other development assistance activities: *Provided further*, That funds appropriated by this Act that are made available for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, Acquired Immune Deficiency Syndrome may be made available notwithstanding any provision of law that restricts assistance to foreign countries: *Provided further*, That funds appropriated under title II of this Act may be made available pursuant to section 301 of the Foreign Assistance Act of 1961 if a primary purpose of the assistance is for child survival and related programs.

PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN COUNTRIES

SEC. 523. None of the funds appropriated or otherwise made available pursuant to this

Act shall be obligated to finance indirectly any assistance or reparations to Cuba, Iraq, Libya, Iran, Syria, North Korea, or Sudan, unless the President of the United States certifies that the withholding of these funds is contrary to the national interest of the United States.

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 524. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as are other committees pursuant to subsection (f) of that section: *Provided*, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at $7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such excess defense articles: *Provided further*, That such Committees shall also be informed of the original acquisition cost of such defense articles.

AUTHORIZATION REQUIREMENT

SEC. 525. Funds appropriated by this Act, except funds appropriated under the headings ''Trade and Development Agency'', ''Peace Corps'', ''International Military Education and Training'', and ''Foreign Military Financing Program'', may be obligated and expended notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956.

DEMOCRACY PROGRAMS

SEC. 526. Funds appropriated by this Act that are provided to the National Endowment for Democracy may be provided notwithstanding any other provision of law or regulation: *Provided*, That notwithstanding any other provision of law, of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, not to exceed $3,000,000 may be made available to nongovernmental organizations located outside the People's Republic of China to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in that country: *Provided further*, That funds made available pursuant to the authority of this section for programs, projects, and activities for the People's Republic of China shall be subject to the regular notification procedures of the Committees on Appropriations.

PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 527. (a) Funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in a provision of law enacted prior to the enactment of this Act, shall not be made available to any country which the President determines—

(1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism; or

(2) otherwise supports international terrorism.

(b) The President may waive the application of subsection (a) to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

DEBT-FOR-DEVELOPMENT

SEC. 528. In order to enhance the continued participation of nongovernmental organizations in economic assistance activities under the Foreign Assistance Act of 1961, including endowments, debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts funds made available under this Act or prior Acts or local currencies which accrue to that organization as a result of economic assistance provided under title II of this Act and any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

SEPARATE ACCOUNTS

SEC. 529. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—(1) If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of the United States Agency for International Development and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II (as the case may be), for such purposes as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—The United States Agency for International Development shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) REPORTING REQUIREMENT.—The Administrator of the United States Agency for International Development shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used and/or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—(1) If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the notification procedures of the Committees on Appropriations.

COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 530. (a) No funds appropriated by this Act may be made as payment to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) For purposes of this section, ''international financial institutions'' are: the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the Asian Development Fund, the African Development Bank, the African Development Fund, the International Monetary

Fund, the North American Development Bank, and the European Bank for Reconstruction and Development.

COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST IRAQ

SEC. 531. None of the funds appropriated or otherwise made available pursuant to this Act to carry out the Foreign Assistance Act of 1961 (including title IV of chapter 2 of part I, relating to the Overseas Private Investment Corporation) or the Arms Export Control Act may be used to provide assistance to any country that is not in compliance with the United Nations Security Council sanctions against Iraq unless the President determines and so certifies to the Congress that—

(1) such assistance is in the national interest of the United States;

(2) such assistance will directly benefit the needy people in that country; or

(3) the assistance to be provided will be humanitarian assistance for foreign nationals who have fled Iraq and Kuwait.

AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION

SEC. 532. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act. The agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 533. None of the funds appropriated by this Act may be obligated or expended to provide—

(a) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States; or

(b) assistance for any project or activity that contributes to the violation of internationally recognized workers rights, as defined in section 502(a)(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: *Provided*, That in recognition that the application of this subsection should be commensurate with the level of development of the recipient country and sector, the provisions of this subsection shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

SPECIAL AUTHORITIES

SEC. 534. (a) AFGHANISTAN, LEBANON, MONTENEGRO, VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated in titles I and II of this Act that are made available for Afghanistan, Lebanon, Montenegro, and for victims of war, displaced children, and displaced Burmese, may be made available notwithstanding any other provision of law: *Provided*, That any such funds that are made available for Cambodia shall be subject to the provisions of section 531(e) of the Foreign Assistance Act of 1961 and section 906 of the International Security and Development Cooperation Act of 1985: *Provided further*, That section 576 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, as amended, shall not apply to the provision of loans and assistance to the Federal Republic of Yugoslavia through international financial institutions.

(b) TROPICAL FORESTRY AND BIODIVERSITY CONSERVATION ACTIVITIES.—Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and biodiversity conservation activities and, subject to the regular notification procedures of the Committees on Appropriations, energy programs aimed at reducing greenhouse gas emissions: *Provided*, That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Agricultural Trade Development and Assistance Act of 1954, may be used by the United States Agency for International Development to employ up to 25 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities and managed by the agency until permanent direct hire personnel are hired and trained: *Provided*, That not more than 10 of such contractors shall be assigned to any bureau or office: *Provided further*, That such funds appropriated to carry out the Foreign Assistance Act of 1961 may be made available for personal services contractors assigned only to the Office of Health and Nutrition; the Office of Procurement; the Bureau for Africa; the Bureau for Latin America and the Caribbean; and the Bureau for Asia and the Near East: *Provided further*, That such funds appropriated to carry out title II of the Agricultural Trade Development and Assistance Act of 1954, may be made available only for personal services contractors assigned to the Office of Food for Peace.

(d)(1) WAIVER.—The President may waive the provisions of section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that it is important to the national security interests of the United States.

(2) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to paragraph (1) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(e) During fiscal year 2002, the President may use up to $50,000,000 under the authority of section 451 of the Foreign Assistance Act, notwithstanding the funding ceiling in section 451(a).

POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT OF ISRAEL AND NORMALIZING RELATIONS WITH ISRAEL

SEC. 535. It is the sense of the Congress that—

(1) the Arab League countries should immediately and publicly renounce the primary boycott of Israel and the secondary and tertiary boycott of American firms that have commercial ties with Israel and should normalize their relations with Israel;

(2) the decision by the Arab League in 1997 to reinstate the boycott against Israel was deeply troubling and disappointing;

(3) the fact that only three Arab countries maintain full diplomatic relations with Israel is also of deep concern;

(4) the Arab League should immediately rescind its decision on the boycott and its members should develop normal relations with their neighbor Israel; and

(5) the President should—

(A) take more concrete steps to encourage vigorously Arab League countries to renounce publicly the primary boycotts of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel and to normalize their relations with Israel;

(B) take into consideration the participation of any recipient country in the primary boycott of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel when determining whether to sell weapons to said country;

(C) report to Congress annually on the specific steps being taken by the United States and the progress achieved to bring about a public renunciation of the Arab primary boycott of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel and to expand the process of normalizing ties between Arab League countries and Israel; and

(D) encourage the allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

ADMINISTRATION OF JUSTICE ACTIVITIES

SEC. 536. Of the funds appropriated or otherwise made available by this Act for ''Economic Support Fund'', assistance may be provided to strengthen the administration of justice in countries in Latin America and the Caribbean and in other regions consistent with the provisions of section 534(b) of the Foreign Assistance Act of 1961, except that programs to enhance protection of participants in judicial cases may be conducted notwithstanding section 660 of that Act. Funds made available pursuant to this section may be made available notwithstanding section 534(c) and the second and third sentences of section 534(e) of the Foreign Assistance Act of 1961.

ELIGIBILITY FOR ASSISTANCE

SEC. 537. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and from funds appropriated under the heading ''Assistance for Eastern Europe and the Baltic States'': *Provided*, That the President shall take into consideration, in any case in which a restriction on assistance would be applicable but for this subsection, whether assistance in support of programs of nongovernmental organizations is in the national interest of the United States: *Provided further*, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the

reasons for furnishing such assistance: *Provided further*, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2002, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Agricultural Trade Development and Assistance Act of 1954: *Provided*, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violate internationally recognized human rights.

EARMARKS

SEC. 538. (a) Funds appropriated by this Act which are earmarked may be reprogrammed for other programs within the same account notwithstanding the earmark if compliance with the earmark is made impossible by operation of any provision of this or any other Act: *Provided*, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the United States Agency for International Development that are earmarked for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such earmarked funds can be obligated during the original period of availability: *Provided*, That such earmarked funds that are continued available for an additional fiscal year shall be obligated only for the purpose of such earmark.

The CHAIRMAN. Are there amendments to that portion of the bill?

POINT OF ORDER

Mr. SMITH of New Jersey. Mr. Chairman, I would like to make a point of order that the language on page 75, lines 21 through 23, is not in order because it violates clause 21 of the House rules which prohibits legislation in an appropriation bill.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. KOLBE. Mr. Chairman, I wish to be heard.

The CHAIRMAN. The gentleman from Arizona is recognized.

Mr. KOLBE. Mr. Chairman, the Committee on International Relations is objecting to language in the bill that prevents authorization acts from earmarking previously appropriated funds.

The gentleman from New Jersey (Mr. SMITH) on behalf of the committee is objecting to language that has been carried in this bill for 3 years. I believe that the authorization committee should set policy and funding ceilings, but they should not be allowed to earmark appropriated funds or mandate minimum funding levels, either before or after we have enacted appropriations bills.

However, as a technical matter, it is correct that this language is legislative in nature, and I concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained, and section 539 is stricken from the bill.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 107, line 10, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the bill from page 75, line 17, through page 107, line 10, is as follows:

CEILINGS AND EARMARKS

SEC. 539. Ceilings and earmarks contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs. Earmarks or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 540. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by the Congress: *Provided*, That not to exceed $750,000 may be made available to carry out the provisions of section 316 of Public Law 96–533.

PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS

SEC. 541. To the maximum extent possible, assistance provided under this Act should make full use of American resources, including commodities, products, and services.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 542. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

SEC. 543. None of the funds appropriated or made available pursuant to this Act shall be available to a nongovernmental organization which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the United States Agency for International Development.

PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM

SEC. 544. (a) None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 6(j) of the Export Administration Act. The prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(b) Assistance restricted by subsection (a) or any other similar provision of law, may be furnished if the President determines that furnishing such assistance is important to the national interests of the United States.

(c) Whenever the waiver of subsection (b) is exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

WITHHOLDING OF ASSISTANCE FOR PARKING FINES OWED BY FOREIGN COUNTRIES

SEC. 545. (a) IN GENERAL.—Of the funds made available for a foreign country under part I of the Foreign Assistance Act of 1961, an amount equivalent to 110 percent of the total unpaid fully adjudicated parking fines and penalties owed to the District of Columbia by such country as of the date of the enactment of this Act shall be withheld from obligation for such country until the Secretary of State certifies and reports in writing to the appropriate congressional committees that such fines and penalties are fully paid to the government of the District of Columbia.

(b) DEFINITION.—For purposes of this section, the term ''appropriate congressional committees'' means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives.

LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST BANK AND GAZA

SEC. 546. None of the funds appropriated by this Act may be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104–107) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: *Provided*, That if the President fails to make the certification under section 604(b)(2) of the Middle East Peace Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza.

WAR CRIMES TRIBUNALS DRAWDOWN

SEC. 547. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961, as amended, of up to $30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: *Provided*, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): *Provided further*, That the drawdown made under this section for any tribunal shall not be construed as an endorsement or precedent for the establishment of any standing or permanent international criminal tribunal or court: *Provided further*, That funds made available for tribunals other than Yugoslavia or Rwanda shall be made available subject to the regular notification procedures of the Committees on Appropriations.

LANDMINES

SEC. 548. Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the President may prescribe.

RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 549. None of the funds appropriated by this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: *Provided*, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: *Provided further*, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem. As has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

SEC. 550. None of the funds appropriated or otherwise made available by this Act under the heading ''International Military Education and Training'' or ''Foreign Military Financing Program'' for Informational Program activities or under the headings ''Child Survival and Health Programs Fund'', ''Development Assistance'', and ''Economic Support Fund'' may be obligated or expended to pay for—

(1) alcoholic beverages; or

(2) entertainment expenses for activities that are substantially of a recreational character, including entrance fees at sporting events and amusement parks.

SPECIAL DEBT RELIEF FOR THE POOREST

SEC. 551. (a) AUTHORITY TO REDUCE DEBT.—The President may reduce amounts owed to the United States (or any agency of the United States) by an eligible country as a result of—

(1) guarantees issued under sections 221 and 222 of the Foreign Assistance Act of 1961;

(2) credits extended or guarantees issued under the Arms Export Control Act; or

(3) any obligation or portion of such obligation, to pay for purchases of United States agricultural commodities guaranteed by the Commodity Credit Corporation under export credit guarantee programs authorized pursuant to section 5(f) of the Commodity Credit Corporation Charter Act of June 29, 1948, as amended, section 4(b) of the Food for Peace Act of 1966, as amended (Public Law 89–808), or section 202 of the Agricultural Trade Act of 1978, as amended (Public Law 95–501).

(b) LIMITATIONS.—

(1) The authority provided by subsection (a) may be exercised only to implement multilateral official debt relief and referendum agreements, commonly referred to as ''Paris Club Agreed Minutes''.

(2) The authority provided by subsection (a) may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts.

(3) The authority provided by subsection (a) may be exercised only with respect to countries with heavy debt burdens that are eligible to borrow from the International Development Association, but not from the International Bank for Reconstruction and Development, commonly referred to as ''IDA-only'' countries.

(c) CONDITIONS.—The authority provided by subsection (a) may be exercised only with respect to a country whose government—

(1) does not have an excessive level of military expenditures;

(2) has not repeatedly provided support for acts of international terrorism;

(3) is not failing to cooperate on international narcotics control matters;

(4) (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights; and

(5) is not ineligible for assistance because of the application of section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

(d) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading ''Debt Restructuring''.

(e) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduction of debt pursuant to subsection (a) shall not be considered assistance for purposes of any provision of law limiting assistance to a country. The authority provided by subsection (a) may be exercised notwithstanding section 620(r) of the Foreign Assistance Act of 1961 or section 321 of the International Development and Food Assistance Act of 1975.

AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

SEC. 552. (a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.—

(1) AUTHORITY TO SELL, REDUCE, OR CANCEL CERTAIN LOANS.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser any concessional loan or portion thereof made before January 1, 1995, pursuant to the Foreign Assistance Act of 1961, to the government of any eligible country as defined in section 702(6) of that Act or on receipt of payment from an eligible purchaser, reduce or cancel such loan or portion thereof, only for the purpose of facilitating—

(A) debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps; or

(B) a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support activities that link conservation and sustainable use of natural resources with local community development, and child survival and other child development, in a manner consistent with sections 707 through 710 of the Foreign Assistance Act of 1961, if the sale, reduction, or cancellation would not contravene any term or condition of any prior agreement relating to such loan.

(2) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans may be sold, reduced, or canceled pursuant to this section.

(3) ADMINISTRATION.—The Facility, as defined in section 702(8) of the Foreign Assistance Act of 1961, shall notify the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 of purchasers that the President has determined to be eligible, and shall direct such agency to carry out the sale, reduction, or cancellation of a loan pursuant to this section. Such agency shall make an adjustment in its accounts to reflect the sale, reduction, or cancellation.

(4) LIMITATION.—The authorities of this subsection shall be available only to the extent that appropriations for the cost of the modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

(b) DEPOSIT OF PROCEEDS.—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced, or canceled pursuant to this section shall be deposited in the United States Government account or accounts established for the repayment of such loan.

(c) ELIGIBLE PURCHASERS.—A loan may be sold pursuant to subsection (a)(1)(A) only to a purchaser who presents plans satisfactory to the President for using the loan for the purpose of engaging in debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(d) DEBTOR CONSULTATIONS.—Before the sale to any eligible purchaser, or any reduction or cancellation pursuant to this section, of any loan made to an eligible country, the President should consult with the country concerning the amount of loans to be sold, reduced, or canceled and their uses for debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(e) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading ''Debt Restructuring''.

RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS AGENCIES

SEC. 553. (a) PROHIBITION ON VOLUNTARY CONTRIBUTIONS FOR THE UNITED NATIONS.—

None of the funds appropriated by this Act may be made available to pay any voluntary contribution of the United States to the United Nations (including the United Nations Development Program) if the United Nations implements or imposes any taxation on any United States persons.

(b) CERTIFICATION REQUIRED FOR DISBURSEMENT OF FUNDS.—None of the funds appropriated by this Act may be made available to pay any voluntary contribution of the United States to the United Nations (including the United Nations Development Program) unless the President certifies to the Congress 15 days in advance of such payment that the United Nations is not engaged in any effort to implement or impose any taxation on United States persons in order to raise revenue for the United Nations or any of its specialized agencies.

(c) DEFINITIONS.—As used in this section the term ''United States person'' refers to—

(1) a natural person who is a citizen or national of the United States; or

(2) a corporation, partnership, or other legal entity organized under the United States or any State, territory, possession, or district of the United States.

HAITI COAST GUARD

SEC. 554. The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the Coast Guard: *Provided*, That the authority provided by this section shall be subject to the regular notification procedures of the Committees on Appropriations.

LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY

SEC. 555. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that waiving such prohibition is important to the national security interests of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

LIMITATION ON ASSISTANCE TO SECURITY FORCES

SEC. 556. None of the funds made available by this Act may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights, unless the Secretary determines and reports to the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice: *Provided*, That nothing in this section shall be construed to withhold funds made available by this Act from any unit of the security forces of a foreign country not credibly alleged to be involved in gross violations of human rights: *Provided further*, That in the event that funds are withheld from any unit pursuant to this section, the Secretary of State shall promptly inform the foreign government of the basis for such action and shall, to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.

DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS IN THE RUSSIAN FEDERATION

SEC. 557. None of the funds appropriated under this Act may be made available for the Government of the Russian Federation, after 180 days from the date of the enactment of this Act, unless the President determines and certifies in writing to the Committees on Appropriations and the Committee on Foreign Relations of the Senate that the Government of the Russian Federation has implemented no statute, executive order, regulation or similar government action that would discriminate, or would have as its principal effect discrimination, against religious groups or religious communities in the Russian Federation in violation of accepted international agreements on human rights and religious freedoms to which the Russian Federation is a party.

ASSISTANCE FOR THE MIDDLE EAST

SEC. 558. Of the funds appropriated in titles II and III of this Act under the headings ''Economic Support Fund'', ''Foreign Military Financing Program'', ''International Military Education and Training'', ''Peacekeeping Operations'', for refugees resettling in Israel under the heading ''Migration and Refugee Assistance'', and for assistance for Israel to carry out provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 under the heading ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'', not more than a total of $5,141,150,000 may be made available for Israel, Egypt, Jordan, Lebanon, the West Bank and Gaza, the Israel-Lebanon Monitoring Group, the Multinational Force and Observers, the Middle East Regional Democracy Fund, Middle East Regional Cooperation, and Middle East Multilateral Working Groups: *Provided*, That any funds that were appropriated under such headings in prior fiscal years and that were at the time of the enactment of this Act obligated or allocated for other recipients may not during fiscal year 2002 be made available for activities that, if funded under this Act, would be required to count against this ceiling: *Provided further*, That funds may be made available notwithstanding the requirements of this section if the President determines and certifies to the Committees on Appropriations that it is important to the national security interest of the United States to do so and any such additional funds shall only be provided through the regular notification procedures of the Committees on Appropriations.

ENTERPRISE FUND RESTRICTIONS

SEC. 559. Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the Committees on Appropriations, in accordance with the regular notification procedures of the Committees on Appropriations, a plan for the distribution of the assets of the Enterprise Fund.

CAMBODIA

SEC. 560. (a) The Secretary of the Treasury should instruct the United States executive directors of the international financial institutions to use the voice and vote of the United States to oppose loans to the Central Government of Cambodia, except loans to support basic human needs.

(b) None of the funds appropriated by this Act may be made available for assistance (except for assistance for basic education) for the Central Government of Cambodia.

FOREIGN MILITARY TRAINING REPORT

SEC. 561. (a) The Secretary of Defense and the Secretary of State shall jointly provide to the Congress by March 1, 2002, a report on all military training provided to foreign military personnel (excluding sales, and excluding training provided to the military personnel of countries belonging to the North Atlantic Treaty Organization) under programs administered by the Department of Defense and the Department of State during fiscal years 2001 and 2002, including those proposed for fiscal year 2002. This report shall include, for each such military training activity, the foreign policy justification and purpose for the training activity, the cost of the training activity, the number of foreign students trained and their units of operation, and the location of the training. In addition, this report shall also include, with respect to United States personnel, the operational benefits to United States forces derived from each such training activity and the United States military units involved in each such training activity. This report may include a classified annex if deemed necessary and appropriate.

(b) For purposes of this section a report to Congress shall be deemed to mean a report to the Appropriations and Foreign Relations Committees of the Senate and the Appropriations and International Relations Committees of the House of Representatives.

KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION

SEC. 562. (a) Of the funds made available under the heading ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', not to exceed $95,000,000 may be made available for the Korean Peninsula Energy Development Organization (hereafter referred to in this section as ''KEDO''), notwithstanding any other provision of law, only for the administrative expenses and heavy fuel oil costs associated with the Agreed Framework.

(b) Such funds may be made available for KEDO only if, 15 days prior to such obligation of funds, the President certifies and so reports to Congress that—

(1) the parties to the Agreed Framework have taken and continue to take demonstrable steps to implement the Joint Declaration on Denuclearization of the Korean Peninsula;

(2) North Korea is complying with all provisions of the Agreed Framework; and

(3) the United States is continuing to make significant progress on eliminating the North Korean ballistic missile threat, including further missile tests and its ballistic missile exports.

(c) The President may waive the certification requirements of subsection (b) if the President determines that it is vital to the national security interests of the United States and provides written policy justifications to the appropriate congressional committees. No funds may be obligated for KEDO until 15 days after submission to Congress of such waiver.

(d) The Secretary of State shall, at the time of the annual presentation for appropriations, submit a report providing a full and detailed accounting of the fiscal year 2003 request for the United States contribution to KEDO, the expected operating budget of KEDO, proposed annual costs associated with heavy fuel oil purchases, including unpaid debt, and the amount of funds pledged by other donor nations and organizations to support KEDO activities on a per country basis, and other related activities.

(e) The final proviso under the heading ''International Organizations and Programs'' in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (Public Law 104–107) is repealed.

PLO COMPLIANCE REPORT

SEC. 563. (a) REPORTING REQUIREMENT.—The President shall, at the time specified in subsection (b), submit a report to the Congress assessing the steps that the Palestine Liberation Organization (PLO), or the Palestinian Authority, as appropriate, has taken to comply with its 1993 commitments to renounce the use of terrorism and all other acts of violence and to assume responsibility over all PLO or Palestinian Authority elements and personnel in order to assure their compliance, prevent violations, and discipline violators, including the arrest and prosecution of individuals involved in acts of terror and violence. The President shall determine, based on such assessment, whether the PLO or the Palestinian Authority, as appropriate, has substantially complied with such commitments. If the President determines based on the assessment that such compliance has not occurred, then the President shall, for a period of time of not less than six months, impose one or more of the following sanctions:

(1) Notwithstanding any other provision of law, the President shall withdraw or terminate any waiver by the President of the requirements of section 1003 of the Foreign Relations Authorization Act of 1988 and 1989 (22 U.S.C. 5202) (prohibiting the establishment or maintenance of a Palestinian information office in the United States), and such section shall apply so as to prohibit the operation of a PLO or Palestinian Authority office in the United States from carrying out any function other than those functions carried out by the Palestinian information office in existence prior to the Oslo Accords.

(2) The President shall designate the PLO, or one or more of its constituent groups (including Fatah and Tanzim) or groups operating as arms of the Palestinian Authority (including Force 17) as a foreign terrorist organization, in accordance with section 219(a) of the Immigration and Nationality Act.

(3) United States assistance (except humanitarian assistance) shall not be provided for the West Bank and Gaza Program.

(b) SUBMISSION OF REPORT.—The report required under subsection (a) shall be transmitted not later than 60 days after the date of enactment of this Act and shall cover the period commencing June 13, 2001.

(c) UPDATE OF REPORT.—The President shall update the report submitted pursuant to subsection (a) as part of the next report required under the PLO Commitments Compliance Act of 1989 (title VIII of Public Law 101–246).

(d) WAIVER AUTHORITY.—The President may waive any or all of the sanctions imposed under subsection (a) if the President determines and reports to the appropriate committees of the Congress that such a waiver is in the national security interests of the United States.

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 564. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

IRAQ

SEC. 565. Notwithstanding any other provision of law, funds appropriated under the heading ''Economic Support Fund'' may be made available for programs benefiting the Iraqi people and to support efforts to bring about political transition in Iraq.

WEST BANK AND GAZA PROGRAM

SEC. 567. For fiscal year 2002, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the appropriate committees of Congress that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading ''Economic Support Fund'' for the West Bank and Gaza.

INDONESIA

SEC. 568. (a) Funds appropriated by this Act under the headings ''International Military Education and Training'' and ''Foreign Military Financing Program'' may be made available for Indonesian Ministry of Defense or military personnel if the President determines and submits a report to the appropriate congressional committees that the Government of Indonesia and the Indonesian Armed Forces are—

(1) taking effective measures to bring to justice members of the armed forces and militia groups against whom there is credible evidence of human rights violations;

(2) taking effective measures to bring to justice members of the armed forces against whom there is credible evidence of aiding or abetting militia groups;

(3) allowing displaced persons and refugees to return home to East Timor, including providing safe passage for refugees returning from West Timor;

(4) not impeding the activities of the United Nations Transitional Authority in East Timor;

(5) demonstrating a commitment to preventing incursions into East Timor by members of militia groups in West Timor; and

(6) demonstrating a commitment to accountability by cooperating with investigations and prosecutions of members of the Indonesian Armed Forces and militia groups responsible for human rights violations in Indonesia and East Timor.

MAN AND THE BIOSPHERE

SEC. 569. None of the funds appropriated or otherwise made available by this Act may be provided for the United Nations Man and the Biosphere Program.

TAIWAN REPORTING REQUIREMENT

SEC. 570. Not less than 30 days prior to the next round of arms talks between the United States and Taiwan, the President shall consult, on a classified basis, with appropriate Congressional leaders and committee chairmen and ranking members regarding the following matters:

(1) Taiwan's requests for purchase of defense articles and defense services during the pending round of arms talks;

(2) the Administration's assessment of the legitimate defense needs of Taiwan, in light of Taiwan's requests; and

(3) the decision-making process used by the Executive branch to consider those requests.

RESTRICTIONS ON ASSISTANCE TO GOVERNMENTS DESTABILIZING SIERRA LEONE

SEC. 571. (a) None of the funds appropriated by this Act may be made available for assistance for the government of any country that the Secretary of State determines there is credible evidence that such government has provided lethal or non-lethal military support or equipment, directly or through intermediaries, within the previous 6 months to the Sierra Leone Revolutionary United Front (RUF), or any other group intent on destabilizing the democratically elected government of the Republic of Sierra Leone.

(b) None of the funds appropriated by this Act may be made available for assistance for the government of any country that the Secretary of State determines there is credible evidence that such government has aided or abetted, within the previous 6 months, in the illicit distribution, transportation, or sale of diamonds mined in Sierra Leone.

(c) Whenever the prohibition on assistance required under subsection (a) or (b) is exercised, the Secretary of State shall notify the Committees on Appropriations in a timely manner.

VOLUNTARY SEPARATION INCENTIVES

SEC. 572. Section 579(c)(2)(D) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000, as enacted by section 1000(a)(2) of the Consolidated Appropriations Act, 2000 (Public Law 106–113), as amended, is further amended by striking ''December 31, 2001'' and inserting in lieu thereof ''December 31, 2002''.

CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

SEC. 573. (a) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under ''International Organizations and Programs'', not more than $25,000,000 for fiscal year 2002 shall be available for the United Nations Population Fund (hereafter in this subsection referred to as the ''UNFPA'').

(b) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under ''International Organizations and Programs'' may be made available for the UNFPA for a country program in the People's Republic of China.

(c) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under ''International Organizations and Programs'' for fiscal year 2002 for the UNFPA may not be made available to UNFPA unless—

(1) the UNFPA maintains amounts made available to the UNFPA under this section in an account separate from other accounts of the UNFPA;

(2) the UNFPA does not commingle amounts made available to the UNFPA under this section with other sums; and

(3) the UNFPA does not fund abortions.

(d) REPORT TO THE CONGRESS AND WITHHOLDING OF FUNDS.—

(1) Not later than February 15, 2002, the Secretary of State shall submit a report to the appropriate congressional committees indicating the amount of funds that the United Nations Population Fund is budgeting for the year in which the report is submitted for a country program in the People's Republic of China.

(2) If a report under subparagraph (A) indicates that the United Nations Population Fund plans to spend funds for a country program in the People's Republic of China in the year covered by the report, then the amount of such funds that the UNFPA plans to spend in the People's Republic of China shall be deducted from the funds made available to the UNFPA after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

AMERICAN CHURCHWOMEN IN EL SALVADOR

SEC. 574. (a) Information relevant to the December 2, 1980, murders of four American churchwomen in El Salvador shall be made public to the fullest extent possible.

(b) The Secretary of State and the Department of State are to be commended for fully releasing information regarding the murders.

(c) The President shall order all Federal agencies and departments that process relevant information to make every effort to

declassify and release to the victims' families relevant information as expeditiously as possible.

(d) In making determinations concerning the declassification and release of relevant information, the Federal agencies and departments shall presume in favor of releasing, rather than of withholding, such information.

PROCUREMENT AND FINANCIAL MANAGEMENT REFORM

SEC. 575. (a) FUNDING CONDITIONS.—Of the funds made available under the heading ''International Financial Institutions'' in this Act, 10 percent of the United States portion or payment to such International Financial Institution shall be withheld by the Secretary of the Treasury, until the Secretary certifies to the Committees on Appropriations that, to the extent pertinent to its lending programs, the institution is—

(1) Implementing procedures for conducting annual audits by qualified independent auditors for all new investment lending;

(2) Implementing procedures for annual independent external audits of central bank financial statements for countries making use of International Monetary Fund resources under new arrangements or agreements with the Fund;

(3) Taking steps to establish an independent fraud and corruption investigative organization or office;

(4) Implementing a process to assess a recipient country's procurement and financial management capabilities including an analysis of the risks of corruption prior to initiating new investment lending; and

(5) Taking steps to fund and implement programs and policies to improve transparency and anti-corruption programs and procurement and financial management controls in recipient countries.

(b) REPORT.—The Secretary of the Treasury shall report on March 1, 2002 to the Committees on Appropriations on progress made by each International Financial Institution, and, to the extent pertinent to its lending programs, the International Monetary Fund, to fulfill the objectives identified in subsection (a) and on progress of the International Monetary Fund to implement procedures for annual independent external audits of central bank financial statements for countries making use of Fund resources under all new arrangements with the Fund.

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

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 576. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ABOLITION OF THE INTER-AMERICAN FOUNDATION

SEC. 577. Section 586 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000, as enacted by section 1000(a)(2) of Public Law 106–113, as amended, is further amended by striking ''years 2000 and 2001'' and inserting in lieu thereof ''years 2000, 2001, and 2002''.

POINT OF ORDER

Mr. SMITH of New Jersey. Mr. Chairman, I make a point of order that the language on page 107, lines 11 through 17, is not in order because it violates clause 2 of rule XXI of the House rules which prohibits legislation on an appropriations bill.

The CHAIRMAN. Does the gentleman from Arizona (Mr. KOLBE) wish to be heard on the point of order?

Mr. KOLBE. No, Mr. Chairman.

The CHAIRMAN. The Chair finds that this provision directly amends existing law. The provision therefore constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained, and section 577 is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

WAR CRIMINALS

SEC. 578. (a) None of the funds appropriated or otherwise made available pursuant to this Act may be made available for assistance, with the exception of humanitarian assistance and assistance for democratization, to any country, entity or municipality whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to implement its international legal obligations to apprehend and transfer to the International Criminal Tribunal for the Former Yugoslavia (the ''Tribunal'') all persons in their territory who have been publicly indicted by the Tribunal.

(b) The provisions of subsection (a) shall apply unless the Secretary of State determines and reports to the appropriate committees of the Congress that the competent authorities of such country, entity, or municipality are—

(1) cooperating with the Tribunal, including access for investigators, the provision of documents, and the surrender and transfer of publicly indicted indictees or assistance in their apprehension; and

(2) taking steps that are consistent with the Dayton Accords.

(c) The Secretary of State may waive the application of subsection (a) with respect to a country, entity, or municipality upon a written determination to the Committees on Appropriations of the House of Representatives and the Senate that provision of assistance that would otherwise be prohibited by that subsection is in the national interest of the United States.

AMENDMENT NO. 8 OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment on behalf of the gentleman from Maryland (Mr. CARDIN) and myself.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. SMITH of New Jersey:

Page 108, after line 20, insert the following:

SENSE OF THE CONGRESS RELATING TO COOPERATION WITH THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

SEC. 579. (a) FINDINGS.—The Congress finds as follows:

(1) All member states of the United Nations have the legal obligation to cooperate fully with the International Criminal Tribunal for the Former Yugoslavia.

(2) All parties to the General Framework Agreement for Peace in Bosnia and Herzegovina have the legal obligation to cooperate fully with the Tribunal in pending cases and investigations.

(3) The United States Congress continues to insist, as a condition for the receipt of foreign assistance, that all governments in the region cooperate fully with the Tribunal in pending cases and investigations.

(4) The United States Congress strongly supports the efforts of the Tribunal to bring those responsible for war crimes, crimes against humanity, and genocide in the former Yugoslavia to justice.

(5) Those authorities in Serbia and the Federal Republic of Yugoslavia responsible for the transfer of Slobodan Milosevic to the Tribunal at The Hague are congratulated.

(6) The governments of Croatia and Bosnia are congratulated for their cooperation with the Tribunal, particularly regarding the transfer of indictees to the Tribunal.

(7) At least 30 persons who have been indicted by the Tribunal remain at large, especially in the Republika Srpska entity of Bosnia-Herzegovina, including but not limited to Radovan Karadzic and Ratko Mladic.

(8) The Parliamentary Assembly of the Organization for Security and Cooperation in Europe recently adopted a resolution that emphasizes the importance of cooperation by member states with the Tribunal.

(b) SENSE OF CONGRESS.—It is the sense of Congress that:

(1) All governments, entities, and municipalities in the region, including but not limited to the Federal Republic of Yugoslavia, Serbia, and the Republika Srpska entity of Bosnia and Herzegovina, are strongly encouraged to cooperate fully and unreservedly with the International Criminal Tribunal for the Former Yugoslavia in pending cases and investigations.

(2) All governments, entities, and municipalities in the region should cooperate fully and unreservedly with the Tribunal, including (but not limited to) through—

(A) the immediate arrest, surrender, and transfer of all persons who have been indicted by the Tribunal but remain at large in the territory which they control; and

(B) full and direct access to Tribunal investigators to requested documents, archives, witnesses, mass grave sites, and any officials where necessary for the investigation and prosecution of crimes under the Tribunal's jurisdiction.

The CHAIRMAN. Pursuant to the order of the House today, the gentleman from New Jersey (Mr. SMITH) and a Member opposed each will control 10 minutes.

Mr. KOLBE. Mr. Chairman, I claim the time in opposition, and I reserve a point of order against this amendment.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) reserves a point of order, and will be recognized on the amendment.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH) for 10 minutes.

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

This amendment, Mr. Chairman, underscores our resolve to bring to justice those responsible for war crimes, crimes against humanity, and genocide.

Sometimes some people wonder if it is really worth introducing this complex and complicating factor called justice into U.S. policy toward the region. Justice may be nice, they argue, but regional stability is what is really needed in the Balkans. Insisting on the prosecution of war crimes, they continue, certainly does not help in this regard, and if our European allies are not pushing this, why should we?

Mr. Chairman, in response, I ask that my colleagues make sure that time has not faded the horrific images of the Yugoslav conflict, images of prisoners interred in camps like Omarska, the mass graves of Vukovar, Srebrenica, and in recent weeks those uncovered in Serbia itself.

I would just say parenthetically on a trip the gentleman from Virginia (Mr. WOLF) and I made in the early months of the war against Croatia, we went to Osijek and Vukovar. We were there when it was surrounded by Serbian military snipers. There were MiGs flying overhead. We met with people inside of wine cellars who would not come out because every day snipers were just picking off innocent civilians, killing these people as they walked down the street, as they leveled one block after another.

The people who were in Vukovar Hospital, soon after we left, just months after we left when that city under siege was overtaken, were literally taken out and killed in a terrible, a horrible way, just shot and put into a mass grave.

So I would respectfully submit that we must remember those frightened, innocent peasants who we all saw the images of day in and day out on CNN fleeing over mountain passes with whatever they could carry. There were stories of snipers in Vukovar, in Sarajevo, in Mostar, in other cities, shooting anybody that crossed the street; or the militants lobbing shells at schools or kids who wrongfully hoped it would be safe enough to do a little sleigh riding in their hilly neighborhoods.

It is virtually impossible for us, I would submit, to comprehend what it is like for these people who did nothing wrong, who posed no threat to anyone, to have encountered such hostility and such hatred. We must never forget nor should we ever stop seeking justice for those who fled, for those who were tortured, for those who were raped repeatedly.

We had hearings, Mr. Chairman. The gentleman might recall in the Helsinki Commissions we brought in rape victims who, as a matter of state policy, the Serbian government and the Bosnian Serbs were trying to make an example of these women to break the back of those people in Serbia, in Bosnia. It was horrible to see the blank faces and the vacant look in their eyes, the look of pain, as they came forward to tell of their stories.

We must put ourselves in their shoes as we consider this amendment. We must stand there on the edge of that ditch and try to ponder the notion that these drunken people had their rifles pointed at their backs, and those sons and daughters and fathers and everyone else were killed. There needs to be an accounting.

We must remember that these culprits of these horrific crimes are today living their lives at large, mostly in the Republic of Srpska, and in Serbia as well.

As a matter of fact, a history of ancient hatreds is really a myth. They like to throw that out, that somehow this was just all of these animosities, generation after generation. Nothing was inevitable. This did not have to happen. Those responsible for this carnage need to be held to account, people like Karadzic, Mladic, and some 30 others who have already been indicted by the tribunal who are walking the streets free today. They need to be held to account.

Mr. Chairman, I offer this amendment. I know the chairman may raise a point of order. It does express our collective concerns as Democrats, Republicans, and Independents in favor of going forward and being as aggressive and attentive as we can be.

As I said at the outset, time should not fade these memories. As we learned from the Holocaust and the atrocities of Nazis, we hunt down until we bring to justice those who have committed these horrible acts.

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

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

As the gentleman knows, we worked together to craft appropriate language regarding aid to Yugoslavia and its cooperation with the War Crimes Tribunal. The bill carries similar language to the fiscal year 2001 bill. It allows assistance to Serbia until March 30, 2002, at which time the Secretary of State must certify that Serbia is cooperating with the Tribunal, taking steps consistent with the Dayton Accords to limit financial cooperation with the Republic of Srpska, and is respecting minority rights.

The bill also carries separate language requiring that all countries cooperate with the international criminal tribunal or face penalties. We arrived at this language through negotiations with the chairman, and it enjoys the support of most members of the committee.

I understand and agree with the concerns addressed in the gentleman's amendment, and I am happy that the language included reflects many of those concerns. I am pleased to note that soon after our subcommittee marked up this bill former President Milosevic was turned over to the Tribunal.

Despite this historic event, I strongly support retaining this language. It recognizes the simple fact that many war criminals remain at large and that our assistance should continue to be conditioned to a great degree on continued cooperation with the Tribunal.

I thank the gentleman for his leadership on this issue.

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

Mr. KOLBE. Mr. Chairman, I continue to reserve a point of order on this amendment, and I yield myself such time as I may consume.

Mr. Chairman, let me just say about this issue, I understand the concerns that people have, and it is one that I share. We want to make sure that war criminals are brought to justice. We want to make sure that we move in Serbia to help develop democracy in that region. These are not mutually exclusive, by any means. But sometimes the orbits may come into conflict.

We have two provisions in our bill relating to war criminals. Section 582 is a variation of last year's provision affecting Serbia. Section 578 is a streamlined replacement for the so-called Lautenburg amendment that applies to all countries in the Balkans.

That language, and I was just reading it the other day, it is pages and pages and pages in the bill that was so complicated it was just routinely waived. The committee recommendation this year I think is much more straightforward.

Regarding Serbia, last year's language prohibited most assistance to Serbia after March 31 of 2001 unless the President can certify, among other things, that Yugoslavia was cooperating with the War Crimes Tribunal in The Hague. Such a certification was made last year. We have received requests to continue and even to strengthen the language this year.

□ 1945

Our recommendation continues the language largely unchanged from last year. I am not enthusiastic about doing that. We need to help the people of Serbia and the reformers in that country and the long struggle they have been facing to reform their society. Punishing them for not fulfilling every aspect of The Hague Tribunal's directives

may not, and I think is not, positive in the long run. We want to help the democratic governments in the Balkans. We are not trying to hurt them. We are not trying to stunt their democratic growth.

The Hague Tribunal is part of an effort to promote democratic governments. We cannot sacrifice the future of democratic governments to the procedural niceties, however, of the tribunal. They need to work together. They need to go hand in hand. The tribunal needs to do its stuff, but the countries are not always going to find it possible to comply with every single thing that the tribunal might ask them.

But I think it is worth noting, as every Member of this body is well aware, that President Milosevic, the key war criminal we were insisting that Serbia send to the tribunal, has been sent to The Hague. That has caused an enormous political difficulty for the government in Serbia. Let us not underestimate the great difficulties the Serbian Government, both at the provincial level as well as at the national, the federation level, has had in dealing with this problem.

We also recognize that Croatia needs to send additional war criminals to The Hague. By bowing to international pressures, particularly pressure from the United States, the new democratic governments in the regions are facing tremendous risks, as we have been seeing with the political upheaval that has followed the transfer of President Milosevic to The Hague. So in our strong desire to have full compliance with the tribunal, I hope we do not end up hurting the very governments that we are trying to help.

So for that reason, I think this is bad legislation, a bad approach to the problem.

Mr. Chairman, I continue to reserve the balance of my time and also the point of order.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself 2 minutes, just to respond briefly. And I know a point of order is lodged against this, or will be shortly, but the language really does focus on all governments, entities, and municipalities in the region.

And, frankly, when we have a sense of impunity, and I know Kostunica and others are trying to do their part to try to rein in. While I was in Paris, at the OSCE parliamentary assembly, we had a very, very meaningful, as did other members of our delegation, meeting with the speaker of the parliament in Serbia. And I believe they really are serious about trying to rein in on the impunity that unfortunately was the modus operandi of Serbia for so long and the Republic of Yugoslavia.

This language tries to say we are on your side, we want to help rid, or at least get to justice, those people who have committed these terrible crimes, because they intimidate their own people. On day two of the bombing, one of the people who had come to our Helsinki Commission and had testified on behalf of free media, at a time when Milosevic had shut down S92, and other independent media, he was murdered right after the bombing began. He was shot dead gangland-style by the thugs of Slobodon Milosevic. Some of those same people are still walking the streets.

Otpor has come out, and they are naming names of police who have committed atrocities, putting themselves at considerable risk. So it seems to me that the more we encourage those democratic forces, and this is sense of the Congress language granted, the quicker they will get to a free and hopefully a robust democracy.

Let me just finally say, and I say to this my good friend the chairman, our hope is that we look very seriously at a police academy for the Republic of Yugoslavia. We met with General Ralston, our delegation, on our trip, and he made it very clear that the Kosovo Academy, which has now graduated some 4,000 police, really is the model for the region. It is the way we ought to be going.

If we want to exit and pull out NATO troops, U.S. troops, we need to have on the ground the kind of stability and transparency that a properly trained police academy with an emphasis on human rights can bring. And it seems to me that Bosnia and the Republic of Srpska and, of course, the Republic of Yugoslavia could benefit greatly from it. So I ask the amendment be supported by my colleagues.

POINT OF ORDER

Mr. KOLBE. Mr. Chairman, I yield back the balance of my time, and I make a point of order on the amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. KOLBE. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriation bill and, therefore, violates clause 2 of rule XXI. That rule states in part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment proposes to state a legislative position. This is a sense of Congress, clearly states a legislative position, and therefore violates that part of the rule. And I would ask for a ruling of the Chair.

The CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The amendment offered by the gentleman from New Jersey proposes to state a legislative position of the House. As such, the amendment constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

USER FEES

SEC. 579. The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) and the International Monetary Fund to oppose any loan of these institutions that would require user fees or service charges on poor people for primary education or primary healthcare, including prevention and treatment efforts for HIV/AIDS, malaria, tuberculosis, and infant, child, and maternal well-being, in connection with the institutions' lending programs.

BASIC EDUCATION ASSISTANCE FOR PAKISTAN

SEC. 580. Funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be made available for assistance for basic education programs for Pakistan, notwithstanding any provision of law that restricts assistance to foreign countries.

HEAVILY INDEBTED POOR COUNTRIES TRUST FUND AUTHORIZATION

SEC. 581. Section 801(b)(1) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001 (Public Law 106–429) is amended by striking ''$435,000,000'' and inserting ''$600,000,000''.

FUNDING FOR SERBIA

SEC. 582. (a) Funds appropriated by this Act may be made available for assistance for Serbia after March 31, 2002, if the President has made the determination and certification contained in subsection (c).

(b) After March 31, 2002, the Secretary of the Treasury should instruct the United States executive directors to international financial institutions to support loans and assistance to the Government of the Federal Republic of Yugoslavia subject to the conditions in subsection (c).

(c) The determination and certification referred to in subsection (a) is a determination by the President and a certification to the Committees on Appropriations that the Government of the Federal Republic of Yugoslavia is—

(1) cooperating with the International Criminal Tribunal for Yugoslavia including access for investigators, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension;

(2) taking steps that are consistent with the Dayton Accords to end Serbian financial, political, security and other support which has served to maintain separate Republika Srpska institutions; and

(3) taking steps to implement policies which reflect a respect for minority rights and the rule of law.

(d) Subsections (b) and (c) shall not apply to Montenegro, Kosovo, humanitarian assistance or assistance to promote democracy in municipalities.

IMPROVING GLOBAL HEALTH THROUGH SAFE INJECTIONS

SEC. 583. (a) In carrying out immunization programs and other programs for the prevention, treatment, and control of infectious diseases, including tuberculosis, HIV and AIDS, polio, and malaria, the Administrator of the United States Agency for International Development, in coordination with the Centers for Disease Control and Prevention, the National Institutes of Health, national and local governments, and other organizations, such as the World Health Organization and the United Nations Children's

Fund, shall develop and implement effective strategies to improve injection safety, including eliminating unnecessary injections, promoting the availability and use of single-use auto-disable needles and syringes and other safe injection technologies, strengthening the procedures for proper needle and syringe disposal, and improving the education and information provided to the public and to health professionals.

(b) Not later than March 31, 2002, the Administrator of the United States Agency for International Development shall transmit to the Congress a report on the implementation of subsection (a).

EL SALVADOR RECONSTRUCTION

SEC. 584. During fiscal year 2002, not less than $100,000,000 shall be made available for rehabilitation and reconstruction assistance for El Salvador: *Provided,* That such funds shall be derived as follows: (1) from funds appropriated by this Act, not less than $65,000,000, of which not less than $25,000,000 shall be from funds appropriated under the heading ''Economic Support Fund'', not to exceed $25,000,000 shall be from funds appropriated under the heading ''International Disaster Assistance'', and not to exceed a total of $15,000,000 shall be from funds appropriated under the headings ''Child Survival and Health Programs Fund'' and ''Development Assistance''; and (2) from funds appropriated under such headings for foreign operations, export financing, and related programs for fiscal year 1999 and prior years, not less than $35,000,000: *Provided further,* That none of the funds made available under this section may be obligated for nonproject assistance: *Provided further,* That prior to any obligation of funds made available under this section, the Administrator of the United States Agency for International Development (USAID) shall provide the Committees on Appropriations with a detailed report containing the amount of the proposed obligation and a description of the programs and projects, on a sector-by-sector basis, to be funded with such amount: *Provided further,* That of the funds made available under this heading, up to $2,500,000 may be used for administrative expenses, including auditing costs, of USAID.

AMENDMENT NO. 11 OFFERED BY MR. CONYERS

Mr. CONYERS. Mr. Chairman, I offer amendment No. 11.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. CONYERS:

Page 112, after line 22, insert the following:

PROHIBITION ON AERIAL SPRAYING EFFORTS TO ERADICATE ILLICIT CROPS IN COLOMBIA

SEC. ____. None of the funds made available in this Act under the heading ''DEPARTMENT OF STATE–INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT'' or ''DEPARTMENT OF STATE–ANDEAN COUNTERDRUG INITIATIVE'' may be used for aerial spraying efforts to eradicate illicit crops in Colombia.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 10 minutes.

Does the gentleman from Arizona (Mr. KOLBE) wish to control the time in opposition?

Mr. KOLBE. Mr. Chairman, I seek to control the time in opposition.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. CONYERS) for 10 minutes.

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

My colleagues, this amendment is exceedingly uncomplicated. It calls for the prohibition of aerial spraying efforts in Colombia in an attempt to eradicate illicit crops. We are offering this amendment because this program and this part of our Plan Colombia Andean Initiative has been spectacularly unsuccessful.

We have a number of photographs that I just want to bring to my colleagues' attention. The picture of the baby was taken by an American photographer, Angeline Rudd, was taken on a delegation that she went on to Colombia in March of this year. The little child was caught under the aerial spray and the rash is a result of the exposure to the herbicide. The photos of cows grazing in a typical pasture in Putumayo were taken January 2001 by Paul Dix, professional photographer from this country. And the next picture, several days later, shows a cow, a dead cow that had grazed on a pasture that had been sprayed with our defoliant of choice, Roundup.

This cow and others had failed to notice a warning Monsanto had issued against grazing livestock within 30 days in fields that have been sprayed with Roundup, the chemical used in aerial fumigation.

Now, here is the problem. I pose no preference of how we take care of the eradication of drugs, coca crops; but the problem, if we destroy farmer's crops before we have gotten to the agricultural alternative, guess what happens to the farmers? Okay, this is not complicated, my colleagues. No military background required or not much agricultural background either. All we do is watch and see what happens as a result.

As results-oriented people, we cannot be destroying poor farmers' crops, who then either have to, one, go further into the rain forest, clearing virgin forest for more coca crops, which destabilizes the ecosystem; or they join the 2 million or more internal refugees in Colombia, who usually end up in the cities; or they join the largest employers in the region, the right-wing paramilitary or the left-wing guerrillas, if they do not get killed in a war between both of them, who are trying to control more land. Not a pleasant picture.

And so supply-side eradication has a lot in common with its namesake, supply-side economics.

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

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

Mr. KUCINICH. Mr. Chairman, I want to thank the gentleman from Michigan for calling this to the attention of the House and to agree with him in saying that aerial fumigation is not going to solve Latin America's poverty problem, it sure is not going to deal with the drug addiction problems here at home; but what it is accomplishing is it is ruining farmers' land, it is damaging the health of farming families, and it is damaging their livestock.

Surely the work that is being suggested by many leaders, which is basically a manual inspection of crops, is preferable to an aerial fumigation that wreaks havoc on land and human health. So I want to thank the gentleman for his attention to this and indicate my support for those efforts.

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

Mr. KOLBE. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I thank the gentleman for yielding me this time, and I believe the gentleman from Michigan has raised a very important point for us to ponder. Unfortunately, we kind of find ourselves as a body in a ''darned if you do and darned if you don't situation.'' Because there are areas that have been reported to us that the best way to get to them is through aerial fumigation, and I think the gentleman knows that.

But it is certainly not the intent of our Congress to hurt children, hurt livestock, hurt crops and do inadvertent harm to the population of these countries. I am not sure what the solution is, but I do want to say there is a reason that we are doing this aerial fumigation, as the learned gentleman knows. And I want to say that as a member of the committee, and I am with the chairman on this, we want to work with the gentleman on this in any way we can, and I appreciate the gentleman bringing it up.

□ 2000

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

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

Mr. CONYERS. Mr. Chairman, has the gentleman ever heard of manual destruction of the crops as a process?

Mr. KINGSTON. Reclaiming my time, yes. Unfortunately, some of the reports say in a high, mountainous remote area, the best way to get to them is from the air because of the resistance.

I do agree that manual destruction is superior. One thing the gentleman has not mentioned is the pollution to the water that comes downstream when these agents are applied. We do need to continue to work this thing through, and figure out the best way to destroy the crops.

Mr. CONYERS. Mr. Chairman, I yield as much time as she may consume to the gentlewoman from Illinois (Ms. Schakowsky).

Ms. SCHAKOWSKY. Mr. Chairman, in February I had an opportunity to go

to Colombia along with the gentleman from Massachusetts (Mr. MCGOVERN), and we met with all 12 mayors from Putumayo; and they had one message, please stop the fumigation.

The next day we went along with Ambassador Anne Patterson to Putumayo, and we met with impoverished farmers whose legal crops had been destroyed by U.S. fumigation planes. We heard from Colombians whose children suffered from severe rashes after being sprayed.

Mr. Chairman, after the birth of my granddaughter yesterday, I am particularly sensitive to the picture of the baby shown by the gentleman from Michigan (Mr. CONYERS), and the problems caused to children. I saw some of those children.

It was reported to us that local drinking water sources were contaminated from fumigation, as were fish farms. This testimony was news to Ambassador Patterson, who agreed that more research on the human health effects of the fumigation is needed.

So many of those suffering under our policy are the poor, working families not involved in the coca trade. Those who admitted to us that they grew coca also had compelling arguments for a different strategy to eradicate the crop. They informed us that their plots were sprayed, and they would simply move into the jungle, damaging more fragile habitat, and still producing the product. Others said they would continue to grow coca because Colombian and U.S. government promises to provide alternative development and support and food aid yielded no results.

All of the democratically elected mayors from the southern region came to Washington, and they said, Let us use manual eradication, as we have done in Peru in order to successfully get rid of coca. They want to get rid of coca, too, but they want support for economic development and alternatives without the coca.

The gentleman from Michigan (Mr. CONYERS) mentioned Monsanto's Roundup. On the label it says when used in the United States, ''It is a violation of Federal law to use this product in any manner inconsistent with its labeling. Do not apply the product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.''

Entire communities have been sprayed in Colombia. We see livestock, we see crops, we see water, we see children being sprayed. It is time for us to end this policy.

Mr. Chairman, even one of the companies that benefits from Roundup, ICI, a British chemical company, announced 2 weeks ago it would no longer supply one of the ingredients to the chemical herbicide because, ''it did not wish to be responsible for damage to humans, animals or the ecology of southern Colombia.'' If it is good enough for this company that wants to profit, it ought to be good enough for this Congress to say no more fumigation.

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

Mr. KOLBE. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. GILMAN), the distinguished former chairman of the Committee on International Relations.

Mr. GILMAN. Mr. Chairman, the use of eradication aerial spraying in Colombia, while controversial, when put into overall perspective is not as alarming as many would have us believe. While I admire the objective of the gentleman who presented the amendment, the gentleman from Michigan (Mr. CONYERS), all of the coca eradication spraying sponsored by U.S. policy in Colombia combined uses less than 10 percent of the Roundup herbicide used overall each year in that same nation for their legitimate farming and other usual eradication uses. That same herbicide, Roundup, long licensed since 1993 by our own EPA for use here in our own Nation, is used safely as well in many other areas of legitimate agricultural production in Colombia. In fact, the drug producers themselves often use this same herbicide to keep weeds down around the illicit coca bush to be eradicated by our spray planes.

The real environmental damage is done by the drug producers who slash and burn the Amazon jungle to plant coca and opium, and then pour tons of chemicals into the rivers from their illicit laboratories.

Mr. Chairman, there is no other alternative but to help Colombia. We must work with them to improve their military's human rights records, which concerns all of us. And as to the manual eradication idea in Colombia, the narcoterrorists will not let that happen. Just last year, for example, when record levels of both opium and coca were aerially eradicated by the anti-drug police, there was not one allegation of human rights abuse against the anti-drug unit, as I pointed out earlier today. It is a record we and they can be justly very proud of, especially in the middle of a raging civil war, a war that is often financed by the illicit drug monies.

Mr. Chairman, I urge the defeat of this amendment. It is a misguided proposal to end aerial eradication of coca growth.

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

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

Mr. CONYERS. Mr. Chairman, has the gentleman from New York heard of Agent Orange in Vietnam and the aftereffects?

Mr. GILMAN. Yes, I am familiar with that, but Agent Orange is not the kind of spraying that they are using here. They are using Roundup that the farmers themselves use for their weeds. The farmers in Colombia use this Roundup themselves. We use it.

Mr. CONYERS. The gentleman from New York will endorse this brand, Roundup?

Mr. GILMAN. Well, apparently it is being used in our own country as well. The EPA has approved it.

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

We have already stood and debated the record of implementation of Plan Colombia. One thing which is crystal clear is that programs designed to provide benefits of alternative development simply have not materialized.

Assistance is currently being delivered in only two of the 29 communities that have signed pacts to voluntarily eradicate coca. There are wide-ranging views about the effectiveness of aerial spraying, but no one disputes the fact that you cannot expect farmers to stop growing coca if there is no capacity to help them grow something else.

We have heard a lot of promises for improvement from the administration, but the fact is that we have been promising acceleration of the program since March, and we have seen very little progress in terms of additional communities actually receiving assistance.

Another basic concern is that there are no plans to set up alternative development programs in other regions of Colombia where they are spraying crops. In western portions of Colombia, for example, where many Afro-Colombians reside, spraying has occurred, and there are no alternative development programs and no plans to set them up.

This amendment simply says, let us take a time out to rethink our policy. Getting poor farmers to voluntarily and manually eradicate coca is the ultimate goal of the program. Should not we have programs in place that demonstrate the rewards of such courageous actions before we spray on such a wide scale?

In the rush to provide military assets and push into southern Colombia, we left out a critical part of the plan. The only thing we succeeded in was generating overwhelming public opposition and distrust in the regions being sprayed. Is that the path to a long-term solution? Will that muster the support of the local populations and governments?

This amendment would halt spraying in Colombia and would give planned alternative development programs time to mature and demonstrate success. If this were allowed to occur, it would speed eradication of coca and bring us closer to the ultimate goals of Plan Colombia which we all share.

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

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

Mr. CONYERS. Mr. Chairman, I yield myself as much time as I may consume to insert into the RECORD a letter from a senator of the Colombian legislature, Rafael Orduz, who makes the case to the Congress to consider this problem that is being discussed and hopes that we can learn as much about it and the harms that are coming from it as we can so that we may be able to work together to make the Andean Initiative as successful as it possibly can be made.

Mr. Chairman, I think this is a good time for me to indicate that under consultation with the ranking members of both sides, I am going to soon ask unanimous consent to withdraw this amendment. I think the discussion has been important and I hope it will be useful for all parties.

BOGOTA, COLOMBIA,
July 23, 2001.

Congress of the United States of America

DEAR CONGRESSMEN: You are debating the budget that would finance anti-narcotics strategy in the framework of Plan Colombia for fiscal year 2001–2002. As a Colombian Senator it is my duty to express the concern of millions of Colombians regarding the continuation of chemical fumigations (using Round-Up) to eradicate illegal crops in Colombia. Three arguments for suspending fumigation should be considered: 1. The strategy is not productive. Since 1992, the year in which the use of Round-Up for fumigations in Colombia was adopted, the total area has expanded by 400 percent (40,000 hectares in 1992, 160,000 hectares in 2001). You should consider the cost-benefit relationship on behalf of your electorate. American taxpayers are financing an inefficient strategy.

2. Evidence exists of environmental damage from the application of the aerial fumigation. Legal crops meant to feed families are frequently fumigated and water sources are contaminated. The physical impossibility of acting with precision has led to the fumigation of agricultural projects financed with international technical cooperation. There are serious doubts regarding the effects of additives that are being used along with RoundUp (like Cosmoflux). I believe that given the uncertainty regarding environmental effects, in a society like that of the United Sated great caution would be exercised in deciding to fumigate without having in hand studies of environmental impact.

3. The fumigations have generated the forced displacement of thousands of families toward the large cities, on the one hand, and toward areas of the Amazon where the cultivation of illegal crops is expanding due to the absence of alternative agricultural development policies. In a context of armed conflict and forced displacement in which the State must seek a monopoly on the use of force [by] combating groups outside the law, the fumigations are an attack on the civilian populations, especially indigenous, Afro-Colombian and humbles peasant communities.

There exists in some sections of the Congress [of Colombia], for the reasons noted, the objective of reforming the anti-narcotics legislation. On the one hand, to de-criminalize the small producer with the objective of involving him in plans for alternative development and manual eradication of illegal crops, and on the other, to suspend the fumigations.

The Governors of the south of Colombia, elected by popular vote, have serious proposals for regional alternative development and reject the fumigations.

With other senators we have encouraged a public debate in Bogota for next July 31 on the inappropriateness of the fumigations.

Your collaboration is very important. The tragic business of narco-trafficking involves demand and supply. You must examine the hypothesis that each dollar invested in prevention and treatment of addictions is more cost-effective. It is very importance to attack the financial aspects of the business on the supply side, while manual eradication accompanied by plans for alternative development will be more efficient for combating narco-trafficking.

Cordially,

RAFAEL ORDUZ, *Senator.*

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

Mr. KOLBE. Mr. Chairman, I yield 4 minutes to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, first I would like to thank the distinguished gentleman from Michigan (Mr. CONYERS) for his willingness to work together.

This is a tough issue. Nobody wants to have children or families damaged by any type of chemical eradication or any other sort of method of destroying drugs. It is important that we understand that this is not Agent Orange. This herbicide, the only one that is used in aerial eradication, actually our government uses less than 10 percent of what is used in Colombia. The remaining 90 percent is predominantly used to spray coffee and also for other agricultural products such as soybeans. It is used for weed control in plantations of fruit trees and bananas. It is also used in areas for sugar cane.

We do not not drink Colombian coffee, not use the fruit nor the soybeans nor the sugar cane from Colombia because it has been sprayed with these items, nor do the people in Colombia. Furthermore, the narco-people themselves use the same chemical to get rid of the weeds inside the poppy and the coca.

We need to look at the best way possible to use this, but it is not that the herbicide is dangerous. Yes, lawsuits can back off companies from offering it, and say that there are potential problems in any chemical. But 90 percent of this is used in Colombia for food products and it is also used by the heroin coca growers themselves.

There were also some comments made about alternative developments not being in many parts of Colombia. Alternative development is a very difficult issue. For example, in Bolivia where they do the hand eradication. Mr. Chairman, I have been down in Colombia at least five or six times and down in Peru multiple times and in Bolivia about four or five times. What we see in alternative development and in their eradication, they were able to do the hand eradication which is very expensive, but they were not getting shot at like in Colombia.

If you had agricultural extension agents in America who had to carry an Uzi, we probably would not have as many people willing to be an agricultural extension agent. We have to get some semblance of law and order.

It would be better if we can do hand eradication. It would be more expensive for us, more expensive for the Colombians, but first we have to have some sense of order on the ground or the people trying to do that manual eradication will be killed. They will be massacred.

□ 2015

We have to look for ways to do this.

Furthermore, I have met with different people representing all the regions of Colombia and in Peru and have seen projects, particularly in Bolivia and Peru, where alternative development is starting to work. This year's bill has $482 million for social, legal and alternative development projects. We have some in Plan Colombia.

The funny thing about last year's bill is it takes a while to build a helicopter. The helicopters are just getting there. The aid is just getting there to Colombia. If we can get the order, hopefully the alternative development and the social development can continue, and then we can look at other ways to deal with eradication if we can get a little bit of order.

One last story that I want to share, because it was a very unusual moment for me and several other Members. While we were waiting for Speaker HASTERT to come together with the rest of our delegation, we met a young man who had been with the FARC, and he had been collecting the dues from the agricultural growers. We asked him, just offhand, if he had ever killed anybody.

He said, ''Yes.''

We said, ''Why?''

He said, ''Because the man was late in his payment.''

We said, ''How did you kill him?''

He said, ''I warned him twice. The man was late on his bill.''

We said, ''But how would you do something like that?''

He said, ''Well, I tried to collect it twice. Then he and his son were eating in town, and I went up behind him with a gun and shot him in the back of the head. But he deserved to die. He hadn't paid his money to us.''

That is the type of battle that we are in in Colombia because of our drug habits in America. We need to work on drug treatment, prevention, but we also need to help these people whose country is being overrun. We need to do it in a way that is safe for children and families. Hopefully, we can work together to do that.

Mr. KOLBE. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Wisconsin (Mr. OBEY), hoping that he will reserve a little

time for me so I can respond to the gentleman from Michigan.

Mr. OBEY. Mr. Chairman, I appreciate it very much. I will only take 1 minute.

I want to illustrate something. What is this? That is the sound of one hand clapping. The only point the gentleman from Michigan is trying to make is that eradicating coca without giving farmers something else to do is not very effective. It produces the same results as one hand clapping.

All he is trying to suggest, I believe, is that if you want to continue the spraying, at least deliver the aid that we said would be delivered in a simultaneous fashion. Because if you do not you guarantee the failure of the program.

I thank the gentleman for yielding.

Mr. KOLBE. Reclaiming my time, Mr. Chairman, I think most of the points that need to be made about the eradication, the fumigation, the spraying program in Colombia have been made. There is only one that I would like to make before responding directly to the question or the comments that were made by the gentleman from Michigan, and that is that we have seen over and over again that unless we have this, I do not like to use the word hammer, but unless we have this leverage of this fumigation program, we have found that farmers do not sign up for the alternative development programs.

I was down there. Time and again we found this to be the case. Once you were serious and showed that you were ready, prepared to fumigate, then the farmers were ready to sign up for the alternative economic development. Without that, you really do not have much leverage to get them involved in the program. I think there is a good reason why we really need to have the fumigation program.

Having said that, let me just say to the gentleman from Michigan that I am as concerned as he is about the alternative economic assistance programs down there. When we were there in the Putumayo region in Puerto Asis, we heard over and over again from farmers that the fumigation is going on and they are not getting the kind of economic assistance that had been promised to them.

The message that we left with our USAID people down there and that we have conveyed to them since we have been back here is that those programs must go apace, they must go along with this. You cannot have the fumigation, you cannot have the spraying if you do not give people some alternative of something they can do. In response to the fumigation, as an alternative for it, they need to have some kind of economic livelihood that they can pursue in these regions.

So I would say to the gentleman that I quite agree with him, that it is absolutely imperative, absolutely important that the money that we have set aside, which is substantial in this bill, half of the money is set aside for alternative economic development in this region, that that money be set aside and that they use that money, they contract with the contractors they have available down there, they get this money into the region and that we do the alternative economic assistance. It is absolutely imperative that we do that. Without that, our credibility is nil. We may have sprayed the area, but we have not given the people any basis on which they can rebuild an economic life for themselves. I quite agree with the gentleman.

Mr. CARDIN. Mr. Chairman, I rise today to offer a bipartisan amendment, on behalf of three members of the Helsinki Commission, which expresses the sense of Congress that all governments should cooperate fully and unreservedly with the International Criminal Tribunal for the Former Yugoslavia.

My amendment congratulates the governments of Serbia, the Federal Republic of Yugoslavia, Croatia and Bosnia for their cooperation to date with the Tribunal. I particularly want to commend those authorities in Serbia and the Federal Republic of Yugoslavia that were responsible for the transfer of Slobodan Milosevic to the Hague.

My amendment also states that much work remains to be done in cooperation with the Tribunal. At least 30 persons who have been indicted by the Tribunal remain at large, especially in the Republika Srpska entity of Bosnia-Herzegovina, including but not limited to Radovan Karadzic and Ratko Mladic.

The amendment also calls on all governments, entities, and municipalities in the region to cooperate fully and unreservedly with the Tribunal, including, but not limited to:

(1) the immediate arrest, surrender, and transfer of all persons who have been indicted by the Tribunal but remain at large in the territory which they control; and

(2) full and direct access to Tribunal investigators to requested documents, archives, witnesses, mass grave sites, and any officials where necessary for the investigation and prosecution of crimes under the Tribunal's jurisdiction.

In our deliberation over the years, including here in the House of Representatives, we have repeatedly focused on war crimes, crimes against humanity and genocide in the former Yugoslavia, as well as the need to bring those responsible for these crimes to justice.

The presence of Slobodan Milosevic in The Hague is the most significant development in this ongoing effort. I want to congratulate the Prime Minister of Yugoslavia and local Serbian officials for their courageous leadership in making this possible. We have also recently seen steps taken by the governments of Croatia and Bosnia to turn over military indictees. These are all very positive developments. It is, however, not the end of the story. Trials still need to take place, and there are still at least 30 persons, perhaps more, who have been indicted by the international tribunal but remain at large, especially in the Republika Srpska entity of Bosnia-Herzegovina. These indictees need to be apprehended and transferred to the Hague. Just as importantly, access to archives and officials, particularly in Belgrade, still need to be granted so that the whole story can be told. We must be relentless in pursuing these objectives, for three basic reasons.

First, there must be justice for the sake of justice.

Debates in this House and in other capitals around the world too often focus on the prosecution of these crimes as a foreign policy tool while the criminal acts themselves become distant memories if not forgotten events. Let me give you just two examples.

In Croatia during the second half of November 1991—almost ten years ago—about 260 men were removed from the Vukovar hospital after the city's surrender, driven to the nearby Ovcara farm, beaten, executed and buried in a mass grave. These were real people, and this was an abomination. Six years ago this July, the UN safe haven of Srebrenica in Bosnia was over-run. Thousands were captured or tracked down, again real people who were executed in groups and buried in mass graves.

Anybody who argues for greater flexibility on cooperation with the Tribunal or that enough has been done to sideline the likes of Radovan Karadzic and Ratko Mladic and other indicated persons need to read the specifics of cases like these, and many others, and put themselves in the place of the victims before doing so.

Second, the truth will facilitate democracy.

I am convinced that those in Serbia who have advocated cooperation with the Tribunal, like their counterparts in Croatia and Bosnia, are not only doing a right and courageous thing for the victims of crimes being prosecuted by The Hague; they are also doing the right and patriotic thing for their own societies. These atrocities were the product not of history but primarily of a cruel and highly nationalistic leader named Milosevic and his murderous minions.

When collective guilt is wrongly assumed, therefore, it can be countered by cooperation with the Tribunal.

Third, these crimes could happen again.

I believe we all need to keep in mind that what has happened in the Balkans in the 1990s—in our time—is not unique to the Balkans or Africa, and it is wrong and chauvinistic to think otherwise. Sixty years ago, other societies found themselves wrapped up in hatred against others, leading to the Holocaust.

Can we not finally say, as we begin this new century, "Never Again"? None of us know with certainty the answer to that question. But we do know that by supporting the work of the International Criminal Tribunal for the former Yugoslavia the United States Congress has played an important role in protecting the national minorities around the world from such atrocities. Our voice was not silent—it was heard—and we have the right to demand "never again."

Let me also add that I am very pleased that earlier this month the Parliamentary Assembly of the Organization for Security and Cooperation in Europe adopted a resolution which calls on all member states to cooperate fully with the Tribunal. Recently I met with ICTY Chief Prosecutor Carla Del Ponte, and I am convinced that the U.S. Congress can play a vital

role in encouraging governments in the region to cooperate with the Tribunal. Indeed, U.S. leadership is seen by European governments.

CONDITIONALITY

In the Balkans, October 5, 2000 brought the overthrow of Slobodan Milosevic's illegitimate regime, and a new chance for Serbia and Yugoslavia to turn away from war and nationanlism and embrace reforms that would lead them into a European future.

The victorious Democratic Opposition of Serbia (DOS) coalition further consolidated its gains by decisively defeating Milosevic loyalists in December's parliamentary elections. But the struggle for Serbia's reformers continued within the broad DOS coalition, as sizable and powerful elements of the coalition remained reluctant to abandon nationalism and expansive territorial aspirations.

Tensions between reformers and nationalists within the new FRY and Serbian governments have been most evident over the issue of compliance with the International Criminal Tribunal for the former Yugoslavia (ICTY). FRY President Vojislav Kostunica and other nationalists have argued vehemently against complying with this international obligation, claiming the ICTY has an anti-Serb bias, while reformers within DOS have claimed that compliance is important if Serbia is to break with its dark past, establish the rule of law, and lay the groundwork for economic recovery.

U.S. aid conditionality forced a confrontation on this issue through a threatened March 31, 2001 cutoff of American support tied to compliance with the ICTY, a severing of FRY military assistance to Bosnia's Republika Srpska entity, and improvements in human rights. This conditionality emboldened reformers and sparked a serious debate within Serbia over the difficult decisions that could determine the country's fate. Aid conditionality assisted those within the government who supported the freeing of many, but not all, of the remaining illegally held Kosovo Albanian prisoners, the issuance of a pledge to cut off support to the Bosnian Serb army by May 31, and the transferring of two indictees to The Hague, and finally, the arrest of Slobodan Milosevic. Milosevic was only transferred to the Hague on the eve of a decision by the U.S. Government to participate in a regional Donor's Conference.

I strongly support the Administration's commitment to continuing to condition U.S. aid. In our view, cooperation means a comprehensive and predictable process with regard to requests from the Tribunal, whether that be by transferring any and all indictees on its territory or by consistently honoring requests for access to witnesses (official and non), documents, archives, and mass grave sites. For any judicial institution, ''cooperation'' must be a comprehensive and predictable process, whereby good faith is consistently demonstrated.

In closing, I urge members to do the right thing on behalf of the victims, and on behalf of future generations of individuals who are subject to persecution based on ethnicity and religion, and vote ''yes'' on this amendment.

Ms. SCHAKOWSKY. Mr. Chairman, I strongly support amendment offered by the Gentleman from New Jersey that would provide $30 million to protect and assist victims of trafficking and to help countries meet minimum standards for the elimination of such trafficking. This amendment and this money will demonstrate the United States' commitment to ending one of the worst human rights abuses.

It is estimated that 1,000,000 to 2,000,000 women are trafficked annually; half are between the ages of 5 and 15, and 50,000 of those women are transported into the United States. According to the United Nations, trafficking in women and girls is expected to surpass trafficking in drugs and guns as the world's leading illegal industry. Yet we spend billions to fight the illegal importation of drugs and almost nothing on these people who are regularly bought and sold for prostitution, illegal labor, bonded labor, servile marriage, sex tourism, pornography, and use in criminal activities. We take for granted that slavery is a terrible relic of the past, but for these millions of women, they live it every day.

Today, we have the opportunity to do something about this absolutely unacceptable practice. I urge my colleagues to join me in supporting funding to protect and assist victims of trafficking, and to help countries meet minimum standard for the elimination of such trafficking.

Mr. CONYERS. Mr. Chairman, I ask unanimous consent to withdraw this amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 34 OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 34 offered by Mr. SMITH of New Jersey:

Page 112, after line 22, insert the following:

FUNDING FOR TRAFFICKING VICTIMS PROTECTION ACT OF 2000

SEC. ____. (a) Of the amounts made available in this Act under the items ''DEVELOPMENT ASSISTANCE'', ''ECONOMIC SUPPORT FUND'', ''ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES'', ''ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION'', ''INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT'', and ''MIGRATION AND REFUGEE ASSISTANCE''—

(1) $10,000,000 shall be made available for prevention of trafficking in persons, as authorized by section 106 of the Trafficking Victims Protection Act of 2000 (division A of Public Law 106-386);

(2) $10,000,000 shall be made available for the protection and assistance for victims of trafficking of persons, as authorized by section 107(a) of such Act; and

(3) $10,000,000 shall be made available to assist foreign countries to meet minimum standards for the elimination of trafficking, as authorized by section 134 of the Foreign Assistance Act of 1961.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Arizona (Mr. KOLBE) each will control 15 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

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

Mr. Chairman, I am very pleased to offer this amendment along with my cosponsors, the gentlewoman from Maryland (Mrs. MORELLA), the gentlewoman from New York (Ms. SLAUGHTER), the gentleman from California (Mr. LANTOS) and the gentleman from Pennsylvania (Mr. PITTS), to bring this Foreign Operations appropriations bill up to the funding level authorized by the Victims of Trafficking and Violence Protection Act, Public Law 106–386.

As the prime sponsor of Public Law 106–386, I just want to say I am absolutely determined to fully fund each and every provision of this landmark legislation. If we are serious about ending this modern slavery and assisting abused women and children, it is the least we can do.

Last week, Mr. Chairman, under the leadership of the gentleman from Virginia (Mr. WOLF), the Commerce-Justice-State appropriations bill fully funded the law enforcement provisions of the Victims of Trafficking and Violence Protection Act, including $10 million for victims services programs for victims of trafficking; $10 million for grants to reduce violent crimes against women on campus; $40 million for legal assistance for victims of violence; $7.5 million for education and training to end violence and abuse of women with disabilities; and $15 million for the Safe Havens for Children pilot program.

Mr. Chairman, as most Members already know, the Victims of Trafficking and Violence Protection Act represents a comprehensive effort to address the growing problem of trafficking in human beings, particularly women and children, into forced prostitution and other forms of slavery. This brutal form of transnational crime is a growing problem around the world. The United States is regrettably a significant receiving country. Indeed, the Central Intelligence Agency estimates that nearly 50,000 people are trafficked into the United States each and every year. Victims who have escaped tell us about the horrible conditions that they were forced to endure.

Just parenthetically, we have had hearings in our subcommittee. We have heard from the victims themselves and heard their terrible stories and heard their plea to do something. They tell us about the unspeakable acts that they often were subjected to.

Our amendment, Mr. Chairman, will help to fulfill the promise of the Victims of Trafficking and Violence Protection Act by appropriating the following amounts.

First, section 106 of Public Law 106–386 called for $10 million for prevention, and that is what this amendment does, prevention of trafficking through

support for education and training programs so that potential victims will have the moral and material resources to resist the traffickers. This $10 million could include projects such as microcredit, which the United States already funds, so long as they are targeted at potential trafficking victims.

This amendment also provides $10 million for protection of trafficking victims who have been freed from their terrible bondage, fulfilling section 107 of Public Law 106–386. This money will help to pay for shelter care, rehabilitation and similar projects.

And section 108 of the law would be fully funded at $10 million for assistance to foreign governments who wish to reform their laws and practices to meet with the minimum standards established in section 108 for the elimination of trafficking set forth in the Act, again to help these countries punish the perpetrators and protect the victims of these awful crimes.

I encourage Members, if they have not, to look at the Victims of Trafficking and Violence Protection Act of 2000, the report that has just been issued by the State Department, with its tierage, tier 1, tier 2, and tier 3, where countries are named. Then there is a narrative about countries that are problems. Many of the countries are mentioned, but especially the tier 3 countries, those that really need to get their act together about what they might do in order to reform themselves.

Mr. Chairman, I want to make some observations about where this money will come from. This amendment does not mandate reductions in any particular program. It simply identifies six accounts out of which the State Department and AID is currently funding antitrafficking initiatives. I am told that the Department's unofficial estimate is that they currently spend between 13 and $15 million. It mandates that the total be increased to the levels authorized by the Trafficking Victims Protection Act. All told, these accounts include billions of dollars; and the Department and AID would need to find an additional $15 million to fully fulfill this legislation. This is not only doable, Mr. Chairman, it is a moral imperative.

Finally, Mr. Chairman, I would like to be very clear about the reasons for inclusion of the Migration and Refugee Account in this amendment. The refugee account is woefully underfunded. In real dollars we spend substantially less on refugee protection than we did 6 or 7 years ago. It also exists for a particular purpose, protection and assistance to refugees and other persons of similar concern.

The sponsors of this amendment have absolutely no intention that the State Department or AID should begin funding law enforcement assistance or development assistance projects out of the refugee account. However, certain antitrafficking initiatives such as grants to the International Organization for Migration for the purposes of reintegrating returned trafficking victims who have voluntarily returned to their home countries may legitimately be funded out of the Migration and Refugee Account.

My understanding is that the current amount of such funds is about $1.5 million, and the intention of this amendment is that antitrafficking expenditures from the account should remain in that range until new money is found in the Migration and Refugee Account, so as not to force further reductions in other urgent refugee protection projects.

Mr. Chairman, this bill, again which is a work in progress, currently provides $715 million for refugee protection. I would hope that we could up that amount of money. Of course, that is something that needs to be done in conference.

Let me just say, Mr. Chairman, that this amendment is bipartisan. I think it is needed. When we worked through the Victims of Trafficking and Violence Protection Act last year, we had many, many meetings with Members on both sides of the aisle and with our Senate counterparts working out these amounts. It is doable. It has good support from all of the NGOs that will provide these services. I ask for its support.

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

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

I rise in strong support of this amendment which would increase our capacity to address one of the most egregious violations of human rights around the world. The State Department's recent report on trafficking has confirmed the bleakness of the situation. Each year at least 700,000 people are trafficked across international borders. The vast majority of these are women and children, and most victims are forced into what can reasonably be labeled as modern day slavery.

□ 2030

They work in sweatshops and brothels. They live in squalid quarters, and they are stripped of their most basic human rights.

Trafficking is not someone else's problem, and it is not a problem affecting only the developing world or only countries with political and social instability. Between 45,000 and 50,000 people are trafficked to our own country each year, and some of our closest friends in the international community have the most severe problems with trafficking in the world.

We can attack this problem in many ways. One is through direct investment in ending the practice of trafficking, apprehending those responsible, providing support for trafficking victims and assisting our allies with tackling the problem within their own borders. Any effective strategy, however, will recognize that the problem runs deeper than this. Trafficking is a symptom of poverty and instability, it is a symptom of the devaluation of girls and women in society, and it is the symptom of hopelessness. We must treat the symptom, but we must not neglect the disease.

I urge my colleagues to support not only increased funding to fight trafficking, but also increased funding for all of our development priorities.

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

Mr. Chairman, as has been indicated by the gentleman from New Jersey and by the gentlewoman from New York, this amendment addresses some very serious concerns that this body has and that those of us in the United States have, the issues of trafficking in persons.

It is a problem that is generally dealt with through programs in the Department of Justice and in the State Department, and some of these programs are funded in this bill. But others, however, are not funded. They are funded through the Commerce, Justice, State and the Judiciary appropriations bill.

This amendment seeks to fully fund several authorization categories that are established in the Victims of Trafficking and Violence Protection Act of 2000. The problem is that those categories, which would become earmarks in our bill, do not coincide with any categories currently in use by the agencies. They are not used, as far as I can tell, but any Department or agency.

I am unable to obtain from the State Department any comprehensive listing of projects involving trafficking, either those now under way or those proposed for fiscal year 2002. The Agency for International Development cannot tell us what accounts it is using for what projects involving trafficking.

So, Mr. Chairman, I oppose this amendment in its present form on principle, as well as I think very practical grounds. I would point out that I think the amendment creates a bureaucratic imbroglio for us. The $30 million is divided into three categories that are taken from six appropriation accounts. It will take a year or more to match projects with categories. To the extent that the fiscal year 2002 budget includes less than $30 million, someone has to designate the funding source for whatever additional proposals that can be mobilized.

I think this amendment is seriously flawed, while the intent I would concur with 100 percent. For that reason, I have serious problems with the amendment in its present form.

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

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself 1 minute, just to make the point to my good friend and colleague, the distinguished chairman of the subcommittee, that the victims of Trafficking and Violence Protection Act of 2000 is a new law. It was signed in late October by the President. It was the result of almost 2 years of work and working with our Senate colleagues, and it lays out criteria for the establishment of these programs, for example, prevention of trafficking, some of those programs to keep children, especially girls, in elementary and secondary schools, and to educate those persons who have been victims of trafficking.

We just got, even though it was due on June 1, as prescribed, the Department was late, but it was late because I think they wanted to do an adequate job because this is a very, very important piece of information about trafficking, so they were about a month late, but it lays out all of the different countries, tier one, tier two and tier three.

This is a work in progress in terms of what will the programs look like. We lay out criteria, and we want and we will demand that AID and the State Department faithfully fulfill this.

Programs are in the process of being created. This is not like something that came off the shelf. So the money, I believe, will be well spent. We could spend much more in order to try to mitigate this trafficking problem, but this is at least a good start.

Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Chairman, I rise in support of the Smith-Morella-Slaughter-Lantos amendment to streamline the Nation's efforts to combat the practice of human trafficking, and I associate myself with the comments that were just made by the gentleman from New Jersey (Mr. SMITH) in response to the comments of the great chairman, the gentleman from Arizona (Mr. KOLBE). I also want to thank him for his leadership, too.

Between 1 and 4 million individuals are trafficked against their will every year in, and are forced to work in, a form of servitude. The International Organization for Migration estimates that trafficking in human beings is a $5 billion to $7 billion a year industry worldwide. In some countries, such as those in Southeast Asia, between 2 and 14 percent of the gross domestic product is attributed to the trafficking of women.

Traffickers use deception, coercion, or debt bondage to extract worker services from these women, which include forced prostitution, domestic work, servile marriage, begging, or criminal activities. Trafficking in women and girls, principally for prostitution or other sexual exploitation, but also for forced labor, is the largest sector of human trafficking, and it appears to be growing.

The states of the former Soviet Union and Southeast Asia are principal sources of trafficked women, but women are taken from many developing countries where their vulnerability is rooted in poverty and in many cases their low social status. Shockingly, approximately 50,000 women and girls are trafficked into the United States annually, and, in response, Congress passed the Trafficking Victim Protection Act last year, with the help of the gentleman from New Jersey (Mr. SMITH), and it was signed into law. This legislation authorized more than $30 million to prevent trafficking by educating at-risk people and giving them alternatives, aiding victims of trafficking and helping law enforcement address this problem effectively.

I believe that this amount, coordinated by the Trafficking Task Force, which the bill also established, is an appropriate level to minimize the practice of trafficking. My concern, however, is because this funding is spread out in so many different parts of the budget, that it will not be effectively coordinated and will not have the greatest possible impact on the problem. This amendment, which effectively earmarks $30 million for prevention, protection, and assistance to foreign countries, passed the House last year with 371 votes.

The huge increase in human trafficking is a product of globalization and the growing ease with which many things move across borders, ranging from information to capital to goods. The question over whether to adopt this amendment is really one of priorities. I believe that working to end trafficking in humans is a very high priority for the United States, and I urge the Members to support this amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, from 1861 to 1865, 500,000 American soldiers died in a war to end slavery. When the war ended, the 13th amendment was added to the Constitution to ban slavery forever from American soil. And yet it continues today.

Today's slaves are women and children, brought to America to work in brothels. They are here against their will, they are beaten into submission, they are trapped in a country they do not know and whose language they cannot speak. The Central Intelligence Agency tells us that 50,000 sex slaves are brought to America every year. Globally, the number is in the millions trafficked into prostitution.

Last year, Congress passed the Trafficking Victims Protection Act to do something about this continuation of slavery on American soil, and this law is being implemented as we speak. Now we need to make sure that the money is appropriated to implement this law. This amendment will give direction to the bureaucracy.

Mr. Chairman, I want to thank the gentleman from New Jersey (Mr. SMITH) for his leadership on this issue, and I call on my colleagues to pass this amendment so we can begin the process of eradicating slavery from American soil once and for all.

Mr. LANTOS. Mr. Chairman, this is a good amendment, and I hope the entire House adopts it. Trafficking is a huge problem, with some 3 million women and children being trafficked into sexual slavery and forced labor each year, with as many as 50,000 being trafficked into the United States each year. Last year, Congress addressed this problem by passing the landmark Trafficking Victims Protection Act of 2000, but that act only authorized funding through fiscal year 2002.

Now, we need to carry through with the commitments made in this Act. We need to fully fund the international programs related to these critical programs. I understand that in FY2000, more than $14 million dollars may have been spent to combat trafficking, and that there was some increase in these programs for FY2001. Fully funding last year's authorization of $30 million is a modest increase over last year in dollar terms, to reach out to tens of millions of potential victims, to help millions of actual victims, and to help prevent trafficking by increasing the capacity of foreign governments to address this growing crisis.

The U.S. must do its share on trafficking. But so do foreign governments. Last year, the Trafficking Victims Protection Act of 2001 provided that if countries did not meet certain minimum standards regarding trafficking in persons, U.S. non-humanitarian, non-trade foreign assistance would be cut off. In the Administration's first annual report on trafficking in persons, the State Department reported that 23 countries did not meet these standards, including many of our friends around the world. We have a duty to help those countries reach their minimum standards, as well as helping the million of victims around the world.

Some may call this amendment an earmark and argue against it. However, this amendment gives flexibility to the Administration by allowing the funding for trafficking to be drawn from a number of accounts. We do not intend, however, that funds be used for purposes other than those that were appropriated. For example, funds from the Migration and Refugee Account are to be used for reintegration and resettlement of trafficking victims into their home countries, as is being done today. In this connection, I note that I hope the Chairman and Ranking Member will make efforts to make further increases to the MRA account as the legislation moves forward.

Mr. Chairman, $30 million is not much money when you look at the magnitude of this problem, and we have given sufficient flexibility to allow the Administration to properly administer this provision. I ask that all members support the amendment.

Mrs. MALONEY of New York. Mr. Chairman, I join with my colleague from New Jersey in support of women and children around the world and rise in strong support of the Smith Amendment.

This amendment fulfills the promise for the Trafficking Victims Protection Act.

The exploitation of our world's women and children in trafficking is a tragic human rights offense.

Without the funds that this amendment provides, it is the victims of trafficking that will once again suffer.

Forced to work in slave labor conditions in factories, farms, and even brothels. Once these victims are freed from their prisons they are in desperate need of rehabilitation, health care, and shelter.

This amendment provides 10 million dollars in funds to pay for these services so that these women and children can return to having normal lives.

Traffickers often lure their victims with the promise of better jobs, increased opportunities, better lives. Instead of making this dream a reality, the victims are forced into a life of terror, violence, and fear.

This amendment provides 10 million dollars for education and training programs so that potential victims have the resources to resist the lies and schemes of traffickers. Prevention is a key component to combating this international human rights issue.

Mr. Speaker, this amendment is important to the fight against trafficking because not only does it provide funds to protect the victims, it also provides 10 million dollars in assistance to foreign governments who wish to change their laws and practices to meet with the minimum standards for the elimination of trafficking outlined in the Trafficking Victims Protection Act. We must work with our allies and friends to stop these predators from profiting from the victimization of women and children around the world.

Yes, there is much more we should do to prevent trafficking and punish the predators that profit from the exploitation of women and children.

This amendment is important because it provides continued support to trafficked victims. Making a significant difference in the lives of millions of women and children around the world.

Once again I commend my colleague for introducing this amendment. Let us continue to support the victims of trafficking, I urge a YES vote on the Smith Amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. SMITH).

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

Mr. SMITH of New Jersey. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey (Mr. SMITH) will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. BROWN OF OHIO

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. BROWN of Ohio:

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

SEC. ____. None of the funds made available in this Act may be used by the Export-Import Bank of the United States to guarantee, insure, extend credit, or participate in an extension of credit in connection with the export of any good or service by a company that is under investigation for trade dumping by the International Trade Commission, or is subject to an anti-dumping duty order issued by the Department of Commerce.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Ohio (Mr. BROWN) and a Member opposed each will control 5 minutes.

For what purpose does the gentleman from Arizona (Mr. KOLBE) arise?

Mr. KOLBE. Mr. Chairman, I seek the time in opposition to the amendment, and I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) reserves a point of order against the amendment.

The Chair recognizes the gentleman from Ohio (Mr. BROWN) for 5 minutes.

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

Mr. Chairman, on December 19, 2000, the Export-Import Bank approved an $18 million loan guarantee to modernize and improve production at Benxi Iron and Steel, China.

The Department of Commerce has found Benxi's dumping margin on hot rolled carbon steel products to be 67 percent. So if it costs $100 to make and sell steel in China, they are selling it in the U.S. for $59. The Ex-Im Bank was urged against making this loan by former Secretary of Commerce Minetta and a bipartisan congressional coalition, but the Export-Import Bank still offered the loan guarantee to the Chinese company. The bank's action will increase the production of more steel in a world market which already has an excess raw steel production capacity of 270 million metric tons excess.

The last few years have been disastrous for the steel industry. Bankruptcy at, for instance, Ohio CSC, Republic Technologies and LTV were not caused by a crisis in the economy, but in fact demand for steel has been at record levels in recent years.

These problems were caused primarily by unfairly traded imports that have led the Department of Commerce to approve a number of anti-dumping orders on a variety of steel products. The issue of dumping has also been acknowledged by the administration's actions regarding the 201 investigation on steel.

Yet while we enforce laws against dumping, the Ex-Im Bank actually offers assistance to foreign manufacturers that threaten our companies. The ITC is also investigating cases concerning a wide range of industries from crude oil to textiles to agriculture.

The U.S. Government should prevent foreign producers from sending their dumped, illegal products into this market. Organizations such as the Ex-Im Bank should refrain from providing financial support to foreign companies that break the rules.

The Ex-Im Bank should not rush to offer U.S. funds to a foreign company that is cheating the U.S. economy. These companies that achieve assistance from the Nation's programs should not undermine the livelihood and future of our workers.

Today I have the privilege to be joined by the chairman of the Committee on Financial Services Subcommittee on International Monetary Policy and Trade, the gentleman from Nebraska (Mr. BEREUTER).

I would ask the gentleman from Nebraska (Mr. BEREUTER), his bill, if I could engage in a colloquy, H.R. 2517, reauthorizes the Ex-Im Bank. Does this legislation identify the concerns of the steel industry and address the issue of trade dumping?

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

Mr. BROWN of Ohio. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Yes, it does, Mr. Chairman. Section 16 of H.R. 2507 requires the Export-Import Bank to reassess its adverse economic impact test as a result of the $18 million Ex-Im Bank loan guarantee to the Benxi Iron & Steel Company and specifically references this bank transaction.

Currently the Ex-Im Bank has economic impact procedures which consider the potential negative impact on the U.S. economy of goods manufactured by the purchasers of the U.S. exports. However, it does not adequately consider indirect impacts.

Mr. BROWN of Ohio. Mr. Chairman, reclaiming my time, to whom will the Export-Import Bank be responsible in offering its findings?

Mr. BEREUTER. Again, if the gentleman will yield further, within 1 year after the date of enactment, the Export-Import Bank will have to submit a report on this reassessment to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing and Urban Affairs of the Senate.

Mr. BROWN of Ohio. Mr. Chairman, reclaiming my time, can we expect this bill to be addressed in the near future?

Mr. BEREUTER. Mr. Chairman, if the gentleman will yield further, the

Export-Import Bank's authorization expires on September 30 of this year. The Subcommittee on International Monetary Policy and Trade and the Committee on Financial Services expect to mark up the bill and consider it on the floor before then.

Mr. BROWN of Ohio. Mr. Chairman, reclaiming my time, I would like to thank my colleague from Nebraska for offering his time. I join him in recognizing the importance that the U.S. cannot afford to promote the interests of companies that choose to break the rules on trade.

I especially appreciate the gentleman from Arizona (Chairman KOLBE) for giving us this time.

Mr. BEREUTER. Mr. Chairman, if the gentleman will yield further, if I may say, I commend the gentleman. It was a bad decision that needs to be reassessed. I appreciate his effort.

Mr. BROWN of Ohio. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Ohio (Mr. BROWN) is withdrawn.

There was no objection.

□ 2045

AMENDMENT NO. 23 OFFERED BY MR. KUCINICH

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 23 offered by Mr. KUCINICH: Page 112, after line 22, insert the following:

BAN ON EXPORT-IMPORT BANK ASSISTANCE FOR CERTAIN TRANSACTIONS RELATING TO FOSSIL FUELS

SEC. ____. None of the funds made available in this Act may be used for the provision by the Export-Import Bank of the United States of any kind of assistance for a limited recourse project or a long-term program involving oil and gas field development, a thermal powerplant, or a petrochemical plant or refinery.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Ohio (Mr. KUCINICH) and a Member opposed each will control 15 minutes.

Does the gentleman from Arizona (Mr. KOLBE) seek to control the time in opposition?

Mr. KOLBE. Mr. Chairman, I rise to seek the time in opposition.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. KUCINICH) for 15 minutes.

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

Mr. Chairman, throughout the world, people are celebrating the leadership of many nations in coming to an understanding yesterday that global climate change is something that indeed must be dealt with and that the protocols which were worked out years ago in Kyoto are something that many nations want to move ahead with in order to meet the challenge of global warming. And, like many of my colleagues, I believe that the United States should take a leading role in fighting global warming.

Our country, with only 4 percent of the world's population, contributes one-quarter of the world's carbon dioxide emissions.

The administration has acknowledged that global warming is indeed occurring and that carbon dioxide emissions are a culprit. However, the administration refuses to support the Kyoto Treaty. It reasons that since the protocol does not apply to developing countries, then it should not apply to the U.S.

I do not agree with that logic. It is not logical, because the administration is financing fossil fuel projects in developing countries that actually contribute to complicating and worsening global warming. Not only does the administration oppose the global warming agreement because it does not require that developing countries make the same reductions as industrialized nations, but the administration is funding global warming and pollution projects in those same developing countries.

Through the Export-Import Bank, the United States provides subsidies to U.S. companies to create coal-fired power plants, oil refineries, oil pipelines, diesel generators, and a host of other projects that pour millions of tons of carbon dioxide in the atmosphere. In the last few years, these projects were created in developing countries like Angola, Algeria, India, Tunisia, Turkmenistan, China, Venezuela, and Chad. Some of these projects include an $88 million oil project in Angola by Halliburton Energy; a $134 million oil pipeline in Algeria; an $81 million coal-fired power plant in India; and several diesel generator sets for $19 million in Bahrain.

Last year, the Export-Import Bank spent $2 billion on fossil fuel projects. This amount represents 28 percent of the bank's entire budget. This is not an appropriate use for a significant chunk of the budget and, historically, the Export-Import Bank has not devoted such sizable resources to fossil fuel projects. The bank's spending on global warming projects skyrocketed last year from only 3 percent in 1999.

Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, I really appreciate the gentleman's leadership in bringing this to the House's attention.

I just want to share with my colleagues why I think this is so important. Two weeks ago I was on the shores of the Arctic Ocean, the Arctic Wildlife Refuge where I was told that the ice under the Arctic has lost 50 percent of its depth due to global climate change; global warming, in the last several decades, 10 percent of the extent of the Arctic ice. I was told by the Denali rangers that the tree line on the tundra in the Denali National Park has moved north several miles just while they have been working there in the last decade and a half. The fact of the matter is, we are causing significant changes in the global climate system.

What have we received from the current administration in our ability to deal with this? Nothing. The leader of the Free World, the most technologically advanced society on Earth, the contributor of 25 percent of all of the carbon dioxide in the world, even though we have 4 percent of the population, and our administration, do we know what they offered us as leadership? Nothing in Bonn. As a result of that, we need, in Congress, to start showing some leadership on this subject. The gentleman from Ohio has brought an amendment that will, for one of the few times, one of the first times, ask us to consider one of our policy directives on how it contributes to global climate change.

Now, given the fact that global climate change is on us already, does it not make sense to have a better mix of funding, of financing of other energy programs, to have an increase in our research budget and financing for renewable energies for solar, for hydro, for wind, for geothermal and less for fossil-based fuels? That is the nature of this amendment.

I would suggest to my colleagues that in the next several years in this Chamber, because we are not getting leadership from the White House, it is up to us to do our job to scrub these budgets, to scrub our policy statements, and find a way to encourage the United States to be a leader in climate change.

Mr. Chairman, I appreciate the gentleman's efforts.

Mr. KOLBE. Mr. Chairman, I yield 4 minutes to the gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Chairman, I rise in opposition to the amendment, and I think the record probably should be set straight on what the Export-Import Bank does with respect to fossil fuel plants. They are the only export credit agency in the world that calculates and records the carbon dioxide emissions for fossil fuel power plants. Of the major export credit agencies, Ex-Im Bank is the only one that has World Bank-equivalent environmental standards which includes or covers all of the emissions out of a power plant.

Beginning in 1997, the Ex-Im Bank assumed a leadership role among international export credit agencies on environmental issues. Ex-Im Bank stands as the only major export credit agency of the G–7 willing to decline support for a foreign project whose environmental effects cannot be adequately mitigated.

Ex-Im Bank is recognized internationally for its progressive environmental policy. Ex-Im Bank spearheaded U.S. Government efforts at recent G–8 summits to encourage leaders of other nations to require that their export credit agencies adopt effective environmental guidelines. The Ex-Im Bank offers enhanced financial support with its environmental export credit insurance and under its loan guarantee and medium-term insurance programs. Since 1995, the Export-Import Bank has supported $3 billion for environmentally beneficial U.S. exports and environmentally beneficial projects.

In addition to proactively encouraging U.S. companies to export environmentally friendly goods, Export-Import Bank has environmental review procedures to ensure that the projects that it supports are environmentally responsible. The Export-Import Bank provides environmental guidelines for industries ranging from logging to mining to hydropower to oil and gas development. If a project does not meet all Ex-Im environmental measures, the bank will work with the exporter to implement mitigation efforts.

Projects proposed are evaluated on the basis of air quality, water use and quality, waste management, natural hazards, ecology, socioeconomic and sociocultural framework, and noise. In short, the Export-Import Bank's environmental guidelines add significant value to the projects it finances. Emissions of project pollutants and effluents have been reduced, and ecological effects of the Bank-supported projects have been mitigated extensively.

Mr. Chairman, this agency is doing its job; it is setting the standard for the world. Therefore, I think this amendment is not needed. I urge its opposition.

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

The Export-Import Bank does have the authority to fund clean, efficient, renewable energy technology in order to make such projects affordable to developing countries. The amendment, I would like to point out, does not reduce funding to the Export-Import Bank, nor does it prohibit certain companies from asking for the Bank's support. The purpose of this amendment is merely to ensure that if the United States is going to underwrite energy projects, we are not aggravating the global warming problem.

Now, I would like to ask, for the purposes of a colloquy, the gentleman from Nebraska (Mr. BEREUTER) to kindly engage here a moment.

I think what we have been able to do on our side is to try to identify what is, unfortunately, a contribution of global climate change, not that that is the intention of the Export-Import Bank. I would agree with the gentleman that the Export-Import Bank does try to make contributions to these developing countries that would improve the quality of life. But is there anything that we can do that the gentleman would suggest as we move towards another year of relationship with the Export-Import Bank in the House of Representatives, would the gentleman suggest anything that we might be able to do that might serve to implement in a more finer way the guidelines which the Export-Import Bank does have which could encourage it to fund clean, efficient, and renewable energy technology?

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

Mr. KUCINICH. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I appreciate the gentleman's question, and I would say this, and I would make this commitment as the subcommittee chairman during this Congress.

If we find that what the Export-Import Bank is doing is not giving proper assessment to fossil fuel power plants, then we could seek a legislative alternative, and we would examine the record on this in this respect. I would say as a way of trying to do that, this gentleman would certainly entertain as I think about it the possibility of a GAO study to see if, in fact, as an outside source, if the Export-Import Bank is exercising proper environmental procedures and review of fossil fuel plants.

Mr. KUCINICH. Mr. Chairman, reclaiming my time, I thank the gentleman, and I would appreciate the gentleman's assistance in making this kind of an inquiry, because I think it would be helpful in terms of a policy direction that would, in fact, go towards sustainability and clean and renewable energy, and, in some ways, be of help to the United States in our dilemma to be able to meet the requirements of Kyoto.

Ms. LEE. Mr. Chairman, I rise to strike the last word.

I stand today in strong support of the Kucinich-Lee amendment that seeks to limit the Export-Import Bank's support of fossil fuel projects.

Global warming is happening.

In response to the President's request, the National Academy of Science has completed its latest study on the subject.

They concluded: "Greenhouse gases are accumulating in earth's atmosphere as a result of human activities . . . . Temperatures are, in fact, rising."

Their report goes on to say that "national policy decisions made now and in the longer-term future will influence the extent of any damage suffered by vulnerable human populations and ecosystems later in this century."

The impact of these rising temperatures will be felt first and hardest in the developing world.

The Sahara is expanding. Pacific islands are disappearing beneath rising waters.

One of the criticisms of the Kyoto Protocol raised by President Bush and others is that the developing world is left out of the effort to reduce emissions.

At the same time, the Export-Import Bank is the largest public financier of fossil fuel projects, the leading culprit behind global warming.

We are bankrolling global climate change.

Instead, we should be investing at home and abroad in cleaner energy technologies.

Wind energy, for example, is a proven commercial success and a great candidate for further investment.

This last week the leading industrial nations of the world—except the United States—met at Bonn and agreed to take up the challenge of global climate change.

Because the U.S. has abandoned the Kyoto process, we did not have a seat at that table.

We must be leaders on climate change and we must begin by passing this amendment.

I urge you to support this amendment and to vote in favor of cleaner technologies and more consistent policies.

Mr. KNOLLENBERG. Mr. Chairman, I rise in strong opposition to this amendment.

What this amendment attempts to do is equate the valuable work of the Export-Import Bank with a fatally flawed provision of the Kyoto Protocol. This attempt is misleading at best, and at worst damaging to the developing world.

The production of energy is a fundamental element of economic development. The countries of the developing world need energy in order to raise the standard of living for their people and make progress in essential areas such as education and healthcare. Without energy, this progress is not possible. Unfortunately, this amendment would prohibit the Export-Import Bank from helping developing countries to address these important needs.

Mr. Chairman, fossil fuels remain essential to the production of energy and no amendment is going to change that reality. The fact of the matter is fossil fuels are the dominant source of energy in the world—and particularly in developing countries. According to the Energy Information Administration, in 1999, 85 percent of the world's energy production came from fossil fuels. If you exclude OECD countries, those which essentially exclude the industrialized world, that number increases to 92 percent. In essence, 92 percent of the energy produced in the developing world comes from fossil fuels.

Without fossil fuels, the majority of the world, and particularly the developing world, simply would not have energy. Without energy, mortality rates remain high, education remains low, and economic growth doesn't exist. Developing countries need energy and Ex-Im has an important role to play in meeting that need.

Unfortunately the sponsors of this amendment are misinformed. The Kyoto Protocol is fatally flawed because, among other reasons, it does not include rapidly industrializing nations like Mexico, Brazil, China, and India. These countries account for over 40 percent of the world's population. This has nothing to do with the Export-Import Bank.

Furthermore, the Kyoto Protocol is not based on sound science. The recently released National Academy of Sciences report on climate change has wrongly been characterized as proving the earth will continue to

warm and that human-induced greenhouse gases are a significant culprit. The reality is, it does no such thing. In fact it uses the words ''uncertain'' and ''uncertainty'' 43 times in a 28-page report. On the very first page it states ''current estimates of the magnitude of future warming should be regarded as tentative and subject to future adjustments, either upward or downward.''

When it comes to climate change, the only thing we know for sure is that there are too many gaps in our knowledge of global warming to commit to the Kyoto Protocol.

Mr. Chairman, this amendment is ill-advised and misleading. It would do nothing more than prevent the Export-Import Bank from helping to make progress in the developing world.

I urge all members of the House to oppose this amendment.

Mr. KUCINICH. Mr. Chairman, given the gentleman's gracious willingness to assist in this, I yield back the balance of my time, and I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The amendment of the gentleman from Ohio (Mr. KUCINICH) is withdrawn.

AMENDMENT NO. 55 OFFERED BY MR. OSE

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 55 offered by Mr. OSE:

Page 112, after line 22, insert the following:

PROHIBITION ON UNITED STATES CONTRIBUTION TO THE UNITED NATIONS INTERNATIONAL NARCOTICS CONTROL BOARD

SEC. ____. None of the funds appropriated by this Act may be used for a United States contribution to the United Nations International Narcotics Control Board.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. OSE) and a Member opposed each will control 10 minutes.

Does the gentleman from Arizona (Mr. KOLBE) seek to control the time in opposition?

Mr. KOLBE. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. OSE) for 10 minutes.

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

I rise today to draw attention to an action taken by the United Nations this past May. While most of us are aware that the United States was not reelected to the United Nations Human Rights Commission, little attention has been paid to the fact that we were also removed from the International Narcotics Control Board. In fact, despite assurances from our allies that they would support the reelection of our ambassador to the board, he received just 2153 votes. This was a direct slap in the face from our so-called allies and friends at the U.N., especially considering our long history on the board and in support of the U.N.'s drug interdiction efforts.

The United States has been a founding member of the International Narcotics Control Board and now no longer serves there. The ambassador, our ambassador, was serving as vice-chair of the board and was considered a likely candidate to serve as its next chairman.

In addition to our long history, the U.S. is the single largest contributor to the U.N. drug control program, contributing $20 million in year 2000, which is more than the next three largest contributors combined.

□ 2100

The United States also contributes another $20 million to international organizations for drug programs. This does not even count our efforts in Colombia, the Andean region, or Mexico. When we total all of our international drug program spending, the United States spends over $1.2 billion on international drug efforts, on top of the $19.2 billion we spend on domestic drug control efforts.

In another slap, just as we were replaced on the Human Rights Commission by nations with horrid human rights records such as the Sudan, Syria and Cuba, the U.S. was removed from the International Narcotics Board and replaced by the Netherlands and Peru.

Let us look at this decision a little closer. On the actual website of the Embassy of the Netherlands, which is WWW.Netherlands-embassy.org, they have a statement regarding their commitment to keeping drug laws. Keep in mind, this was a country elected to the International Narcotics Control Board in our stead.

This is their statement. I am quoting directly here:

''The sale of small quantities of soft drugs in coffee shops (which are not allowed to sell alcohol) is therefore technically an offense, but prosecution proceedings are only instituted if the operator or owner of the shop does not meet [certain] criteria.'' The gentleman is correct, and our thinking is correct. Their own government web page clearly states they are not going to enforce their own drug laws.

The other country that was elected to take our spot, or elected to the International Narcotics Control Board, that is, Peru, has top officials, including their president, a top general, and a top diplomat who are all facing charges of conspiring with the very drug lords they had promised the United States they would fight against.

It is clear that both the Netherlands and Peru are our friend and allies. However, in this case I cannot believe that either is more qualified to serve on a board aimed at controlling illegal international narcotics than our country, the United States.

My amendment demonstrates that we do not take the fight against drugs lightly. It compounds the message we have sent here all day. Nor will we be deterred from our rightful goal of destroying the illegal international drug cartels.

When an organization such as the Narcotics Control Board denies the contribution that America has made to this fight by virtue of refusing to elect them to the Board, they are rejecting the knowledge and resources that the U.S. brings to the battle, and it is frankly only right that we take our resources and focus them elsewhere.

The purpose of my amendment is very straightforward. In addition to the dues that we pay, which come under a different appropriations bill for the U.N., in addition to the dues that we pay, the United States makes many voluntary contributions to United Nations organizations. My amendment would prohibit such voluntary contributions from being made to the International Narcotics Control Board.

This is not a unique request. There are limitations throughout this bill of a similar nature. On page 7, line 19; page 17, line 8; page 25, line 14; page 30, line 19; page 31, line 2; page 32, line 8. I could go on.

That section of the bill dealing with international organizations on page 40, line 1, places limitations on discretionary or voluntary contributions to international organizations similar in nature to the International Narcotics Control Board.

Frankly, it is my hope that our allies will hear our message, see the light, and again elect an American representative to the International Narcotics Control Board. In the meantime, if they do not want our participation, they surely would not want our money.

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

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

Mr. Chairman, I rise a little bit in bewilderment about this amendment, and certainly not because I am against the spirit of it. The amendment, as the gentleman from California, my good friend, has pointed out, would prohibit the U.S. contribution to the United Nations International Narcotics Control Board.

Given what has happened to us there, I certainly do not think any of us would be opposed to that. After what happened last May when the United Nations Economic and Social Commission voted the United States off the U.N. International Narcotics Control Board, I think we would see good reason not to make any further contributions to it.

It is a deplorable event and one that I think has disappointed me, certainly as a representative of a border State

where we have significant drug problems. We suffer along the border from the drug war and the trafficking that comes through our area.

But, having said that, Mr. Chairman, the U.N. International Narcotics Control Board is not funded in the foreign operations bill. Let me say that again. There are no monies in this bill for the United Nations International Narcotics Control Board. It is funded as a line item in the United Nations regular budget, which is funded under the Commerce-Justice-State appropriation bill in the amount of approximately $700,000.

So it has no effect whatever. The amendment has no effect whatever on the U.N. International Narcotics Control Board. It is a little bit like saying or bringing this amendment up in the D.C. appropriations bill and saying, but it is not funded here, and saying, well, that is okay, but if it were funded, we just want to make the point.

If that is what the gentleman is trying to do, if only it were funded here, we just want to make the point that we do not like it, all right. But let me make it very clear that this amendment I will not resist for the very simple reason that it does not have any impact whatever on the bill, but I just think that all the Members need to know this is not going to in any way impact the contributions we make to the International Narcotics Control Board.

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

Mr. OSE. Mr. Chairman, I yield 4½ minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I thank the gentleman for yielding time to me. I support the amendment of the gentleman from California. I think it is a great amendment.

I am astonished and disgusted by the way our country has been treated by the other member countries of the United Nations. In 1964, the United States played a key role in establishing the U.N. International Narcotics Board. This board plays a crucial role in monitoring compliance with U.N. drug conventions on substance abuse and illegal trafficking.

This May we lost our seat. We were voted off the very board we helped to establish. We were voted off by the 54-member U.N. Economic and Social Council. Only 29 of these member countries thought the United States should maintain its rightful place on this important board. Instead, our former seat will be held by the Netherlands.

I have been told by those in the international community that this is just international politics as usual. I disagree. That is because anyone who reads the newspapers knows that Holland is to the drug Ecstacy what Colombia is to cocaine. Let us put our cards on the table. Eighty percent of the Ecstacy that makes its way to the United States is produced in the Netherlands, which is taking our place on the board that we created, or at least helped to create.

In fact, the United States government is considering adding Holland to the short list of decertified countries that are considered drug-producing or transit countries, joining the ranks of Afghanistan and Burma. These are the truths about Ecstacy. This summer, more than 750,000 Ecstacy tablets are being consumed each week in the New York-New Jersey area. The Star-Ledger in New Jersey just had a big article about it. The vast majority of these tablets come from, guess, Holland.

Newark International Airport, which borders my district in northern New Jersey, is the number one port of entry for this drug. Customs inspectors seize over 1 million Ecstacy pills and tablets smuggled into Newark International Airport. That is why it is personal to me as a parent and a grandparent from New Jersey. Those are our kids out there in clubs being introduced to this drug, and a country that is considered by our government to be the principal source of Ecstacy worldwide is not doing enough to stop it from coming to our shores.

Now this very same country sits on the international board that we helped create to put an end to illegal drug trafficking.

This is not a harmless drug. Long-term use causes severe brain damage. Even occasional use can result in heart rate and blood pressure problems as well as liver damage. The general perceptions of drugs coming out of this jungle or that mountain are washed away, our general perceptions. It is only what we know so far. God only knows what other studies will conclude in the years ahead about this recreational drug.

Holland, with its government's lax attitude towards illegal drugs, does little to stop the manufacture and the export of Ecstacy. That should not be a surprise, coming from the country that has needle parks and legal red light districts. Nevertheless, Holland will now sit on the International Narcotics Control Board in our former seat.

In this vote, the politics is personal. Please join me in supporting the amendment offered by the gentleman from California (Mr. OSE) to send a strong message to the U.N. and all of its member countries.

Mr. KOLBE. Mr. Chairman, I yield 2 minutes to the very distinguished gentleman from Georgia (Mr. KINGSTON), a member of the subcommittee.

Mr. KINGSTON. Mr. Chairman, I thank my beloved chairman for yielding this time to me in support of this amendment.

Mr. Chairman, I think that the gentleman from New Jersey has raised some very valid points about Ecstacy. I think that the gentleman from California has raised some very valid points about the U.N.

I think if we go back to last week we can see that on the Commerce-State-Justice bill the gentleman from Texas (Mr. PAUL), when he offered an amendment that said we do not wish to participate in the U.N. funding anymore, he got a lot of votes. I would love to say that at the U.N. people would have been watching the Paul amendment last week as many Members of Congress, and I think it was 50 to 60, voted to get out of the U.N. by not funding it anymore.

I say that I love the U.N., but the fact is that there is no adult supervision at the U.N. these days. They go off on their own tear, and bureaucrat A from country A talks to bureaucrat B from country B, and then they go to a committee and then they go to a subcommittee, and then they pass a resolution. Then they do an amendment, and then they add to their agenda. Then they go to lunch.

That is why the U.N. is not as effective as it should be. It is not as respected as it should be, because of silly and foolish actions. Can Members imagine in a room full of mature, responsible adults kicking the United States of America off an antidrug commission? Here we are, global leaders. Here we are, and we have been debating for 6 hours on our drug initiative in South America. We are all over the globe. It is our children that are at risk.

But to folks at the U.N., it is their children at risk, as well. The drug problem is all over the globe. That is why the United States is leading the international efforts. We are going to continue to do so with or without the U.N. It is just that it is the desire of this Member that there was somebody down there paying attention, somebody who says, ''Okay, guys, you have made your point. You hate America. But this issue is too important to play silly games on.''

That is why I support the Ose amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. OSE).

The amendment was agreed to.

AMENDMENT NO. 38 OFFERED BY MR. TRAFICANT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 38 offered by Mr. TRAFICANT:

Page 112, after line 22, insert the following:

PROHIBITION ON ASSISTANCE FOR THE RUSSIAN FEDERATION

SEC. ____. None of the funds made available in this Act may be used to provide assistance to the Russian Federation.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Ohio (Mr. TRAFICANT) and a Member opposed each will control 5 minutes.

Does the gentleman from Arizona (Mr. KOLBE) seek to control time in opposition?

Mr. KOLBE. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) will be recognized.

The Chair recognizes the gentleman from Ohio (Mr. TRAFICANT).

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

Mr. Chairman, this amendment would stop all money from going to Russia, who spies on us every day, had Robert Hansen and who knows how many more FBI agents on the payroll.

In my opinion, they are stabbing us in the back. I know that this amendment will not pass, but I just wanted to get my little 2 cents worth and warn the Congress that they had better take a good look at the nation that Ronald Reagan dismantled, because their intentions are anything but honorable.

Giving them money in my opinion is very stupid, and I think Congress should hire a proctologist to analyze the behavior of this.

Mr. LANTOS. Mr. Chairman, I rise in strong opposition to the amendment offered by Mr. TRAFICANT.

I believe that this ill-conceived amendment will cause irreparable damage to U.S.-Russian relations at time when we must intensify our engagement with Russian civil society. Cutting all aid to Russia, as the Traficant amendment requires, would undercut our efforts to strengthen the forces of democracy in Russia and would therefore undermine U.S. national security interests.

I am just as concerned as my colleagues about the Russian government's proliferation of weapons of mass destruction to Iran, its cozy relations with Iraq, and its mistreatment of American citizens who have been falsely accused of spying.

And I am equally concerned about the Russian leadership's recent crackdown on independent media outlets, its human rights violations in Chechnya, its failure to curb rampant corruption, and its lack of a transparent judicial system.

However, I strongly believe that the only way the United States can effectively address these issues is to stay engaged with Russian civil society. Make no mistake—promoting a democratic Russia is in our national security interests.

I believe that the appropriators did a commendable job in addressing the authoritarian actions of the Russian government without damaging the core programs which benefit the Russian people and advance our national security interests.

This bill already withholds U.S. assistance to the Russian government if its proliferation to Iran continues. I strongly support this provision. Rightfully, the bill does not put the same restriction on U.S. assistance to Russia grassroots civil society, including non-governmental organizations and independent media. The bill also specifically exempts assistance to combat infectious diseases; to promote child survival; to strengthen non-proliferation activities; to support progressive regional and municipal governments; to expand exchanges and partnerships; and to provide judicial training. These initiatives—critical to the development of Russian civil society—deserve our continued support.

Without a viable civil society, Russia cannot achieve true economic prosperity—nor will it cease to be a potential security threat to the United States. This is why earlier this year I introduced the Russia Democracy Act to enhance our democracy, good governance and anti-corruption efforts. Enhancing our effort with non-governmental organizations is the right path, not this misguided amendment. The bill under consideration is consistent with the Russia Democracy Act; the Traficant amendment clearly is not.

Millions of Russian citizens desire to become part of the West culturally, policitally, and in many other senses. These forces need to be strengthened. In the final analysis, a democratic Russia, respecting human rights and observing international norms of peaceful behavior, is squarely in U.S. national security interests. Ceasing all aid to Russia, as the Traficant amendment requires, would delay the realization of this vision for Russia. I strongly urge my colleagues to defeat the amendment.

Mr. TRAFICANT. Having given my 2 cents, Mr. Chairman, I ask unanimous consent that that amendment, which would not be passed by this Congress, be withdrawn.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT NO. 59 OFFERED BY MR. TRAFICANT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 59 offered by Mr. TRAFICANT:

At the appropriate place, insert:

SEC. . None of the funds made available by this Act may be used to award a contract to a person or entity whose bid or proposal reflects that the person or entity has violated the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Ohio (Mr. TRAFICANT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. TRAFICANT).

□ 2115

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

We have just gone through a period in our history where America's procurement by bureaucrats has become so convoluted that even the Pentagon bought black berets made in China. The excuse was they could not have made them in a timely fashion in America.

Our constituents that go to Quantico to visit the Marines are given complimentary gifts that are pocket calculators made in China. The Marines stamp on one side, made in China on the other.

This body is stupid, and as a Member of this body I can attest to that. Having said that, this amendment says that anyone who has a conviction of having violated the Buy American law is not entitled to any money under the bill.

I would hope it would be accepted without controversy.

Mr. Chairman, I yield to the gentleman from Arizona (Mr. KOLBE), the distinguished chairman, if he is in the affirmative.

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding me this time, and I would simply say that the amendment the gentleman described earlier was not in order. This amendment that he has refiled is simply a Buy America provision and does not refer to anything about people who are convicted.

So with that understanding, that the refiled amendment is the one that we are considering here, I have no intention of objecting to it.

Mr. TRAFICANT. Mr. Chairman, I yield back the balance of my time and ask for an ''aye'' vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments?

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 5 offered by the gentleman from Ohio (Mr. BROWN) and amendment No. 34 offered by the gentleman from New Jersey (Mr. SMITH).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 5 OFFERED BY MR. BROWN OF OHIO

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 5 offered by the gentleman from Ohio (Mr. BROWN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 268, noes 159, not voting 6, as follows:

[Roll No. 264]

AYES—268

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burton
Buyer
Calvert
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Chabot
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Duncan
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Flake
Foley
Ford
Fossella
Frank
Frost
Gallegly
Ganske
Gephardt
Gilchrest
Gillmor
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hefley
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kucinich
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McInnis
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Norwood
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Phelps
Pitts
Platts
Price (NC)
Rahall
Rangel
Rivers
Rodriguez
Roemer
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Scott
Sensenbrenner
Serrano
Sherman
Shimkus
Shows
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Wilson
Woolsey
Wu
Wynn

NOES—159

Aderholt
Akin
Armey
Baker
Ballenger
Barr
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Brady (TX)
Brown (SC)
Bryant
Burr
Callahan
Camp
Cannon
Cantor
Capito
Castle
Chambliss
Coble
Collins
Combest
Cooksey
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Tom
DeLay
DeMint
Diaz-Balart
Dreier
Dunn
Ehrlich
Emerson
Everett
Ferguson
Fletcher
Forbes
Frelinghuysen
Gekas
Gibbons
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hayes
Hayworth
Herger
Hobson
Houghton
Hutchinson
Hyde
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kennedy (MN)
King (NY)
Kingston
Knollenberg
Kolbe
LaFalce
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCrery
McHugh
McKeon
Mica
Miller (FL)
Miller, Gary
Myrick
Nethercutt
Ney
Northup
Nussle
Ose
Otter
Oxley
Pence
Peterson (PA)
Petri
Pickering
Pombo
Pomeroy
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roukema
Ryun (KS)
Schrock
Sessions
Shadegg
Shaw
Shays
Sherwood
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (TX)
Souder
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Traficant
Vitter
Walden
Walsh
Watts (OK)
Weller
Whitfield
Wicker
Wolf
Young (FL)

NOT VOTING—6

Hastings (WA)
Lipinski
Reyes
Scarborough
Spence
Young (AK)

□ 2142

Mr. GILMAN changed his vote from ''aye'' to ''no.''

Messrs. DOOLITTLE, JONES of North Carolina, GANSKE, CALVERT, ISSA, KERNS, and Mrs. BONO changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT 34 OFFERED BY MR. SMITH OF NEW JERSEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. SMITH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 427, noes 0, not voting 6, as follows:

[Roll No. 265]

AYES—427

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis

McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—6

Hastings (WA)
Lipinski
Radanovich
Scarborough
Spence
Young (AK)

□ 2150

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. If there are no further amendments, the Clerk will read the last two lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002''.

Mrs. MALONEY of New York. Mr. Chairman, last January, instead of celebrating one of the most important dates on the calendar for the people of India—the 51st anniversary of the Republic of India, we unfortunately mourned the death of hundreds of people who died in the tragic earthquake.

At that time, many of us stood on the House floor to offer our sincere condolences and deepest sympathies.

Today, we stand on the floor to offer disaster relief funding for India in order to cope with that earthquake.

The rebuilding of the state of Gujarat is an enormous challenge, with economic damage possibly topping $5 billion.

This amendment demonstrates our support for our friends in India and proves that we are here to help in their time of need.

US-India relations are warmer than they have been in years.

We have seen a dramatic increase in economic and family ties.

As the largest democracy in the world, India has shown a genuine commitment to improving its economic ties to the United States and the U.S. and India have formally committed to work together to build peace and security in South Asia, increase bilateral trade and investment, meet global environmental challenges, fight disease, and eradicate poverty.

This is an important time in US-India relations and this is an important amendment that deserves our support.

Mr. CROWLEY. Mr. Chairman, I rise today in support of this bill. I want to commend chairman KOLBE our ranking member, Congresswoman LOWEY for crafting a fair and comprehensive bill that addresses the needs of many nations throughout the world.

As conflict continues around the globe, from Northern Ireland to the Middle East, this bill has taken the appropriate steps to provide the tools for future prosperity and the potential for reconciliation.

As the cycle of violence continues in the Middle East, it is essential that we take the appropriate steps to facilitate an atmosphere of peace. The Middle East package in this appropriations bill takes important steps toward that end by including balanced funding for Israel and Egypt, as well as essential funding for Jordan and Lebanon.

Specifically, this bill provides economic funding in the amount of $720 million for Israel and $655 million for Egypt. Additionally, it provides $2.04 billion in military financing for Israel and $1.3 billion for Egypt. I would like to make a special note to commend Israel for voluntarily requesting a reduction in its economic assistance. It is my sincere hope that this funding will foster an atmosphere for reconciliation. I would also like to thank the committee for recognizing the work of the Galilee Society. The Galilee Society works with Israeli-Arabs and Israeli-Jews on projects that are in the mutual interest of both communities. From water purification to child immunizations, Galilee has looked beyond the religious and cultural differences that are often divisive in this part of the world for the betterment of the society as a whole.

Furthermore, the funding provided for the International Fund for Ireland in the amount of $25 million is a crucial element in facilitating an environment in Northern Ireland in which all sides can live together and prosper for the common good. With the peace process on tenuous ground, programs such as the International Fund for Ireland are essential for Irish youth from the North and from the Republic to work together to improve the future of their respective homelands. It gives me great pleasure to report that the committee has also recognized the International Women's Democracy Center for its contribution to the Northern Ireland Peace Process and other quests for peace throughout the world. I had the honor of hosting several women from Northern Ireland during their visit to Washington. I was impressed by the manner in which these women worked together irrespective of faith to achieve a common objective. It is my hope that the experience that these women had in Washington stays with them upon returning to Northern Ireland. The prospects for peace depend on it.

While it is not nearly enough to successfully battle the HIV/AIDS pandemic in African countries, Asia and elsewhere, I am pleased that the bill includes $434,000,000 for HIV/AIDS as part of the $1,387,000 for Child Survival and Health Programs Fund. It is $396,000,000 above the request for FY2001. I hope we can continue to do more to help this dire situation in so many developing countries.

I am also pleased that there is some sorely needed help for Heavily Indebted Poor Countries (HIPC). By directing that half of the $6 million being provided to the Treasury Department's Office of Technical Assistance, and the Treasury International Affairs Technical Assistance program, be provided to eight or more of the HIPC countries, Congress is helping these countries get out of their financial morass. While debt relief is a key to recovery for many of these countries, with these funds, Treasury could provide fiscal and monetary advisors to HIPC countries to help develop strong indigenous capabilities to manage financial matters more effectively.

Continued assistance to Armenia is critical to regional stability in the Caucasus. Armenia has been a participant in good standing to the Minsk Group process and is working constructively to help create an equitable solution to the conflict over Nagorno Karabakh. Until that occurs, and thereafter, Armenia needs our help. Its economy is struggling to survive embargoes on two of its borders and the government is taking key steps to combat corruption and move towards a democratic society and prosperous economy. The $82 million in funding will continue to help move Armenia towards those ultimate goals.

Though I am pleased overall with the funding levels included in this bills, I have many concerns regarding the Andean Initiative.

Despite the fact that this funding is a vast improvement over Plan Colombia, I believe that it fails to address the needs of countries, such as Ecuador, to effectively combat the spillover effect from the drug war in Colombia. Furthermore, this initiative continues to provide financial and military assistance to the Colombian military. With an abysmal human rights record, the Colombian military should receive no support from the United States.

It is my hope that these funding deficiencies will be addressed and rectified in conference.

I congratulate Mr. KOLBE and Mrs. LOWEY for their diligent work on this bill, and I urge my colleagues to support its passage.

Mrs. MALONEY of New York. Mr. Chairman, I rise in support of this bill. I thank Chairman KOLBE and Ranking Member LOWEY for succeeding in developing such a bipartisan bill.

I think that it addresses many of our global concerns and adequately funds many important programs.

But, there is one glaring omission that I think must be addressed.

The bill does nothing to remove the anti-democratic, anti-woman global gag rule from imposing its harsh standards on our poorest, and most vulnerable women and children around the world.

You've heard it so many times before—the gag rule isn't about abortion. It's about women dying, to the tune of 600,000 a year.

That is equal to one or two jumbo jets crashing every single day.

And, it's about saving women's lives.

The fact remains that since 1973, no U.S. federal funds have been or are used around the world for abortions.

During the time we are debating this bill, 65 women will die from pregnancy related complications.

They are dying because they don't have access to the most basic health care. Let me be clear, the global gag rule restricts foreign NGO's from using their own funds. In America, this language is unconstitutional. Around the world, it's unconscionable.

The gag rule is enough to make you gag.

It cripples foreign NGO's ability to practice democracy in their own countries. The United States has always been dedicated to exporting the very best of our country, from our ideas of freedom and democracy to products that help make life better. Unfortunately, the global gag rule exports one of the worst, if not the worst, of our country's internal politics.

Politics surrounding a policy that is unconstitutional in our own country and forcing it on the poorest women and nations of the world.

And with dire effects.

We can't afford to stifle the international debate on family planning by tying the hands of NGO's with an anti-woman gag rule.

The gag rule forces NGO's to choose between their democratic rights to organize and determine what is best in their own countries and desperately needed resources of U.S. family planning dollars.

We know that family planning reduces the need for abortions. We know that it saves lives. The gag rule reduces the effectiveness of family planning organizations and should be eliminated.

This is a good bill, but we can't forget that it does nothing to remove a very dangerous policy, the anti-women, anti-democratic global gag rule. I hope that in conference that this harmful language is removed once and for all.

The CHAIRMAN. No further amendments being in order, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ISAKSON) having assumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2506) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes, pursuant to House Resolution 199, he reported the bill, as amended pursuant to that rule, back to the House with sundry further amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 381, nays 46, not voting 6, as follows:

[Roll No. 266]

YEAS—381

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Harman
Hart
Hastings (FL)
Hayworth
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—46

Barr
Berry
Collins
Combest
Condit
Cubin
Cunningham
Duncan
Everett
Flake
Goode
Goodlatte
Hall (TX)
Hansen
Hayes
Hefley
Herger
Hilleary
Hostettler
Jenkins
Jones (NC)
Kaptur
Kerns
Lucas (OK)
McInnis
Otter
Paul
Petri
Phelps
Pombo
Rahall
Roemer
Rohrabacher
Royce
Ryun (KS)
Schaffer
Sensenbrenner
Stark
Stearns
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Toomey
Watkins (OK)
Weldon (FL)

NOT VOTING—6

Hastings (WA)
Johnson, Sam
Lipinski
Scarborough
Spence
Young (AK)

□ 2209

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2590, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

Mr. LINDER, from the Committee on Rules, submitted a privileged report

(Rept. No. 107–158) on the resolution (H. Res. 206) providing for consideration of the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the House Calendar and ordered to be printed.

WITHDRAWAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 21

Mr. GREEN of Wisconsin. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 21.

The SPEAKER pro tempore (Mr. ISAKSON). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, the Chair announces that he will postpone further proceedings today on the motion to suspend the rules if a recorded vote or the yeas and nays are ordered or if the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken tomorrow.

ILSA EXTENSION ACT OF 2001

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1954) to extend the authorities of the Iran and Libya Sanctions Act of 1996 until 2006, as amended.

The Clerk read as follows:

H.R. 1954

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''ILSA Extension Act of 2001''.

SEC. 2. IMPOSITION OF SANCTIONS WITH RESPECT TO LIBYA.

(a) IN GENERAL.—Section 5(b)(2) of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note; 110 Stat. 1543) is amended by striking ''$40,000,000'' each place it appears and inserting ''$20,000,000''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to investments made on or after June 13, 2001.

SEC. 3. REPORTS REQUIRED.

Section 10 of the Iran and Libya Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b) REPORT ON EFFECTIVENESS OF ACTIONS UNDER THIS ACT.—Not earlier than 24 months, and not later than 30 months, after the date of the enactment of the ILSA Extension Act of 2001, the President shall transmit to Congress a report that describes—

''(1) the extent to which actions relating to trade taken pursuant to this Act—

''(A) have been effective in achieving the objectives of section 3 and any other foreign policy or national security objectives of the United States with respect to Iran and Libya; and

''(B) have affected humanitarian interests in Iran and Libya, the country in which the sanctioned person is located, or in other countries; and

''(2) the impact of actions relating to trade taken pursuant to this Act on other national security, economic, and foreign policy interests of the United States, including relations with countries friendly to the United States, and on the United States economy.

The President may include in the report the President's recommendation on whether or not this Act should be terminated or modified.''.

SEC. 4. EXTENSION OF IRAN AND LIBYA SANCTIONS ACT OF 1996.

Section 13(b) of the Iran and Libya Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended by striking ''5 years'' and inserting ''10 years''.

SEC. 5. REVISED DEFINITION OF INVESTMENT.

Section 14(9) of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note; 110 Stat. 1549) is amended by adding at the end the following new sentence: ''For purposes of this paragraph, an amendment or other modification that is made, on or after June 13, 2001, to an agreement or contract shall be treated as the entry of an agreement or contract.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1954.

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

There was no objection.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1954, the ILSA Extension Act. The Iran-Libya Sanctions Act requires that the executive branch consider sanctions against foreign firms that invest in the energy sectors of Iran and Libya. Its aim is to deprive those countries of revenues that they can use to foment terrorism against our Nation and its allies and to develop weapons of mass destruction. The act, which was initially passed in 1996, which I was pleased to sponsor, will expire on August 5.

On May 9, the Subcommittee on the Middle East and South Asia held hearings on the bill in draft form. On May 23 I introduced a bill, the ILSA Extension Act, together with my colleague, the gentleman from California (Mr. BERMAN), that would renew the act for an additional 5 years. On June 13, the Committee on International Relations favorably reported H.R. 1954 by a record vote of 41 ayes and 3 noes. On July 13, the House Committee on Ways and Means unanimously adopted to adopt a 5-year renewal extension as well.

Bipartisan support for renewing ILSA is strong in the Congress. At the present time, we have 252 cosponsors in the House of Representatives, and in the Senate 74 Senators. Support for extension remains strong because Iran continues to threaten our national security by developing weapons of mass destruction and by supporting radical groups that support terrorism. Iran's supreme leader, Ayatollah Khamenei, calls Israel ''a cancerous tumor.''

As for Libya, although Libyans stand convicted of killing Americans, Britons and others by bringing down Pan Am Flight 103, the Libyan Government has failed to take responsibility for its actions in this matter as required by the U.N. Security Council and to pay compensation to the victims' families.

Thus, we remain firm in our opposition to both countries.

Moreover, there is ample evidence that ILSA has delayed exploitation of Iran and Libya's energy resources and made their development more difficult and more expensive. As a result of this act, few major energy companies want to jeopardize their ties to the huge U.S. market in exchange for the difficult investment conditions that now prevail in both Iran and Libya.

Finally, ILSA does not affect any American companies. It is aimed solely at foreign companies that take advantage of our executive-order ban on U.S. investment in Iran and in Libya.

To prevent Iran and Libya from doing further harm, I respectfully urge my colleagues to vote for H.R. 1954 to renew ILSA for an additional 5 years.

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

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1954.

Mr. Speaker, let me first pay tribute to my good friend, the gentleman from New York (Chairman GILMAN); the bipartisan leadership of the House of Representatives, the Republican Leader, the gentleman from Texas (Mr. ARMEY), and the Democratic Leader, the gentleman from Missouri (Mr. GEPHARDT); my good friend and colleague, the chairman of the Committee on International Relations, the gentleman from Illinois (Mr. HYDE); and over 250 colleagues who have seen fit to cosponsor this most important legislation.

□ 2215

The Iran-Libya Sanctions Act imposes sanctions on foreign companies that invest in either Iran or Libya's energy sector. It, therefore, limits those

two nation's oil profits, which each of those countries is using to bankroll weapons of mass destruction and terrorist activities.

Now, the initial reasons for applying sanctions on Iran and Libya are as compelling today, Mr. Speaker, as they were 5 years ago when this body saw fit to impose these sanctions on these 2 dictatorial, terrorism-supporting nations.

Iran continues to support terrorism. Iran continues to develop weapons of mass destruction, including nuclear weapons, and it is fanatically opposed to the peace process in the Middle East and to the very existence of the only democratic nation in the Middle East, our ally, the State of Israel.

Let me say a word regarding Iran's record of terrorism, Mr. Speaker. In its most recent annual edition entitled Patterns of Global Terrorism, our Department of State describes Iran, ''as the most active State sponsor of terrorism on the face of this planet.'' Even since ILSA, the Iran-Libya Sanctions Act, took effect, Iran has continued to assist terrorists in the murder of Americans. In announcing the indictments for the Khobar Towers tragedy, the 1996 bombing in Saudi Arabia that took the lives of 19 of our servicemen and servicewomen, Attorney General John Ashcroft said, ''Elements of the Iranian government inspired, supported, and supervised'' members of the Saudi Hezbollah, the group thought to be primarily responsible for the attack. The indictment makes clear Iran's deep involvement with the suspects themselves.

Iran also provides aid and training and resources to the most blood-thirsty terrorists in the world, Hamas, Palestinian's Islamic Jihad, Lebanon's Hezbollah, all of which share totalitarian goals. Iran's patronage of these Middle Eastern terrorist groups has been demonstrated repeatedly by scholars, by journalists, and by our own judiciary.

In 10 cases, Mr. Speaker, in recent years, U.S. courts have ruled in favor of U.S. citizens seeking damages from Iran as victims, or family members of victims, for Iran-backed terrorism. One of these cases involved a direct attack by a member of the Iranian Revolutionary Guards. The other nine involved attacks by Hezbollah, Hamas, and the Palestinian Islamic Jihad which were proven to our courts' satisfaction to be dependent on Iranian training, money, and arms.

Mr. Speaker, there is no sign of a letup. According to the highly respected military affairs correspondent, writing just a few days ago on July 17, ''Iran has transferred hundreds of tons of weapons, ammunition and other materials to Hezbollah through Syria in recent days.'' This highly respected journalist writes, ''Iranian assistance via Hezbollah to Palestinian terrorist organizations that attack Israel is increasing and Hezbollah in turn is training Palestinian terrorists in Hezbollah bases in Lebanon's Beka'a Valley.''

The list of murderous and terrorist actions carried out by Iranian-backed terrorists is endless. Sixty-three people killed, including 17 Americans, in the April, 1983 U.S. embassy bombing in Beirut. Mr. Speaker, 241 U.S. Marines killed in the barracks bombing in October 1983. I might mention parenthetically some of us visited with those Marines just days before they lost their lives because of Iranian-supported terrorism.

Mr. Speaker, 29 were killed in the 1992 bombing of the Israeli embassy in Buenos Aires. Sixty-six innocent men, women and children were killed in the 1994 bombing of the Jewish Community Center in Buenos Aires. I have not even begun to exhaust the most infamous incidents. What about all the kidnapping, torture, and murders that are the daily fare of these groups, the casual violence that barely makes the headlines. All of this, Mr. Speaker, has occurred with active support of the Islamic Republic of Iran.

This disgrace has been going on for more than 2 decades now. It is quite a tradition that Iran has established, and the very least we can do is answer. That is what ILSA, the Iran-Libya Sanctions Act, does. It is our response to murder, our attempt to dry up some of the monies that nourishes this terrorist monster.

Last year, Mr. Speaker, Iran successfully tested an 800-mile range missile capable of delivering these catastrophic weapons of mass destruction against its neighbors, including potentially Turkey, Egypt, Jordan, and Israel. Now, Iran recently held an election for President and the winner was the incumbent, Mr. Khatami, the most reform-oriented of the candidates that the clinical establishment allowed to run.

As my colleagues know, Mr. Speaker, one cannot just run for office in Iran. One must have the good housekeeping seal of approval of the ruling Ayatollah. The President in Iran is far less powerful than Iran's chief clerical official, the supreme leader. Real control in that country is in the hands of the clergy. The security organizations, the judiciary, the media, and the military are all under the control of the Ayatollah.

Now, I have spoken mainly of Iran, but there is a lot to be said of Libya. This country, which for so long has been run in a dictatorial fashion, still refuses to accept responsibility for the downing of Pan Am 103 and refuses to provide compensation for the families of all those innocent victims.

I would like to say a word, Mr. Speaker, about the effectiveness of the Iran-Libya Sanctions Act. Some argue that ILSA has not had an impact on the Iranian economy. That, Mr. Speaker, is demonstrably false. Even Iranian officials, including the President of Iran, have acknowledged that our legislation has had an enormous economic impact. In a 1998 report to the United Nations, Iran complained that ILSA had caused ''disruption of its economy, decline in its gross national product, and contributed significantly to the reduction of international investment in oil projects and cancellation of some contracts.'' That is precisely what we are after.

As one obvious example of ILSA's impact, I would like to point to the energy resources of the Caspian Sea. For several years now, Mr. Speaker, Iran, Russia, and Turkey have been vying to host the main export pipeline for newly discovered oil and gas in Azerbaijan. Several of the international energy companies involved in the region prefer to pipe their product through Iran to the Persian Gulf. Economically and geographically, clearly, that would be the way to go. The reason they have chosen not the Iranian route is our legislation. Amoco, Exxon, and others do not want to risk the sanctions imposed by this body.

Recently, BP Amoco agreed to export Azerbaijani gas through Turkey, a member of NATO, rather than Iran. No major pipeline for Azerbaijani oil has been built yet, but when it is, it will go through Turkey and not Iran, all of that thanks to our legislation.

I am very proud of the fact, Mr. Speaker, that our Committee on International Relations, with an overwhelming bipartisan vote of 41 to 3, saw fit to expand our legislation for an additional 5 years. The Bush administration attempted to cut the length of time of this extension to 2 years, and overwhelmingly, on a bipartisan basis, our committee rejected the Bush administration's proposal, as will this House, tomorrow morning when we vote on this matter.

This piece of legislation is one of the most important items we will pass during the current Congress directly related to our national security. I want to again thank all of my colleagues who have worked on this in the various committees where this legislation has been carefully considered.

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

Mr. GILMAN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Illinois (Mr. KIRK), a former staff associate on our House Committee on International Relations.

Mr. KIRK. Mr. Speaker, I rise in strong support of this legislation to extend the Iran-Libya Sanctions Act. I want to applaud the leadership of the gentleman from New York (Mr. GILMAN), my former boss and now colleague, and the gentleman from California (Mr. LANTOS), our ranking Democratic member, who is a leader for us all on the issue of human rights.

Mr. Speaker, Iran claims that it has a new moderate status, but all we see is the persecution of the Baha'is and Jewish minorities. We see terrorist bombings from the Beirut bombing to Khobar Towers. I want to make a special note for the life of John Phillips, a U.S. Marine from Wilmette, Illinois, that lost his life in the Beirut bombing.

Iran sponsors terrorism through its intelligence service, the MOIS. We saw that over 200 days ago the MOIS's wholly owned subsidiary, Hezbollah, kidnapped three Israeli soldiers.

□ 2230

For 200 days we have had no proof of life. For 200 days we have had no word on their condition. That is the current record of Iran today, a record added to by the launch of the Shahab-3 missile, a long-range missile with components from North Korea that we know is pointed straight at U.S. forces in the Persian Gulf and at Jerusalem.

Mr. Speaker, with this extension we send a message that a state that sponsors terrorism, that proliferates weapons of mass destruction, cannot do business as usual. I applaud the committee and urge adoption of this measure.

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to commend the previous speaker for his powerful and eloquent statement.

Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Maryland (Mr. CARDIN), the distinguished senior ranking member of the Committee on Ways and Means.

Mr. CARDIN. Mr. Speaker, let me first thank the gentleman from California (Mr. LANTOS) and the gentleman from New York (Mr. GILMAN) for their leadership on this issue not just in bringing the extension bill to the floor but also in their work on the original bill in passing the Sanctions Act. It has been an extremely important tool that we have had available to us, and it has helped us enforce the sanctions against these two terrorist countries.

There is no mistaking that Iran and Libya both are countries that harbor terrorists and terrorist activities and have been involved in the production of arms of mass destruction.

I am very pleased, Mr. Speaker, that on the Committee on Ways and Means, on which I have the honor of serving, we were able to also agree to a 5-year extension. I think the 5-year extension is a very important part of this legislation. It gives us the continuity of foreign policy against terrorist countries that extends beyond any one administration, that it is clear that this is not a matter that is of one administration's concern but this is our concern, our Nation's concern, and one policy that we want to be able to continue.

It is a tool that is available to the administration. It is a tool where the administration has plenty of flexibility under this statute, as we want the administration to have. But we want to make it clear that if one does business with terrorist states we do not want them doing business with us. We do not want our people supporting terrorist activities. That is what this legislation does. It speaks to our priorities. It speaks to what we believe in as a nation.

I am very proud to have joined my colleagues in this effort. It is a very important bill. It is one that I am sure will enjoy strong support in this body and has enjoyed strong support in both the committees that considered it.

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

Mr. LANTOS. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from New York (Mr. ENGEL), from the Committee on International Relations.

Mr. ENGEL. Mr. Speaker, I thank the gentleman from California for yielding time to me. He spoke so eloquently that there is nothing left to say, because he so thoroughly covered the reasons why this bill ought to be supported.

I want to also commend my colleague, the gentleman from New York (Mr. GILMAN), for his hard work and energy on this issue. I have no doubt that when we vote tomorrow it will overwhelmingly pass, because it deserves to pass. It is an important bill.

I am delighted to be back on the Committee on International Relations, where I voted for this bill, as did virtually the entire committee.

Mr. Speaker, the Iran-Libya Sanctions Act is an act that is very, very important. We must resoundingly say no to terrorism wherever it rears its ugly head in any place in the Earth.

Iran and Libya are two countries that have been at the forefront of exporting terrorism. No one can deny that. Actions speak louder than words. Time and time and time again various countries, including our own, have felt the brunt of their terrorist activities. They also have weapons of mass destruction that they sell to rogue states, and they work hard to undermine anything that is decent throughout the world.

I am also delighted that this bill has been extended for 5 years, as was pointed out by the gentleman from California (Mr. LANTOS). That had been questioned, and it is right to be extended for 5 years, because anything less would be a retreat.

We must be unequivocal. This Congress must be unequivocal, this Nation must be unequivocal, and our world must be unequivocal in saying no to terrorism.

I would have taken it one step further, if I had my total way. I would have included Syria on the list of nations that export terrorism and would have covered Syria with similar sanctions. But that was not to be. There will be other resolutions and other legislation covering Syria, which has a stranglehold on Lebanon, and Syria needs to get out of Lebanon.

But Hezbollah, which operates in Lebanon, is backed by the Iranians. They could not function if it were not for Iran and Syria, so it is important that we tell Iran that we are not going to tolerate their terrorism or their weapons of mass destruction.

The same with Libya. The world looks to the United States. We are the last remaining superpower in the world. If we stand for anything, it should be for human rights and squarely against terrorism.

Mr. Speaker, I am very proud to join my colleagues in supporting ILSA, the Iran-Libya Sanctions Act, and let this Congress send a strong message to the world that terrorism and weapons of mass destruction used in a terrorist way will not be tolerated.

Mr. LANTOS. Mr. Speaker, I am very pleased to yield my remaining time, 2 minutes, to my colleague, the gentleman from California (Mr. SHERMAN), a distinguished member of the Committee on International Relations.

Mr. GILMAN. Mr. Speaker, since we have additional time, I am pleased to yield 3 more minutes to the gentleman from California (Mr. SHERMAN).

The SPEAKER pro tempore (Mr. KIRK). The gentleman from California (Mr. SHERMAN) is recognized for 5 minutes.

Mr. SHERMAN. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I commend the gentleman from New York (Mr. GILMAN) and the gentleman from California (Mr. BERMAN) for authoring this statute. I commend the gentleman from California (Mr. LANTOS) for standing so strong against efforts to weaken this bill, standing as strong as the Athenians at Marathon after attack after attack to try to water down, weaken, or shorten this important act.

I want to associate myself with the comments of all previous speakers, because this bill is critical to American values and to our allies. But I want to point out that this is the most important thing we can do here in Congress to protect American national security, because in this century the greatest threats to our security are terrorism, and as the gentleman from California (Mr. LANTOS) and others pointed out, much of that originates in Tehran, and nuclear proliferation.

Iran is the country hostile to the United States most likely to develop nuclear weapons. It is the combination of those two threats, nuclear terrorism, that poses the single greatest combined threat to the safety of Americans.

What this bill does is it focuses on Iran's economy. Iran is not a small

country with a huge amount of oil. It is not Abu Dhabi. It is a country with an increasingly large population and an economy that is not doing well. Iran will become a net importer of oil if it does not get western capital and western technology to expand and improve its oil fields.

Largely as a result of our actions here today and the actions taken by this Congress 5 years ago, Iran has not been able to obtain that capital and technology, and the vast majority of requests for proposals and requests to contract with western oil companies have been denied.

One can only imagine the nuclear weapons program that Iran could have financed if this bill had not been passed 5 years ago, and we must focus on extending it now for another 5 years.

The Iran-Libya Sanctions Act for the last 5 years has made it more difficult for the Iranian government to have the financial wherewithal to engage in an all-out program to develop nuclear weapons, and it must be continued.

Now, we are told that there is this new rise of moderates in Iran. There may be differences in Iran on domestic issues and cultural issues, but the so-called moderates and so-called extremists are united in two things, support for international terrorism and a belief that Iran should develop nuclear weapons. No amount of discord in Tehran should distract us from our need to make sure that that government does not have the assets it could use to develop nuclear weapons and to continue its support of terrorism.

Mr. Speaker, there are those who wonder whether our sanctions are successful. The gentleman from California (Mr. LANTOS) quoted the statement of the government of Iran saying that, in fact, we have deprived that government of money, that we have adversely affected its gross national product.

More recently, the country of Sudan, subject to different sanctions, subject to the threat of sanctions here in this Congress, did not obtain investment from Canada's Tasman Oil Company because this Congress was merely considering sanctions, namely, delisting from the New York Stock Exchange of those who invest in Sudanese oil.

So sanctions have been successful, both in dealing with Iran and in dealing with Sudan. As to Libya, yes, we have not achieved the change of policy we would like, but why did Libya turn its two murderers over to international justice, or the two accused of murder, one who was convicted? Only because of international sanctions spearheaded by the United States.

Recently, there have been those who have asked us to extend this act for only 2 years. If we had done that, it would have been such a sign of weakness as to give courage and strength to the most aggressive elements in Tehran.

I want to commend all of those who took a leadership role in making sure that this bill would be extended for 5 years. I look forward to an enormous affirmative vote tomorrow.

Mr. GILMAN. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Speaker, I have two issues. The first is a technical one.

I would ask the gentleman, is it not the case that in the report of the Committee on International Relations accompanying H.R. 1954 it was the intention of the Committee in the last line on page 8 that the report states ''Iran or Libya'' rather than just ''Libya''?

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

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

Mr. GILMAN. That is my understanding of what the committee intended. The amendment to ILSA made by section 4 of H.R. 1954 applies both to Iran and Libya.

Mr. LANTOS. Mr. Speaker, if I may continue our colloquy, I would like to raise issues concerning recent developments of direct relevance to our discussion of ILSA. I am referring to major oil investment deals that both the Italian national oil company, ENI, and Japan's national oil company have recently announced.

As we know, the Italian company recently agreed to invest $550 million in an Iranian oil field in a deal that will ultimately be worth well over $1 billion. This deal is the first time that a foreign concern has been allowed to invest in an onshore Iranian oil field. It is also uniquely structured as a buyback deal that could, if realized, serve as a model for future oil developments in Iraq.

It is now apparent, Mr. Speaker, that a number of foreign oil companies have been watching the Italian national oil company's growing investment in Iran, now totalling over $2.5 billion, to determine whether it will elicit a U.S. response under the Iran-Libya Sanctions Act.

In addition, Mr. Speaker, Japan made a commitment last week through its oil company to invest in a gas field in Iran, indicating that foreign companies and their governments are increasingly confident that the United States will not impose the sanctions that Congress mandates, should these companies invest in Iraq. In fact, the Japanese trade minister himself defiantly stated when signing the deal in Tehran that Japan is not affected by U.S. pressure.

Both the Italian and the Japanese companies are not private entities acting independently of their government. The Japanese oil company is wholly-owned by the Japanese government, and the Italian government owns 36 percent of the Italian oil company.

Given this state of affairs, I urge President Bush to approach the Italian and Japanese governments to convince them to halt these morally repugnant investments.

□ 2245

Should these diplomatic initiatives fail, I believe President Bush has a moral obligation to impose sanctions on the relevant governments, as he is directed under ILSA, without waiver.

Would the chairman agree that it is now time for the United States to react firmly in the face of such flagrant disregard for international principles and both the spirit and the provisions of our legislation?

Mr. GILMAN. Mr. Speaker, if the gentleman will continue to yield, I too would like the President to act. Hopefully, President Bush will consider publicly stating that ILSA will be fully implemented, if these deals proceed forward, without any waivers. If we fail to act resolutely in these cases, the credibility of our Nation's foreign policy and international sanction regimes will almost certainly be undermined.

Mr. LANTOS. Reclaiming my time, Mr. Speaker, I want to thank the chairman very much for his strong and unequivocal statement.

And let me just add as a direct message to both the Italian and Japanese companies concerned, that should the administration not take appropriate action, we will come here with new legislation mandating sanctions against these companies or others that might take similar action.

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

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume, and I want to thank the gentleman from California (Mr. LANTOS) for his strong support of this measure and his being a cosponsor. As a ranking member of our committee, he has been an eloquent speaker and has been a longtime supporter of human rights in our committee and making certain that the world of nations abide by peaceful principles.

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

Mr. GILMAN. I yield to the gentleman from California.

Mr. SHERMAN. Mr. Speaker, I want to associate myself with the comments made in this colloquy and say that to those two companies, in addition to all of the sanctions outlined in ILSA, we should come back, if necessary, in this Congress, and mandate that those who violate ILSA's strict provisions are denied all access to American capital markets and that their stocks and bonds will not be listed on NASDAQ or the New York Stock Exchange.

We are studying those types of provisions in the Committee on Financial Services, and I am confident that we will have the votes to make sure that this access to American capital markets, which is increasingly important

to Japanese and European companies, will not be available to those companies that invest significantly in the Iranian petroleum sector.

Mr. PAUL. Mr. Speaker, there are a number of problems with this move to extend the Iran/Libya Sanctions Act.

First, the underlying Act places way too much authority both to make determinations and to grant waivers, in the hands of the President and the Executive Branch. As such, it is yet another unconstitutional delegation of authority which we ought not extend.

Moreover, as the Act applies to Libya, the authority upon which the bill depends is a resolution of the United Nations. So, any member who is concerned with UN power should vote against this extension.

Furthermore, the sanctions are being extended from a period of five years to ten years. If the original five year sanction period has not been effective in allaying the fears about these governments why do we believe an extra five years will be effective? In fact, few companies have actually been sanctioned under this Act, and to the best of my knowledge no oil companies have been so sanctioned. Still, the sanctions in the Act are not against these nations but are actually directed at "persons" engaged in certain business and investments in these countries. There are already Executive Orders making it illegal for US companies to undertake these activities in these sanctioned countries, so this Act applies to companies in other countries, mostly our allied countries, almost all of whom oppose and resent this legislation and have threatened to take the kinds of retaliatory action that could lead to an all out trade war. In fact, the former National Security Advisor Brent Scrowcroft recently pointed out how these sanctions have had a significant adverse impact upon our Turkish allies.

Mr. Speaker, I support those portions of this bill designated to prohibit US financing through government vehicles such as the Export-Import Bank. I also have no problem with guarding against sales of military technology which could compromise our national security. Still, on a whole, this bill is just another plank in the failed sanctions regime from which we ought to loosen ourselves.

The Bush Administration would prefer this legislation to expire and, failing that, they prefer taking a first step by making the extension last for a shorter period. In this I believe the Administration has taken the correct position. For one thing, there have been moves, particularly in Iran, to liberalize. We harm these attempts by maintaining a sanctions regime.

I also have to point out the inconsistency in our policy. Why would we sanction Iran but not Sudan, and why would we sanction Libya but not Syria? I hear claims related to our national security but surely these are made in jest. We subsidize business with the People's Republic of China but sanction Europeans from helping to build oil refineries in Iran.

There has been a real concern in our country regarding the price of gasoline. Since these sanctions are directly aimed at preventing the development of petroleum resources in these countries, this bill will DIRECTLY RESULT IN AMERICANS HAVING TO PAY A HIGHER PRICE AT THE GASOLINE PUMP. These sanctions HURT AMERICANS. British Petroleum and others have refused to provide significant investment for petroleum extraction in Iran because of the uncertainty this legislation helps to produce. The tiny nation of Qatar has as much petroleum related investment as does Iran since this legislation went into effect. Again, this reduces supply and raises prices at the gas pump.

Will the members of this body return to their district and tell voters "I just voted to further restrict petroleum supply and keep gas prices high"? I doubt that.

Mr. Speaker, I am fully aware of the legislative realities as regards this legislation and the powerful interests that want it extended. However, it is not just myself and the Bush Administration suggesting this policy is flawed. The Atlantic Council is a prestigious group co-chaired by Lee Hamilton, James Schlesinger and Brent Scowcroft that has suggested in a recent study that we ought to end sanctions upon Iran.

Mr. Speaker, I believe the time has come for us to consider the U.S. interest and the benefits of friendly commerce with all nations. We are particularly ill-advised in passing this legislation and hamstringing the new Administration at this time. I must oppose any attempt to extend this Act and support any amendment that would reduce the sanction period it contemplates.

Mr. DIAZ-BALART. Mr. Speaker, I rise in support of the Iran-Libya Sanctions Extension Act. I do not believe that now is the time to end the provisions set out under ILSA. While I hope that the internal situation in Iran and Libya may one day merit lifting the provisions of ILSA, it does not appear to be the case at this time. Recognizing the tenuous nature of peace in the region, and our continued support of our ally, Israel, I believe we must support the Iran-Libya Sanctions Extension Act.

Iran is still actively seeking to obtain weapons of mass destruction (WMD) assisted by China, Russia, and North Korea. Such a threat to our allies, such as Israel, and to international peace and security is not indicative of a state concerned with immediate reform. According to the State Department, Iran remains an active state sponsor of international terrorism. Any state that resorts to terrorism is cowardly and certainly deserves no special consideration. I also would like to stress that Iran continues to commit human rights abuses, particularly against members of certain religious faiths.

Libya has not yet compensated the families of the victims of Pan Am flight 103. Libya also continues to harbor and foster terrorism and is likely seeking weapons of mass destruction.

Given these realities and many others, I again do not believe now is the time to end sanctions on Iran and Libya.

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

The SPEAKER pro tempore (Mr. KIRK). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 1954, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LANTOS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

APPOINTMENT OF MEMBER TO BOARD OF VISITORS TO UNITED STATES MILITARY ACADEMY

The SPEAKER pro tempore. Without objection, and pursuant to 10 U.S.C 4355(a), the Chair announces the Speaker's appointment of the following Member of the House to the Board of Visitors to the United States Military Academy:

Mrs. TAUSCHER of California.

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

IMMIGRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. TANCREDO) is recognized for half the time until midnight as the designee of the majority leader.

Mr. TANCREDO. Mr. Speaker, I will assure those Members, and especially the staff here this evening, that I will give them something to look forward to, and that is that we will probably not go half the time available to me, but I do appreciate the opportunity.

I wanted to address an issue of concern to me, and it is an issue that I have risen before to discuss here on the floor of the House and I think certainly deserves our attention again this evening, and that issue is immigration, and specifically the problems created by massive numbers of people coming into the United States illegally.

Recently, Mr. Speaker, a trial balloon was floated. It was floated by a working group that was appointed for the purpose of coming up with some proposals to deal with the issues of immigration, illegal immigration to the United States, and a variety of other related issues. That trial balloon was a proposal, and the proposal was to provide amnesty for up to 3½ million Mexican workers.

Now, I say it is specifically designed for Mexicans who are here in the United States. It is not Guatemalans, it is not Haitians, it is not any other nationality, it was for 3½ million Mexican people here in the United States illegally, and it was to essentially just

give them amnesty if they had been here a long enough period of time. Well, that trial balloon was met with a great deal of resistance, to say the least. Certainly our office received many, many calls. I am sure the offices of many Members of the House and Senate were similarly affected by this trial balloon, and the response was almost unanimously in opposition to such a proposal.

There is a basic fairness issue here, a fairness issue that I think most Americans see. And it does not matter how one feels about the whole issue of immigration in general, those who are pro-immigrant, as I think most of us are. As a matter of fact, I think all of us have to be very cognizant of and very sensitive to the fact that we are all here as a result of someone's decision to come to the United States at some time in the recent past. Even those of us in the country who identify themselves as Native American probably came here, their ancestors, over a land bridge from Asia. So we are all in one way or another immigrants to this country.

The issue of immigration in general is not the point in this case. The point in this case is whether or not we are going to simply ignore the fact that people have chosen to violate the law of the United States to come here and then be rewarded for that action by being given amnesty. Now, we recognize that that, as I say, is at least unfair. I think most people would agree that it offends their sense of justice. And it should. It should.

What would happen if we would suggest that any other kind of crime be treated in such a manner? If someone comes here, if they were in the United States and involved with some criminal activity, and for a long enough period of time and they did not get caught, would we simply say, King's X, it is okay, they were able to avoid the authority long enough, so we should give them amnesty? Well, we do not do that. Of course not. And we should not do that in this case, and I think a majority of Americans feel the same way.

Well, as a result of the kind of reaction that that proposal had, we saw that today another proposal has been floated. This one is designed to be a ''compromise proposal,'' and it says, all right, we will not just go ahead and grant three, four million people, and by the way it will be far more than that when all is said and done, but let us just take their numbers for the time being, we will not grant three to four million people amnesty who are here illegally just because they are here illegally, we will establish some sort of guest worker program into which these people can enroll and then we will grant them amnesty.

Well, Mr. Speaker, that is really not a compromise. That is really not something anybody can get too excited about and say, oh, in that case, absolutely, all right, I see that it is worthy of doing. It is, of course, exactly the same proposal. We are simply going to reward illegal behavior by providing amnesty if they have been here long enough.

The other interesting aspect of this whole thing, Mr. Speaker, is that we have tried this before. The idea of giving amnesty to people who are here illegally and who have been here for a long time, or some period of time anyway, and can prove that they have paid rent here or a variety of other criteria that we establish to determine how long someone is here illegally, has been tried before. In 1986, we did this, exactly the same plan, and it was a result of the fact that people were concerned about the massive number of people who were coming across our borders illegally. And in order to get a handle on that and to strike a compromise with people who want massive immigration, people who essentially frankly want to essentially erase the borders, in order to strike a compromise with them and to not look as though we were being too antagonistic to these people who have arrived here and come in here illegally, we decided to have an amnesty program.

That was 1986. We adopted exactly the same thing. And it was designed to stop the flow of illegal aliens into the country. At that point we were going to get a handle on it and say, okay, if someone is here, if they have been here a long time, we are going to give them amnesty. Eventually they can become a citizen of the United States, even though they broke our laws to get here.

Well, of course it did not work. As anyone may have guessed, to suggest that rewarding someone for that kind of behavior would stop that kind of behavior is counterintuitive, to say the least. It is hypocritical, I suppose, to even suggest that we should think that somehow or other the millions of people waiting outside our borders to come into the United States, tempted to do so illegally if they need to, are told if they do that, if they come in illegally, and if they can hide from the authorities long enough, they will be given legal status.

□ 2300

That was the message, right, that is the message we send. Just exactly as anyone would have expected, they came. They came in massive numbers.

Now, Mr. Speaker, first of all let me say I do not blame them for trying. I am sure that if I were in the situation they are in, many of these people, I would be trying to do the same thing. I would be seeking a better life as my grandparents did, perhaps yours. Certainly, as I say, everyone here at some point in their history looks back to someone who made that decision.

But I must say, Mr. Speaker, that there is a process we have established for immigration into this Nation. The process is one that we must actually adhere to if we are to even pretend that we are a Nation that has control of its own borders.

If you look on a map of the world, you will see every country identified by an outline, by a line around that country separating it from its adjoining neighbors. We have such a line separating us from Mexico and from Canada.

Why is the line there, I guess I would ask. If there is no purpose for a line that separates one nation from another, then we should erase it. We should just simply forget about the idea that we have established one nation a little bit different than any nation around us. That, therefore, we are identifying ourselves as this separate entity, separate laws, separate history, separate culture, certainly open to immigration but with a separate identity.

I happen to believe that that is an important aspect of nation state. I believe it is okay to, in fact, have that line. We have it whether it is good or not. The reality is if we are going to have a line that we call a border, then there is a responsibility of this House and of the other body and of the President of the United States to establish the policy of who comes across that border.

That is the true and one unique responsibility of the Federal Government. It is to decide who can come in and who does not have whatever it is we believe is important for entrance into this country. It could be on any set of criteria you want to establish. It could be because we need workers in various industries. We need farm workers. We need workers in the construction industry. We need workers in the high tech industry. All of these things can be used as a reason for immigration.

We establish a policy. We say, okay, here is how many we need this year for this particular task. Here is who we want to come into the United States. We want people that perhaps are going to bring capital into the United States. That is a pretty good thing. Maybe we need more lawyers, I do not think so, but, whatever it is, if it is lawyers, if it is engineers, if it is agricultural workers, it does not matter.

What is important, Mr. Speaker, is that we make that decision who it is we believe with what attributes we think necessary to come into this country, the attributes we believe would be important and enhance life in the United States. That is why we have borders. That is why we pretend to have an immigration policy. But, Mr. Speaker, if you ignore that, if you pretend as though that border does not exist and you simply allow people to come across in the kind of numbers we have seen for the last 2 decades, many things happen.

Massive immigration into the United States both legally and illegally has been a factor in certainly the growth of the Nation, the population of the Nation. As a matter of fact, 50 percent of the Nation's growth in the last census was a result of immigration legally, legal immigration, and illegal immigration, 50 percent or more.

That is the census figure and I assure you, Mr. Speaker, that the census figures are far too conservative. But let us use them for the time being.

Fifty percent of the growth in the Nation is due to immigration, legal and illegal, far more illegal than legal. That means that 50 percent of the pressure applied in communities all over the Nation for more highways, more hospitals, more schools, the infrastructure that has to be built to support that kind of population is a result of this immigration pressure. It also has other ramifications.

The day before yesterday I happened to pick up the paper in my hometown, Denver, Colorado, and I read a story about the fact that several police agencies are having to either hire or ask volunteers to come on board that would go out with policemen on their calls, especially domestic violence calls or, in the case that was cited in the paper, it was an accident, a boating accident. People were drunk and they crashed their boat and about 8 or 10 had fallen overboard and some were drowning.

When the police got there, when the rescue teams got there, they could not communicate with any of the people who were in dire straits, and there was a lot of concern about the fact that this is not unique, that this particular situation is not unique, that there had been many times when police had been called out to a variety of different situations but had trouble communicating because the people did not speak English.

So now police departments all over the country, this is not unique to Colorado, they are putting people on who have a variety of language skills so that they can perhaps respond to these issues. They are becoming concerned.

Businesses are becoming concerned because they are fearful of lawsuits being brought by people who cannot speak English or read it; and, therefore, cannot read the safety warnings or whatever kind of instructions are on the product. So consultants are telling businesses that now they should be hiring people, they should be, of course, printing things in different languages and/or hiring people to be able to communicate in various languages.

I ask you, Mr. Speaker, how many languages will we have to try and communicate in in order to satisfy this sort of legalistic tendency on the part of many people in our country and to avoid lawsuits? In my district, I have school districts where there are over 100 languages that are spoken right now.

Mr. Speaker, we can handle immigration. I am not for a moment saying that we have to slam the door shut tight behind us and that no one else can come into this country. We can and should continue to allow people to seek access to the United States and to the freedom and the economic opportunity we offer. We should do so mindful of the fact that there is a certain number above which we cannot really accommodate that easily anymore.

Mr. Speaker, I suggest that a million legal immigrants, plus those that we bring in under the status of refugee, plus the four or five million that stream across our borders illegally, I suggest that it is too much. We cannot handle the massive numbers coming in here. That does not mean that we, in fact, are opposed; or that I am opposed to any sort of immigration, but we cannot handle it at these numbers. There are ramifications to it. There are ramifications to it in our schools with attempts to impose bilingual education in classrooms, teaching children in a language other than English so they accomplish very little in terms of achieving the skills necessary to be successful in our society.

The pressures are there. Why? It is because the numbers are here at such a level as to force a change in the structure of society.

There are ramifications to massive immigration. It behooves us, it is our responsibility as the organization established, the entity established to, in fact, determine who comes into the country and who will not be allowed to come in. It is our responsibility to set an immigration policy that is good for the immigrants who we allow in and good for the United States on the receiving end.

An amnesty program for millions of people who came here illegally, that is not a good proposal. That is not a plan, Mr. Speaker. That is surrender. It may be, it has been suggested, as a matter of fact, that this plan was proposed with the thought in mind that it would attract a certain number of voters from various ethnic communities, that they would support our efforts and the efforts of the party in the White House, my party.

Well, I do not know, Mr. Speaker, if that is true or not, but I will tell my colleagues this. Even if it were true that we would find a huge number of Hispanics in this country changing their attitude about the Republican Party and, therefore, voting for us in massive numbers, I do not know whether that is true or not but it does not matter. We should not make laws in this country for specific groups in order to entice them to support us, our party or our candidacy.

□ 2310

We should make laws that benefit all members of our society.

I believe with all my heart, Mr. Speaker, that we can in fact entice, encourage, explain our position. We can provide an explanation of who we are as Republicans, let us say, explain the principles upon which our party is founded, principles of individual freedom, individual responsibility, and I believe we can make a case for someone to become a Republican on that basis. Certainly the Democrats are free to do the same thing. But that is the free marketplace of ideas. That is the whole concept behind this government, that people should be encouraged to support us one way or the other because of who we are, not because we make a law especially for them, not just because their ethnic group or their sexual preference or whatever. We have already divided this country up in so many ways, it is hard to really understand who we are as a Nation as opposed to some balkanized country in Eastern Europe.

We have divided ourselves into so many camps, Mr. Speaker, with so many different interests. We have constructed a political system that is supposed to now sort of accentuate these differences, but this is not healthy for this democracy, not healthy for this republic, and it is certainly the wrong reason to make law.

Mr. Speaker, the other day we had an event in Denver. A gentleman came up to me at this event and he told me a story. This was an elderly gentleman. He told me about an acquaintance of his who was a Filipino by birth. He had fought against the Japanese in the Filipino resistance in the Second World War. He eventually became associated with and worked in some capacity or other with American military in the Second World War. He was wounded in that process. After the war, this gentleman, after having, remember, fought the Japanese, supported the United States in that endeavor, fought on the side of the United States, fought shoulder to shoulder with American servicemen in the Philippines, this gentleman applied for citizenship to the United States. Well, he waited one year and one year grew to two and two grew to three and eventually it was 20 years that went by before this gentleman, remember, a person who had put his life on the line, who had fought shoulder to shoulder with American servicemen, it was 20 years before he was allowed to come into the United States as a legal citizen. Not too long thereafter, I think 2 or 3 years after he was here unfortunately, he died. He had waited most of his life to come to the United States and to do so legally took him, as I say, 20 years.

Now, Mr. Speaker, what do we say to his relatives? What do we say to his memory? If we suggest, not only suggest but propose a law that would give what he so desperately sought, access to this country legally, if it would give

it to millions of people who snuck into the country, who did not fight in any way, had no greater claim to come into this Nation than anyone else, except that they wanted the benefits of this life, of this society. What do we say to people like that? How can we look them in the face and tell them that they live in a just society?

Mr. Speaker, there are literally hundreds of millions of people like this gentleman who would give anything to come to the United States and who have in fact applied for entrance into this country. But we have a quota for people from certain areas and we establish how many can come in, supposedly. If you are going to do it legally, you wait. That is exactly the way it should be. You do it by the rules. It is a travesty to offer amnesty to people who ignored these laws. Again, I am not blaming them individually, but I am also saying that it has not been in our interest to reward them for that action.

Mr. Speaker, I believe that massive immigration into this Nation in the numbers we are talking about is one of the most serious domestic policy issues we face. It is extremely difficult to get many of my colleagues to stand up here and talk about this because there is a fear that if you do so, you will be branded as a racist, a xenophobe, a variety of relatively unpleasant things that no one likes to be called. Certainly I do not consider myself to be any of those things. I believe that I am pro-immigrant, having come from an immigrant family. I believe that the United States has been made richer in many, many ways by the contributions of immigrant families from the time our Nation was founded. I am not against immigration. We can handle a certain number of people in here every year. But we cannot handle the millions and millions of people who are streaming into this Nation and who are waiting to stream into the Nation.

What if we really did eliminate the border? What if we really said, ''Well, if you want to come, come. Come on ahead.'' Does anybody wonder about what would happen? How many hundreds of millions of people would stream into the country? Could we really handle this? Could we really provide for them and for ourselves and for our children the kind of quality of life that we have come to build and expect in this country? I do not think so. I do not believe anybody believes that.

So I ask to be rational in our approach to immigration. I believe that most of the immigrants who have recently arrived in the United States legally would agree with me, that that is the way it should be done. I believe most of the immigrants here today would say that the people coming in should not be rewarded for that kind of behavior, when they themselves, the people who came here legally, had to go through all of the hoops and did it right. So I do not think we are unique in calling for a complete reversal of this peculiar policy that has been proposed to give amnesty. I hope that we will once again regain control of our borders, I hope that we will establish guest worker programs that will satisfy the needs of business and industry in the United States, those that tell us day after day—they tell me, anyway—that they would go out of business if they did not have the opportunity to use guest workers, but in reality all of that can be handled through a guest worker program.

□ 2320

We do not have to rely on illegals in order to serve us, because the illegals themselves are exploited more often than not by these employers. They are paid less, they are ill-used, they are ill-treated, because they know that if you are here illegally, you are afraid to turn anybody in. This is not a good deal.

Illegal immigration is not a good deal for the immigrant, it is not a good deal for the United States, and it should not be rewarded by amnesty.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ENGEL (at the request of Mr. GEPHARDT) for July 23 on account of a death in the family.

Mrs. JONES of Ohio (at the request of Mr. GEPHARDT) for July 23 on account of the funeral of a close family friend.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. ENGEL) to revise and extend their remarks and include extraneous material:

Mr. CUMMINGS, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. INSLEE, for 5 minutes, today.

The following Members (at the request of Mr. TANCREDO) to revise and extend their remarks and include extraneous material:

Mr. COBLE, for 5 minutes, today.

Mr. HORN, for 5 minutes, July 25.

ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2131. An act to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2004, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 468. An act to designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the ''James C. Corman Federal Building.''

S. 1190. An act to amend the Internal Revenue Code of 1986 to rename the education individual retirement accounts as the Coverdell education savings accounts.

ADJOURNMENT

Mr. TANCREDO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 25, 2001, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3020. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—extension of Tolerances for Emergency Exemptions (Multiple Chemicals) [OPP–301146 FRL–6793–8] (RIN: 2070–AB78) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3021. A letter from the Deputy Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Henry T. Glisson, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3022. A letter from the Deputy Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Frederick McCorkle, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3023. A letter from the Deputy Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Frank Libutti, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3024. A letter from the Director, Office of Management and Budget, transmitting a report on the Cost Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

3025. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Protection of Stratospheric Ozone: Process for Exempting Quarantine and Preshipment Applications of Methyl Bromide [FRL–7014–5] (RIN: 2060–AI42) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3026. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting the Department of the Navy's proposed lease of defense articles to the North Atlantic Treaty Organization (Transmittal No. 08–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3027. A communication from the President of the United States, transmitting a supplemental report, consistent with the War Powers Resolution, to help ensure that the Congress is kept fully informed on continued U.S. contributions in support of peacekeeping efforts in the former Yugoslavia; (H. Doc. No. 107–107); to the Committee on International Relations and ordered to be printed.

3028. A letter from the Secretary, Department of Commerce, transmitting the semiannual report on the activities of the Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

3029. A letter from the Comptroller General, General Accounting Office, transmitting a list of all reports issued or released in May 2001, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

3030. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3031. A letter from the Personnel Management Specialist, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3032. A letter from the General Counsel, Department of Defense, transmitting a draft bill entitled, ''Exemption from Certain Immigration Inspection Fees''; to the Committee on the Judiciary.

3033. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace: Hagerstown, MD [Airspace Docket No. 01–AEA–01FR] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3034. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CFM International (CFMI) CFM56–5C Turbofan Engines [Docket No. 2001–NE–08–AD; Amendment 39–12224; AD 2001–09–17] (RIN: 2120–AA64) received July 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3035. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace, Heber City, UT [Airspace Docket No. 00–ANM–12] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3036. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2–1C, B2–203, B2K–3C, B4–2C, B4–103, and B4–203 Series Airplanes [Docket No. 2000–NM–374–AD; Amendment 39–12289; AD 2001–13–09] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3037. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of a Class E Enroute Domestic Airspace Area, Kingman, AZ [Airspace Docket No. 01–AWP–17] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3038. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace: Lloydsville, PA [Airspace Docket No. 01–AEA–04FR] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3039. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767 Series Airplanes [Docket No. 2000–NM–116–AD; Amendment 39–12263; AD 2001–12–08] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3040. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; LaFayette, GA [Airspace Docket No. 01–ASO–5] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3041. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CT58 Series and Former Military T58 Series Turboshaft Engines [Docket No. 2001–NE–07–AD; Amendment 39–12262; AD 2001–12–07] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3042. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace: Greensburg, PA [Airspace Docket No. 01–AEA–02FR] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3043. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company (GE) CF34–1A, -3A, -3A1, -3A2, -3B, and -3B1 Turbofan Engines [Docket No. 2000–NE–22–AD; Amendment 39–12261; AD 2001–12–06] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3044. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace, Roosevelt, UT [Airspace Docket No. 00–ANM–17] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3045. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 777–200 Series Airplanes [Docket No. 2000–NM–303–AD; Amendment 39–12265; AD 2001–12–10] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3046. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace, Cody, WY [Airspace Docket No. 00–ANM–25] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3047. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2 and A300 B4; A300 B4–600, B4–600R, and F4–600R (Collectively Called A300–600); and A310 Series Airplanes [Docket No. 2001–NM–194–AD; Amendment 39–12299; AD 2001–13–17] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3048. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Mosby, MO [Airspace Docket No. 01–ACE–6] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3049. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class D Airspace and Establishment of Class E4 Airspace; Homestead, FL [Airspace Docket No. 01–ASO–4] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3050. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dassault Model Mystere-Falcon 900 and Falcon 900EX Series Airplanes [Docket No. 2000–NM–291–AD; Amendment 39–12264; AD 2001–12–09] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3051. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of a Class E Enroute Domestic Airspace Area, Las Vegas, NV [Airspace Docket No. 01–AWP–16] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3052. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Jet Route J–713 [Airspace Docket No. 00–ANM–5] (RIN: 2120–AA66) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 1937. A bill to authorize the Secretary of the Interior to engage in certain feasibility studies of water resource projects in the State of Washington; with an amendment (Rept. 107–155). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of New Jersey: Committee on Veterans' Affairs. H.R. 2540. A bill to amend title 38, United States Code, to make various improvements to veterans benefits programs under laws administered by the Secretary of Veterans Affairs, and for other purposes; with amendments (Rept. 107–156). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. H.R. 2511. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage energy conservation, energy reliability, and energy production; with an amendment (Rept. 107–157). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINDER: Committee on Rules. House Resolution 206. Resolution providing for consideration of the bill (H.R. 2590) making appropriations for the Treasury Department,

the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107–158). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. PUTNAM:

H.R. 2600. A bill to amend title 49, United States Code, to provide that air carriers may not transport unaccompanied minors under the age of 18 without written certification of a custodial parent's, foster parent's, or legal guardian's permission, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PUTNAM:

H.R. 2601. A bill to amend title 18, United States Code, to provide penalties for the enticement of children which interferes with parental authority; to the Committee on the Judiciary.

By Mr. HYDE (for himself, Mr. LANTOS, Mr. LEACH, Mr. GALLEGLY, Ms. ROS-LEHTINEN, Mr. COOKSEY, Mr. SMITH of Michigan, and Mrs. NAPOLITANO):

H.R. 2602. A bill to extend the Export Administration Act until November 20, 2001; to the Committee on International Relations.

By Mr. THOMAS:

H.R. 2603. A bill to implement the agreement establishing a United States-Jordan free trade area; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEREUTER (for himself, Mr. SANDERS, Mrs. ROUKEMA, Mr. BAKER, Mr. SHAYS, Mrs. MALONEY of New York, and Mr. LAFALCE):

H.R. 2604. A bill to authorize the United States to participate in and contribute to the seventh replenishment of the resources of the Asian Development Fund and the fifth replenishment of the resources of the International Fund for Agricultural Development, and to set forth additional policies of the United States towards the African Development Bank, the African Development Fund, the Asian Development Bank, the Inter-American Development Bank, and the European Bank for Reconstruction and Development; to the Committee on Financial Services.

By Mr. BLUMENAUER (for himself, Mr. RILEY, Mr. EVANS, Mr. MANZULLO, Mr. UNDERWOOD, Mr. EHLERS, Mr. FARR of California, Mr. WALDEN of Oregon, Mrs. TAUSCHER, Mr. HERGER, Mr. THOMPSON of California, Mr. HILL, Ms. MCKINNEY, Mr. DELAHUNT, Ms. HARMAN, Mr. KIND, Ms. NORTON, Ms. VELÁZQUEZ, and Mr. BAIRD):

H.R. 2605. A bill to amend title 10, United States Code, to require the development and maintenance of an inventory of sites within former military ranges known or suspected to contain unexploded ordnance (UXO) or other abandoned military munitions that pose a threat to human health, human safety, or the environment, to improve security at such sites and public awareness of the dangers associated with such sites, and for other purposes; to the Committee on Armed Services.

By Mrs. CAPITO:

H.R. 2606. A bill to provide project assistance, loan guarantees, and tax credits for a coal gasification demonstration project, and for other purposes; to the Committee on Science, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself, Mrs. MCCARTHY of New York, Mr. MALONEY of Connecticut, Mrs. MALONEY of New York, Mr. KING, Mrs. LOWEY, and Mr. CROWLEY):

H.R. 2607. A bill to authorize a project for the renovation of the Department of Veterans Affairs medical center in Bronx, New York; to the Committee on Veterans' Affairs.

By Mr. GREENWOOD (for himself and Mr. DEUTSCH):

H.R. 2608. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the cloning of humans, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LAFALCE:

H.R. 2609. A bill to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, and for other purposes; to the Committee on Resources.

By Mrs. LOWEY (for herself, Mr. HYDE, and Mr. MURTHA):

H.R. 2610. A bill to amend title XXI of the Social Security Act to provide for coverage of pregnancy-related assistance for targeted low-income pregnant women; to the Committee on Energy and Commerce.

By Mrs. LOWEY (for herself, Ms. DELAURO, Mr. MCDERMOTT, Mr. CROWLEY, Mr. KILDEE, Mr. HYDE, and Mr. KUCINICH):

H.R. 2611. A bill to amend the Federal Food, Drug, and Cosmetic Act relating to freshness dates on food; to the Committee on Energy and Commerce.

By Mr. MCINNIS (for himself, Mr. NUSSLE, and Mr. TANCREDO):

H.R. 2612. A bill to amend title XVIII of the Social Security Act to assure that Medicare beneficiaries have continued access under current contracts to managed health care through the Medicare cost contract program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCINTYRE (for himself, Mrs. MINK of Hawaii, Ms. MCKINNEY, Mr. NORWOOD, Mr. SPRATT, Mrs. MYRICK, Mr. BOUCHER, Mr. SHOWS, Mr. HAYES, Mr. GONZALEZ, Ms. HART, and Mr. BURR of North Carolina):

H.R. 2613. A bill to amend the Trade Act of 1974 to revise the limitations on trade readjustment allowances under the trade adjustment assistance program for workers; to the Committee on Ways and Means.

By Mr. GEORGE MILLER of California (for himself, Ms. ESHOO, Mr. NADLER, Mr. SANDERS, Mr. SCHIFF, Ms. PELOSI, Mr. MCDERMOTT, Ms. LEE, Mr. BLAGOJEVICH, Mr. FILNER, Mr. HOLT, Mr. HINCHEY, Mr. TIERNEY, and Ms. WOOLSEY):

H.R. 2614. A bill to amend title 49, United States Code, to improve highway safety by requiring reductions in the aggressivity of light trucks; to extend average fuel economy standards to all light trucks up to 10,000 pounds gross vehicle weight; to require phased increases in the average fuel economy standards for passenger automobiles and light trucks; to improve the accuracy of average fuel economy testing and public information regarding average fuel economy, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL (for himself, Mr. BURTON of Indiana, Mr. HINCHEY, Mr. KLECZKA, Mr. SCHAFFER, Mr. TANCREDO, and Mr. WAMP):

H.R. 2615. A bill to repeal sections 1173(b) and 1177(a)(1) of the Social Security Act, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PLATTS:

H.R. 2616. A bill to amend the Individuals with Disabilities Education Act to provide full funding for assistance for education of all children with disabilities; to the Committee on Education and the Workforce.

By Mr. RYAN of Wisconsin:

H.R. 2617. A bill to promote international monetary stability and to share seigniorage with officially dollarized countries; to the Committee on Financial Services.

By Mr. SHAW:

H.R. 2618. A bill to clarify the accounting treatment for Federal income tax purposes of deposits and similar amounts received by a tour operator for a tour arranged by such operator; to the Committee on Ways and Means.

By Ms. SOLIS:

H.R. 2619. A bill to reaffirm and clarify the Federal relationship of the Gabrieleno/Tongva Nation as a distinct federally recognized Indian tribe and to restore aboriginal rights, and for other purposes; to the Committee on Resources.

By Mr. OSE:

H.J. Res. 56. A joint resolution proposing an amendment to the Constitution of the United States to require Members of Congress and the President to forfeit the compensation paid to them starting at the conclusion of each fiscal year until all of the general appropriations bills for the following fiscal year are enacted; to the Committee on the Judiciary.

By Mr. VITTER:

H.J. Res. 57. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Mr. ACKERMAN (for himself and Mr. CHABOT):

H. Con. Res. 194. Concurrent resolution expressing the sense of Congress to encourage full participation in the Asian Pacific Economic Cooperation (APEC) forum; to the Committee on International Relations.

By Mr. EVANS (for himself, Mr. MORAN of Virginia, Ms. KAPTUR, Ms. LOFGREN, Mr. WOLF, Mr. DOGGETT, Ms. PELOSI, Mr. MCNULTY, Ms. MCKINNEY, Mr. KUCINICH, Mr. HONDA, Mr. MCGOVERN, Mrs. MINK of Hawaii, Mr. ABERCROMBIE, Mr. UNDERWOOD, Mr. SANDERS, Ms. RIVERS, and Ms. MCCOLLUM):

H. Con. Res. 195. Concurrent resolution expressing the sense of Congress that the Government of Japan should formally issue a clear and unambiguous apology for the sexual enslavement of young women during colonial occupation of Asia and World War II, known to the world as ''comfort women'', and for other purposes; to the Committee on International Relations.

By Mr. HANSEN:

H. Con. Res. 196. Concurrent resolution expressing the sense of the Congress that hunting seasons for migratory mourning doves in the Pacific Flyway Region should be modified so that individuals have a fair and equitable opportunity to hunt such birds; to the Committee on Resources.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

169. The SPEAKER presented a memorial of the General Assembly of the State of Delaware, relative to House Concurrent Resolution No. 12 memorializing the United States Congress to enact H.R. 20, that was introduced on January 3, 2001, and that modifies provisions of the Clean Air Act, regarding the oxygen content of reformulated gasoline and improves the regulation of the fuel additive methyl tertiary butyl ether (MTBE); to the Committee on Energy and Commerce.

170. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 35 memorializing the United States Congress to require federally controlled emission sources to reduce their emissions by the same percentages and on the same schedule as state-controlled sources; to the Committee on Energy and Commerce.

171. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 84 memorializing the United States Congress to expand the number of and funding for federally funded community health centers and other federal community-based safety-net programs specifically directed to poor and medically underserved communities in states with the highest numbers of uninsured residents; to the Committee on Energy and Commerce.

172. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 214 memorializing the United States Congress to establish a separate Federal Medical Assistance Percentage for the Texas-Mexico border region; to the Committee on Energy and Commerce.

173. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 28 memorializing the United States Congress to repeal the federal regulation relating to the three-shell limit and the magazine plug requirement found in 50 C.F.R. Section 20–21; to the Committee on Resources.

174. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 51 memorializing the United States Congress to urge the Department of the Interior to reconsider the necessity of designating the Arkansas River shiner as a threatened species and the necessity of designating critical habitat in Texas for the Arkansas River shiner; to the Committee on Resources.

175. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 256 memorializing the United States Congress to relocate the U.S. Border Patrol Training Academy to the southwest Texas border region; to the Committee on the Judiciary.

176. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 10 memorializing the United States Congress to create a federal category under the NAFTA agreement, for NAFTA traffic-related infrastructure damage, to provide counties and municipalities with funding for commercial vehicle weigh stations within the 20-mile commercial border zone; to the Committee on Ways and Means.

177. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 37 memorializing the United States Congress to provide tax credits to individuals buying private health insurance; to the Committee on Ways and Means.

178. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 77 memorializing the United States Congress to amend provisions of the Internal Revenue Code of 1986, as added by PL 106–230, to exempt state and local political committees that are required to report to their respective states from notification and reporting requirements imposed by PL 106–230; to the Committee on Ways and Means.

179. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 104 memorializing the United States Congress to pass legislation amending the Internal Revenue Code to give each person who serves on a jury under certain circumstances or in certain localities a $40 tax credit per day of service and to give each person who is summoned and appears, but does not serve, a one-time $40 tax credit for that day; to the Committee on Ways and Means.

180. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 98 memorializing the United States Congress to make the problem of subsidized Canadian lumber imports a top priority; to the Committee on Ways and Means.

181. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 226 memorializing the United States Congress to amend the Internal Revenue Code of 1986 to allow for the issuance of tax-exempt facility bonds for the purpose of financing air pollution control facilities in nonattainment areas and to provide that such tax-exempt facility bonds issued during the years of 2003, 2004, 2005, 2006, or 2007 for the construction of such air pollution control facilities not be subject to the volume cap requirements; to the Committee on Ways and Means.

182. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 22 memorializing the United States Congress to urge the Environmental Protection Agency to provide maximum flexibility to the states in the implementation of federal environmental programs and regulations; jointly to the Committees on Energy and Commerce and Transportation and Infrastructure.

183. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution No. 210 memorializing the United States Congress to enact the Railroad Retirement and Survivors' Improvement Act of 2001; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 17: Mr. ALLEN.
H.R. 36: Mr. TOWNS.
H.R. 51: Ms. MCKINNEY.
H.R. 85: Mr. MCNULTY.
H.R. 101: Mr. GUTIERREZ.
H.R. 123: Mr. HEFLEY, Mr. LUCAS of Kentucky, Mr. REHBERG, and Mr. UPTON.
H.R. 144: Mr. OLVER.
H.R. 162: Mr. SNYDER.
H.R. 210: Mr. HASTINGS of Florida.
H.R. 413: Mr. GUTIERREZ.
H.R. 420: Mr. HORN.
H.R. 436: Mr. MASCARA.
H.R. 458: Mr. DUNCAN.
H.R. 476: Mr. KERNS.
H.R. 482: Mr. KERNS.
H.R. 488: Mr. SHERMAN.
H.R. 649: Mr. CLYBURN.
H.R. 662: Ms. MILLENDER-MCDONALD, Mr. HOUGHTON, and Mr. BEREUTER.
H.R. 663: Mr. SNYDER.
H.R. 781: Mr. MASCARA, Mr. UNDERWOOD, Ms. WATSON, Mr. FALEOMAVAEGA, and Mr. CLAY.
H.R. 797: Mr. KLECZKA.
H.R. 798: Mr. KLECZKA.
H.R. 810: Mr. BEREUTER and Mr. KOLBE.
H.R. 822: Mr. SMITH of Washington, Mr. MOLLOHAN, and Mr. FRANK.
H.R. 853: Mrs. NAPOLITANO.
H.R. 854: Mr. BENTSEN.
H.R. 921: Mr. FOLEY.
H.R. 938: Mr. TOWNS.
H.R. 951: Mr. BRADY of Texas, Mr. MATHESON, Ms. PRYCE of Ohio, Mrs. DAVIS of California, and Mr. LARSON of Connecticut.
H.R. 967: Mr. SAXTON, Mr. ANDREWS, and Mr. MATSUI.
H.R. 981: Mr. ARMEY.
H.R. 1007: Mr. SHIMKUS and Mrs. NORTHUP.
H.R. 1024: Mr. NUSSLE, Mr. TERRY, and Mr. CANTOR.
H.R. 1043: Mr. SHERMAN and Ms. HARMAN.
H.R. 1044: Mr. SHERMAN.
H.R. 1070: Ms. RIVERS, Mr. KIND, and Mr. CAMP.
H.R. 1090: Mr. WEINER, Mr. GONZALEZ, and Mr. ROHRABACHER.
H.R. 1097: Mr. KENNEDY of Rhode Island, Ms. HARMAN, and Ms. PELOSI.
H.R. 1101: Mr. PITTS and Mr. JEFFERSON.
H.R. 1130: Mr. FATTAH.
H.R. 1136: Mr. PLATTS and Mr. TIAHRT.
H.R. 1192: Ms. KAPTUR.
H.R. 1198: Mr. LAHOOD, Mr. BACA, Mr. WELDON of Florida, and Ms. WATSON.
H.R. 1202: Mr. WAMP, Ms. PELOSI, Mr. GONZALES, Ms. HARMAN, Mr. NUSSLE, and Mr. FORD.
H.R. 1212: Mr. BRADY of Texas and Mr. BLAGOJEVICH.
H.R. 1282: Mr. ARMEY, Mr. SHOWS, Mr. THORNBERRY, Mr. HAYES, Mr. ROHRABACHER, Mr. SESSIONS, Mr. TAUZIN, and Mr. DELAY.
H.R. 1293: Mr. TURNER and Ms. LEE.
H.R. 1343: Mr. MASCARA.
H.R. 1354: Mr. PASCRELL and Mr. FROST.
H.R. 1401: Mr. THOMPSON of Mississippi.
H.R. 1412: Mr. PETRI, Mr. GALLEGLY, Mrs. MYRICK, Mr. GEKAS, Ms. ESHOO, Mr. JONES of

North Carolina, Mr. ROGERS of Kentucky, Mr. BURR of North Carolina, Mr. CALVERT, Mr. BALLENGER, Mr. HAYES, and Mr. CLYBURN.

H.R. 1476: Mr. FATTAH.

H.R. 1494: Mr. LARSON of Connecticut.

H.R. 1509: Mr. GUTIERREZ, Ms. LOFGREN, Mr. OSBORNE, Ms. HARMAN, and Mr. DEFAZIO.

H.R. 1511: Mr. CALVERT, Mr. GUTIERREZ, and Mr. LARGENT.

H.R. 1517: Ms. BALDWIN and Mr. BARCIA.

H.R. 1556: Mr. BENTSEN.

H.R. 1582: Mr. BONIOR.

H.R. 1586: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1587: Mr. WEXLER.

H.R. 1597: Ms. WOOLSEY.

H.R. 1599: Mr. CANTOR.

H.R. 1604: Mr. SNYDER.

H.R. 1609: Mr. STEARNS, Mr. JOHNSON of Illinois, and Mr. KOLBE.

H.R. 1624: Mr. PLATTS, Mr. SERRANO, Mr. MANZULLO, Mr. SWEENEY, Ms. MCCOLLUM, Mr. MATSUI, Mr. SMITH of Washington, and Mr. LAFALCE.

H.R. 1644: Mr. MOLLOHAN.

H.R. 1669: Mr. MCDERMOTT and Ms. HOOLEY of Oregon.

H.R. 1682: Mr. NADLER.

H.R. 1700: Ms. MILLENDER-MCDONALD and Mr. KUCINICH.

H.R. 1711: Mr. DEFAZIO and Ms. HOOLEY of Oregon.

H.R. 1718: Mr. SAWYER, Mr. COYNE, Mr. KILDEE, Mr. KLECZKA, Mr. SCHIFF, Mr. PHELPS, Ms. HOOLEY of Oregon, Mr. GUTIERREZ, Ms. SOLIS, Mr. PRICE of North Carolina, Mr. ANDREWS, Mr. LARSON of Connecticut, Mr. CARDIN, Mr. MEEHAN, Mr. ACKERMAN, Mr. MASCARA, Mr. HILL, Mr. SABO, Mr. SMITH of Washington, Mr. TURNER, Mr. TRAFICANT, Mrs. NAPOLITANO, Mr. BOSWELL, Mr. SANDLIN, and Mr. MENENDEZ.

H.R. 1723: Mr. BERMAN, Mr. ANDREWS, Mr. BISHOP, Mr. BORSKI, and Mr. MALONEY of Connecticut.

H.R. 1726: Mr. RUSH, Mr. CARDIN, Mr. KUCINICH, and Mr. NADLER.

H.R. 1744: Mr. MCGOVERN, Mrs. MINK of Hawaii, and Mr. CUNNINGHAM.

H.R. 1750: Mr. MASCARA.

H.R. 1751: Mr. MASCARA.

H.R. 1810: Mrs. BIGGERT.

H.R. 1822: Mr. GORDON, Ms. RIVERS, and Mr. PETERSON of Pennsylvania.

H.R. 1827: Mr. BEREUTER.

H.R. 1832: Mr. GEKAS and Mr. JEFFERSON.

H.R. 1861: Mr. BEREUTER.

H.R. 1897: Mr. BONIOR, Mr. RUSH, Ms. MCKINNEY, Mr. CLAY, Mr. BORSKI, Mr. INSLEE, Mr. MATSUI, Mr. PASCRELL, Mr. THOMPSON of Mississippi, and Mr. MASCARA.

H.R. 1907: Ms. WATSON.

H.R. 1950: Mr. DOOLITTLE and Mr. PICKERING.

H.R. 1975: Mr. PLATTS, Mr. WALDEN of Oregon, Mr. MATHESON, Mr. MCINNIS, Mr. ENGLISH, and Mr. MCDERMOTT.

H.R. 1979: Mr. UDALL of Colorado and Mr. WATKINS.

H.R. 1984: Mr. CALVERT.

H.R. 1990: Mr. TOWNS.

H.R. 1996: Mr. BLAGOJEVICH.

H.R. 2001: Mr. ENGLISH and Mr. CALVERT.

H.R. 2071: Mr. PRICE of North Carolina.

H.R. 2073: Mr. BLUNT.

H.R. 2081: Ms. MCKINNEY and Mr. HOBSON.

H.R. 2088: Mr. MOORE and Mrs. BIGGERT.

H.R. 2098: Mr. ROTHMAN, Mr. BENTSEN, and Mr. WEINER.

H.R. 2117: Mr. LAFALCE.

H.R. 2123: Mr. HALL of Texas.

H.R. 2125: Mr. LOBIONDO.

H.R. 2145: Mr. BONIOR.

H.R. 2152: Mr. MEEKS of New York, Mr. TOWNS, Mr. TRAFICANT, Mr. ETHERIDGE, Mr. LIPINSKI, and Mr. SNYDER.

H.R. 2157: Mr. SNYDER and Mr. MASCARA.

H.R. 2178: Mr. DOYLE.

H.R. 2200: Mr. PAUL.

H.R. 2219: Mr. BEREUTER.

H.R. 2220: Mr. LATOURETTE.

H.R. 2221: Mr. UDALL of Colorado.

H.R. 2223: Mr. MCGOVERN, Mr. POMEROY, and Mr. HALL of Texas.

H.R. 2263: Mr. KUCINICH.

H.R. 2308: Mr. FROST and Mr. CANTOR.

H.R. 2316: Mr. SAM JOHNSON of Texas, Mr. LAHOOD, Mr. PUTNAM, Mr. Cantor, Mr. FLAKE, Mr. PLATTS, Mr. TOOMEY, Mr. ROGERS of Michigan, Mr. DOOLITTLE, Mr. COOKSEY, Mr. AKIN, Mr. VITTER, Mr. NETHERCUTT, Mr. NEY, Mr. GIBBONS, and Mr. SESSIONS.

H.R. 2319: Mr. LANTOS.

H.R. 2323: Mr. SESSIONS and Mr. MASCARA.

H.R. 2339: Mr. BRYANT.

H.R. 2340: Mr. CUMMINGS.

H.R. 2343: Ms. JACKSON-LEE of Texas.

H.R. 2349: Mrs. DAVIS of California, Mr. GEORGE MILLER of California, Ms. WOOLSEY, and Mr. COSTELLO.

H.R. 2380: Ms. NORTON, Ms. BERKLEY, Ms. SLAUGHTER, Mr. BOUCHER, Ms. SOLIS, Mr. EHRLICH, and Mr. SHIMKUS.

H.R. 2390: Mr. TERRY.

H.R. 2417: Mr. LARGENT.

H.R. 2418: Mr. CARSON of Oklahoma.

H.R. 2435: Mr. WOLF.

H.R. 2436: Mr. SOUDER.

H.R. 2453: Mr. WEXLER and Mr. CUMMINGS.

H.R. 2456: Mr. TOM DAVIS of Virginia and Mr. SHAYS.

H.R. 2458: Mr. MATHESON and Ms. BALDWIN.

H.R. 2476: Mr. NEAL of Massachusets, Mr. OBERSTAR, Mr. TIERNEY, Ms. KAPTUR, and Mr. STARK.

H.R. 2494: Mr. SHOWS, Mr. CAPUANO, Mr. RODRIGUEZ, Mr. LIPINSKI, Mr. GRAVES, Ms. SANCHEZ, Mr. FROST, and Mr. FALEOMAVAEGA.

H.R. 2498: Ms. ROYBAL-ALLARD, Mr. HINCHEY, Mr. ACKERMAN, Ms. CARSON of Indiana, Mrs. JONES of Ohio, Mrs. MALONEY of New York, and Ms. SCHAKOWSKY.

H.R. 2503: Ms. MCKINNEY.

H.R. 2527: Ms. BALDWIN.

H.R. 2540: Mr. ABERCROMBIE, Mr. SNYDER, Mr. PASCRELL, Mr. FALEOMAVAEGA, Ms. BERKLEY, Ms. MCKINNEY, Mr. HASTINGS of Florida, Mr. SANDERS, Mr. GONZALES, Mr. GUTIERREZ, Mr. DOYLE, Mrs. TAUSCHER, Ms. CARSON of Indiana, and Mr. EDWARDS.

H.R. 2550: Mr. HOUGHTON and Mr. NEY.

H.R. 2560: Mr. FROST.

H.R. 2563: Ms. SOLIS, Mr. MASCARA, Mr. LANGEVIN, Mr. VISCLOSKY, Mr. BALDACCI, and Mr. ACKERMAN.

H.J. Res. 6: Mr. MCGOVERN.

H.J. Res. 54: Mr. HYDE and Mr. PLATTS.

H. Con. Res. 89: Mr. BEREUTER.

H. Con. Res. 102: Mr. FROST, Mr. BISHOP, Ms. BROWN of Florida, Mr. CLAY, Mr. CLYBURN, Mr. DAVIS of Illinois, Mr. FORD, Mrs. JONES of Ohio, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS of Georgia, Mr. OWENS, Mr. SCOTT, and Mr. TOWNS.

H. Con. Res. 116: Mrs. BIGGERT.

H. Con. Res. 152: Mr. KIRK.

H. Con. Res. 162: Mr. ANDREWS and Mr. RUSH.

H. Con. Res. 177: Ms. WATERS, Ms. NORTON, Mrs. MALONEY of New York, Mr. RUSH, Mr. WAXMAN, Mr. HINCHEY, Mrs. CAPPS, and Mr. BONIOR.

H. Con. Res. 178: Mr. TOM DAVIS of Virginia, Mr. WOLF, Mr. SOUDER, Mr. MORAN of Virginia, Mr. CRENSHAW, Mr. COBLE, Mr. BLUNT, Mr. GOODLATTE, Mr. UPTON, Mr. PITTS, Mr. BURTON of Indiana, Mr. GILMAN, Mrs. JO ANN DAVIS of Virginia, Mrs. MYRICK, Mr. HOUGHTON, Mr. CANTOR, Mr. HYDE, Mr. HASTINGS of Florida, and Mr. ISAKSON.

H. Con. Res. 180: Mr. WEXLER, Mr. DEFAZIO, Mr. SERRANO, Mr. HORN, Mr. FRANK, Ms. ESHOO, Mr. PRICE of North Carolina, Mr. SNYDER, Ms. BALDWIN, Mr. TIERNEY, Mr. UDALL of Colorado, Mr. LARSON of Connecticut, Mr. STRICKLAND, Mr. ROEMER, Mr. BONIOR, Ms. WATSON, Mr. MCNULTY, and Mr. UNDERWOOD.

H. Con. Res. 181: Mr. HONDA, Mr. HINCHEY, Mr. PETERSON of Pennsylvania, Mr. UNDERWOOD, Ms. MCKINNEY, and Mr. WELDON of Pennsylvania.

H. Res. 144: Mr. RODRIGUEZ and Mr. BEREUTER.

H. Res. 152: Mr. OBEY.

H. Res. 191: Mr. FERGUSON, Mr. KERNS, Mr. HILLIARD, Mr. CHABOT, Mr. BURR of North Carolina, Mr. PITTS, Mr. FLAKE, Mrs. JO ANN DAVIS of Virginia, and Mr. DAVIS of Illinois.

H. Res. 193: Mr. WEINER, Mr. MOLLOHAN, Mr. KNOLLENBERG, and Mr. BRADY of Texas.

H. Res. 197: Mr. OSE, Mr. CALLAHAN, Mr. NEY, Mr. CANTOR, and Mr. PETERSON of Pennsylvania.

H. Res. 202: Mr. HOLDEN, Mr. SPRATT, Mr. OBEY, Mr. NUSSLE, Mr. CUNNINGHAM, Mr. BROWN of Ohio, Mr. MARKEY, Mr. WU, Mr. ROHRABACHER, Mr. DINGELL, Mr. MURTHA, and Mr. GREENWOOD.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 21: Mr. GREEN of Wisconsin.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2590

OFFERED BY: MR. KUCINICH

AMENDMENT NO. 4: At the end of title I (before the short title), insert the following:

SEC. ____. The Secretary of Treasury shall establish a commission to oppose the privatization of Social Security, the diversion of Social Security revenues to the stock market, and the reduction of Social Security benefits.

H.R. 2590

OFFERED BY: MR. SMITH OF NEW JERSEY

AMENDMENT NO. 5: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds made available in this Act may be used to administer or enforce part 515 of title 31, Code of Federal Regulations (the Cuban Assets Control Regulations) with respect to any travel or travel-related transaction, after the President has certified to Congress that the Cuban Government has released all political prisoners and has returned to the jurisdiction of the United States Government all persons residing in Cuba who are sought by the United States Government for the crimes of air piracy, narcotics trafficking, or murder.

H.R. 2590

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 6: At the end of the bill (preceding the short title) insert the following new section:

SEC. ____. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

H.R. 2590

OFFERED BY: MR. RANGEL

AMENDMENT NO. 7: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds made available in this Act may be used to implement, administer, or enforce the economic embargo of Cuba, as defined in section 4(7) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104–114), except those provisions that relate to the denial of foreign tax credits or to the implementation of the Harmonized Tariff Schedule of the United States.

H.R. 2590

OFFERED BY: MR. HASTINGS OF FLORIDA

AMENDMENT NO. 8: Add at the end before the short title the following:

SEC. 6____. The amounts otherwise provided by this Act are revised by increasing the amount provided for ''FEDERAL ELECTION COMMISSION—SALARIES AND EXPENSES'' by $600,000,000 and by decreasing each other amount appropriated or otherwise made available by this Act which is not required to be appropriated or otherwise made available by a provision of law by such equivalent percentage as is necessary to reduce the aggregate amount appropriated for all such amounts by the amount of the increase provided under this section.

H.R. 2590

OFFERED BY: MR. INSLEE

AMENDMENT NO. 9. Page 89, strike lines 18 through 20.

H.R. 2590

OFFERED BY: MR. SANDERS

AMENDMENT NO. 10: At the end of the bill, insert after the last section (preceding the short title) the following:

SEC. ____. None of the funds made available in this Act for the United States Customs Service may be used to allow the importation into the United States of any good, ware, article, or merchandise on which the United States Customs Service has in effect a detention order, pursuant to section 307 of the Tariff Act of 1930, on the basis that the good, ware, article, or merchandise may have been mined, produced, or manufactured by forced or indentured child labor.

H.R. 2590

OFFERED BY: MR. SOUDER

AMENDMENT NO. 11: In title III, in the item relating to ''FEDERAL DRUG CONTROL PROGRAMS–HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM'', before the period at the end insert the following:

: *Provided further*, That the Director shall reduce by 5 percent funds expended in High Intensity Drug Trafficking Areas containing States that permit the use of Schedule I controlled substances under State law in a manner inconsistent with the Controlled Substances Act (Public Law 91–513)

H.R. 2590

OFFERED BY: MR. WYNN

AMENDMENT NO. 12: At the end of the bill (preceding the short title) insert the following new section:

SEC. ____. None of the funds made available in this Act may be used to initiate the process of contracting out, outsourcing, privatizing, or converting any Federal Government services unless such process is carried out in accordance with the requirements regarding public-private competition set forth in OMB Circular A–76.

H.R. ____

[VA and HUD Appropriations, 2002]

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 1: At the end of the bill (before the short title), insert the following:

SEC. ____. For an additional amount for the Environmental Protection Agency for grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) for State expenses of formulating source water assessment programs under section 1453 of such Act, and the amount otherwise provided in this Act for ''Department of Housing and Urban Development—Management and Administration—Salaries and Expenses'' is hereby reduced by $85,000,000.

H.R. ____

[VA and HUD Appropriations, 2002]

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 2: In title III, in the item relating to ''CONSUMER PRODUCT SAFETY COMMISSION—SALARIES AND EXPENSES'', insert before the period at the end the following:

: *Provided*, That, of the amount provided under this heading for nonsalary expenses, $2,500,000 shall not be available for obligation until June 1, 2002.

H.R. ____

[VA and HUD Appropriations, 2002]

OFFERED BY: MR. KLECZKA

AMENDMENT NO. 3: At the end of title I, insert the following new section:

SEC. ____. (a) AUTHORITY OF DEPARTMENT OF VETERANS AFFAIRS PHARMACIES TO DISPENSE MEDICATIONS TO VETERANS ON PRESCRIPTIONS WRITTEN BY PRIVATE PRACTITIONERS.—Subsection (d) of section 1712 of title 38, United States Code, is amended to read as follows:

''(d) Subject to section 1722A of this title, the Secretary shall furnish to a veteran such drugs and medicines as may be ordered on prescription of a duly licensed physician in the treatment of any illness or injury of the veteran.''.

(b) CLERICAL AMENDMENTS.—(1) The heading of such section is amended by striking the sixth through ninth words.

(2) The item relating to that section in the table of sections at the beginning of chapter 17 of that title is amended by striking the sixth through ninth words.

H.R. ____

[VA and HUD Appropriations, 2002]

OFFERED BY: MR. ROEMER

AMENDMENT NO. 4: In the item relating to ''DEPARTMENT OF VETERANS AFFAIRS—VETERANS HEALTH ADMINISTRATION—MEDICAL AND PROSTHETIC RESEARCH'', after the aggregate dollar amount, insert the following: ''(increased by $10,000,000)''.

In the item relating to ''DEPARTMENT OF VETERANS AFFAIRS—DEPARTMENTAL ADMINISTRATION—GENERAL OPERATING EXPENSES'', after the aggregate dollar amount, insert the following: ''(increased by $56,000,000)''.

In the item relating to ''DEPARTMENT OF VETERANS AFFAIRS—DEPARTMENTAL ADMINISTRATION—CONSTRUCTION, MINOR PROJECTS'', after the aggregate dollar amount, insert the following: ''(increased by $10,000,000)''.

In the item relating to ''DEPARTMENT OF VETERANS AFFAIRS—DEPARTMENTAL ADMINISTRATION—GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES'', after the aggregate dollar amount, insert the following: ''(increased by $30,000,000)''.

In the item relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—HUMAN SPACE FLIGHT'', after the aggregate dollar amount in the first paragraph, insert the following: ''(reduced by [$1,831,300,000,000]) (increased by $300,000,000)''.

In the item relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—HUMAN SPACE FLIGHT'', after the aggregate dollar amount specified in the second paragraph for the development of a crew return vehicle, insert the following: ''(reduced by [$275,000,000])''.

In the item relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—SCIENCE, AERONAUTICS AND TECHNOLOGY'', after the aggregate dollar amount, insert the following: ''[(reduced by $343,600,000)] (increased by $290,000,000) (increased by $20,000,000) (increased by $6,000,000) (increased by $49,000,000)''.

In the item relating to ''NATIONAL SCIENCE FOUNDATION—RESEARCH AND RELATED ACTIVITIES'', after the aggregate dollar amount, insert the following: ''(increased by $405,000,000)''.

In the item relating to ''NATIONAL SCIENCE FOUNDATION—MAJOR RESEARCH FACILITIES CONSTRUCTION AND EQUIPMENT'', after the aggregate dollar amount, insert the following: ''(increased by $62,000,000)''.

In the item relating to ''NATIONAL SCIENCE FOUNDATION—EDUCATION AND HUMAN RESOURCES'', after the aggregate dollar amount, insert the following: ''(increased by $34,700,000)''.

In the item relating to ''NATIONAL SCIENCE FOUNDATION—SALARIES AND EXPENSES'', after the aggregate dollar amount, insert the following: ''(increased by $5,900,000)''.

H.R. ____

[VA and HUD Appropriations, 2002]

OFFERED BY: MR. ROEMER

AMENDMENT NO. 5: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by the National Aeronautics and Space Administration—

(1) to obligate amounts for the International Space Station in contravention of the cost limitations established by section 202 of the National Aeronautics and Space Administration Authorization Act of 2000 (Pub. L. 106–391; 42 U.S.C. 2451 note); or

(2) to defer or cancel construction of the Habitation Module, Crew Return Vehicle, or Propulsion Module elements of the International Space Station.

EXTENSIONS OF REMARKS

A TRIBUTE TO WARREN C. CHAO

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. LANTOS. Mr. Speaker, today I rise in tribute to an outstanding American, the late Mr. Warren C. Chao who led a life of service, great accomplishment and ultimate achievement of the American dream.

Mr. Chao was born into meager circumstances during a time of great turmoil in Manchuria, China, on March 16, 1914. Even as a young man, he was deeply committed to receiving an education and left his family to attend school in Beijing at the age of 15. During the Japanese occupation, Mr. Chao was unable to return to his home.

When he was at last able to return, Mr. Chao was distressed to learn that his father had been tortured and arrested by the Japanese army and that his family had been forced to sell their farm to buy his father's freedom, leaving them indigent. Also after returning to his native Manchuria, Mr. Chao completed his undergraduate work in Civil Engineering. For five years after his graduation, Mr. Chao committed himself to public service by building agricultural infrastructure for Chinese farmers. During this time he supervised various flood management projects in China, including the Yellow River project, which is, world renowned as one of the most challenging water projects ever undertaken by man.

Mr. Speaker, in 1948, during the Chinese Civil War, Mr. Chao worked on water conservation projects in Manchuria for the Nationalist government. A staunch anti-communist, he was forced to escape on foot, disguised as a peasant, to rejoin his wife who had previously left Manchuria for the safety of Beijing. Unfortunately, Mr. Chao's parents and extended family were unable to join him. After a brief stay in Beijing, Mr. Chao and his wife traveled to Taiwan, not knowing that they would not see their homeland again for more than 40 years.

Once in Taiwan, Mr. Chao got a job with the Taiwan Sugar Company as a Civil Engineer. During the eleven years he was employed by the Taiwan Sugar Company, he was recognized as a pioneer in developing western Taiwan's coastal agricultural areas. After leaving the Taiwan Sugar Company, Mr. Chao was employed by the National Taiwan Power Company as the Senior Hydraulic Engineer, and was instrumental in building numerous large hydraulic dams and power stations. Due to his technical and supervisory expertise, he was appointed to be the Irrigation Engineer for the Sino-American Joint Commission on Rural Reconstruction, a venture supported by the United States Agency for International Development.

Mr. Speaker, at the age of 55, Mr. Chao immigrated to the United States in pursuit of a better life for his family. He moved to San Francisco on August 8, 1970. His lack of skill in the English language hindered Mr. Chao professionally, but he persevered, performing hard physical labor to support his family.

Like many Americans, Mr. Chao succeeded despite tremendous odds against him. He worked hard to get ahead and attended graduate school in civil engineering at the University of California at Davis, and environmental engineering at the University of California at San Francisco. He returned to engineering at the Naval Supplies Center in Alameda where he served as a Civil Engineer for 15 years, retiring at the age of 78, after spending his entire professional life using his technical knowledge to benefit others.

Mr. Speaker, sadly Mr. Chao passed away on August 14, 1999. His family described his passing in peace and comfort and recalled these selfless words from his final days: "This road is getting too long and hard and I don't want to make it too hard for you." I will close with the words of Mr. Chao's son Michael, who paid the greatest tribute a child can to a parent by memorializing his father as a man of "accomplishment, sacrifice for his family, service to his country and unyielding spirit and enthusiasm for education."

I ask my colleagues to join me in commending Mr. Chao for a life well lived, for the legacy of public service, for his commitment to his family in America. I invite my colleagues to join me in paying tribute to Warren Chao.

COMMUNITY SOLUTIONS ACT OF 2001

SPEECH OF

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2001

Mr. MANZULLO. Mr. Speaker, with great reluctance, I will vote against the Community Solutions Act (H.R. 7), an otherwise outstanding piece of legislation. The bill allows additional not-for-profits the same ability to administer federal programs as the Salvation Army, Catholic Charities, and Lutheran Social Services have demonstrated for years; it allows appreciated IRA's to be cashed in and donated to charities without having to declare a gain in income; and much more. There is one very troubling provision, however.

In an effort to encourage businesses and individuals to make facilities available to not-for-profits, including churches, section 104 of the bill creates different legal standards of care owed by the landlord to the tenant. For example, if a shopping center made a community room available, for free or rental, and an attendee fell down the stairs, the charity could have greater liability for injuries than the landlord who has actual control of the stairs. If the church lacked the insurance or other resources, the attendee might be left without a complete remedy, or any remedy at all.

Apart from the merits of these different liability standards for not-for-profits, that whole issue belongs in the state legislatures, not the United States Congress. Congress has no constitutional authority to determine landlord-tenant liability. This is how good intentions result in bad law, and how federal government power continues to grow.

I raised these important concerns, but they were not heeded. While there is an exemption or "opt-out" for states in section 104(e) of the bill, it is wholly inadequate. It requires states to enact a law claiming exemption from the federal standards, but even then it provides no exemption for federal cases (such as those based on diversity of citizenship) and no exemption for state cases where diversity of citizenship exists. In other words, even if a state enacts a law opting out of the federal liability standards, those federal standards still apply in numerous cases, including (1) all cases brought in federal court and (2) all cases brought in state court where any plaintiff or any defendant is from a different state. Such a diluted exemption does very little to address the important policy and constitutional concerns noted above.

The bill does not need section 104 to carry out the President's worthy goal of expanding charitable choice. I sincerely hope the bill can be changed to reflect these serious concerns, and will work toward that end.

PERSONAL EXPLANATION

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mrs. CAPPS. Mr. Speaker, due to airplane malfunctions I was detained in returning from my district last night and missed three votes. Had I been here I would have made the following votes: rollcall No. 257—"yes", No. 258—"yes" and No. 259—"yes".

HIV/AIDS IN THE CARIBBEAN

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. RANGEL. Mr. Speaker, while we take into account the millions who die each year in Africa from this deadly disease we know as HIV/AIDS, we must also focus our attention on the Caribbean, as the second largest population to become infected with this devastating disease, as reported in the front page of the Washington Post yesterday, for those who may have missed it, I submit it for the record.

Two-thirds of all those diagnosed with the AIDS virus in the Caribbean are dead within two years. What is even more outrageous is that AIDS is the leading cause of death in the Caribbean for those aged 15 to 45 and the numbers are growing.

About one in every 50 people in the Caribbean, or 2% of the population has AIDS or is infected with HIV, the virus which causes AIDS; more than 4% in the Bahamas, and 13% among urban adults in Haiti.

The UN estimates that there were 9,600 children infected in the Caribbean. Further, the Caribbean Epidemiology Centre (CAREC) as well estimates that the overall child mortality rate will increase 60% by 2010 if treatment is not improved.

Clearly, there is a need not only for the United States government's assistance but also for those major private foundations that provide AIDS money for Africa to also develop programs that will come to the aid of those in the Caribbean.

I proudly commend Congresswoman DONNA CHRISTENSEN and her efforts to raise awareness in the community, as this disease is kept silent. I also commend the government of the Bahamas as being the only country in the region that has offered universal antiretroviral treatment over the last several years.

While we simply take medical services and treatment for granted in this country, as the number of AIDS cases decreases per year in North America and increases in the Caribbean; it is our obligation to help provide assistance to these governments in order for them to provide a simple service to their people, enabling them to live prosperous and healthy lives.

TRIBUTE TO THE IDAHO AVIATION CAREER EDUCATION PROGRAM

HON. C.L. "BUTCH" OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. OTTER. Mr. Speaker, I rise today to pay tribute to the Idaho Aviation Education (ACE) program, jointly sponsored by the Idaho Transportation Department Division of Aeronautics and the Idaho Aviation Hall of Fame. Last week, two dozen young people from across Idaho were able to take part in the ACE program and learn about the opportunities and excitement available in the aviation industry. These high school students learned about air traffic control, flight maintenance, Idaho's illustrious flying heritage, and the pride that comes from a job well done. Students were even given the opportunity to navigate light aircraft through the Boise foothills, demonstrating the real life uses of geography and mathematics skills acquired in school.

I would like to thank all of the people who work to make the ACE program a reality, especially Pam Franco at the Idaho Division of Aeronautics. I would also like to thank the families in the Boise area who took the ACE students into their homes as guests. I am proud of all of the ACE students and encourage them to pursue their dreams into the Idaho skies.

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. PASCRELL. Mr. Speaker, I was unavoidably detained by a delayed flight and was unable to be present last night for floor votes. If I had been present, I would have voted in the affirmative on H.R. 2137, H.R. 1892, and S. 468.

SUPPORT FOR THE ARMENIAN TECHNOLOGY GROUP

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. RADANOVICH. Mr. Speaker, I rise today to express my support for the Armenian Technology Group's efforts to assist the development of rural private enterprise in the Caucasus and Central Asia regions of the former Soviet Union.

Both as a farmer and as one of this body's Representatives from the world's most prolific agricultural regions, the San Joaquin Valley, I appreciate ATG's work around the world. Just last week, ATG announced the results of its seed multiplication efforts in Armenia. ATG did not merely double the production of wheat in Armenia—the organization was responsible for creating a net four hundred and thirty percent increase in wheat yield.

This, Mr. Speaker, is one of the great success stories in America's foreign assistance history. It is why I am pushing for ATG to receive the resources necessary to replicate its work along the legendary Silk Road in Central Asia. The Central Asia region has not witnessed the type of market-driven successes that we had hoped for at the time of the dismantling of the Soviet Union. I am confident, however, that ATG can help these countries move on the path to economic and market reform and eventual prosperity.

Mr. Speaker, I invite you and our colleagues in this distinguished House to learn more about ATG and the amazing work it has done. May the organization continue to be allowed to prosper in Armenia and elsewhere—it is truly one of America's treasures that we can share with the rest of the world.

PERSONAL EXPLANATION

HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. RILEY. Mr. Speaker, I was unavoidably detained for rollcall No. 257, Criminal Law Technical Amendments Act of 2001. Had I been present I would have voted "yea."

I was unavoidably detained for rollcall No. 258, Family Sponsor Immigration Act of 2001. Had I been present I would have voted "yea."

I was unavoidably detained for rollcall No. 259, the James C. Corman Federal Building Designation Act. Had I been present I would have voted "yea."

PERSONAL EXPLANATION

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. MANZULLO. Mr. Speaker, last night, while the House of Representatives was voting, I was unavoidably detained from participating due to adverse weather conditions that kept me from arriving at the Capitol on time. Had I been present I would have voted "yea" on the following bills: H.R. 2137—Criminal Law Technical Amendments Act of 2001; H.R. 1892—Family Sponsor Immigration Act of 2001; and, S. 468—James C. Corman Federal Building Designation Act.

HONORING HENRY L. "HANK" LACAYO

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mrs. CAPPS. Mr. Speaker, I rise to pay tribute to Henry L. "Hank" Lacayo, an outstanding community leader from California, on the occasion of his 70th birthday. I want to recognize Hank's lifetime of service he has provided the Nation through his dedication to leadership and social activism.

After graduating from John C. Fremont High School in 1949, Hank served in the U.S. Air Force and was later hired at the North American Aviation's Los Angeles Division in 1953. He then embarked on a career in organized labor starting with his election in 1962 to serve as President of the United Auto Workers (UAW) Local 887.

Until 1972, Hank represented 30,000 workers at North American Aviation, later known as Rockwell International in Los Angeles. Appointed as an Administrative Assistant to then-UAW President Leonard Woodcock, Hank moved to Detroit, Michigan in 1974. There Hank was appointed National Director of the UAW's political and legislative department. For the successive three UAW's Presidents, Leonard Woodcock, Douglas Fraser, and Owen Bieber, Hank served as administrative assistant.

During the administration of President John F. Kennedy, Hank served as an advisor to the U.S. Department of Labor. He has since been a trusted advisor to several U.S. Presidents. Hank was named a National Director of the UAW Community Action Program, the UAW's political and legislative arm, in 1976.

Hank's total devotion to his community is evidenced by the many organizations that he has chaired worldwide. Hank is a founding member of Destino 2000, the Hispanic Legacy fund, Co-Founder and Past Chairman of the Board of the U.S. Hispanic Leadership Institute and currently serves on the Community Advisory Board of the California State University Channel Islands.

Hank's remarkable leadership skills are valued throughout the world as noted when he was appointed in 1994 and 1996 as an International Election Observer to the Presidential elections in Honduras and Nicaragua.

Hank's devoted service to the community around him has been recognized through his receipt of honors in the form of the National Hero Award from the U.S. Hispanic Leadership Institute, 1993 Labor Leader of the Year from the Tri County Labor Council (Ventura, Santa Barbara and San Luis Obispo), and by the Hank Lacayo Community Center in Van Nuys, California.

Mr. Speaker, I ask my colleagues join me in honoring the contributions that Hank has given to a myriad of communities through his lifetime. And we all join in wishing him a very happy birthday.

CALL FOR RECOGNITION OF AND ACTION ON THE HUMANITARIAN CRISIS OF AIDS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. RANGEL. Mr. Speaker, I rise before you today to call attention to the worldwide humanitarian crisis of AIDS. As we consider appropriations for fiscal year 2002, I urge my colleagues to increase our focus on the fight against HIV and AIDS.

I support and applaud the substantial increase in funding to fight HIV/AIDS around the world. I am happy to see that Foreign Operations Appropriations Act for Fiscal Year 2002 includes $474 million for combating HIV/AIDS, roughly $45 million more than the Bush administration requested. The bill provides for $100 million of the promised $200 million U.S. contribution to the new United Nations Global Fund to fight HIV/AIDS, Malaria, and Tuberculosis. I hope that this contribution is the first of many, a down payment on our global future.

As I consider the recent U.N. AIDS conference, I think about the world's people rallying together, in all of our richness and complexity, to fight something so basic yet elusive: a virus. It is shocking and difficult to absorb the reality of the expansive damage done by an organism so small.

It was 20 years ago that we began this fight, and it is a difficult anniversary. Thankfully, past disagreement on this issue has given way to building consensus that AIDS is an international emergency that threatens global security and stability. For the United States, this is a matter of the highest urgency and national interest. The moral, humanitarian, economic, and international security threats posed by AIDS mandate concentrated and immediate action.

We are all aware of the health crisis presented by AIDS. The facts are staggering and quoted often. At times, the numbers are so emotionally unwieldy that it is difficult to absorb the reality of this epic loss in a meaningful way.

Again, we survey the damage: 21 million people have lost their lives to AIDS. Of those, 17 million victims were Africans. This loss of human life is unparalleled. Sub-Saharan Africa is home to about 10 percent of the world's population—and more than 70 percent of the worldwide total of infected people. The United Nations reports that 25.3 million adults and children in sub-Saharan Africa are currently infected with the HIV virus and that 12.1 million African children have been orphaned by AIDS since the epidemic began 20 years ago. These children are left to a life of malnutrition and limited educational opportunity.

Beyond Africa, the impact of AIDS is increasing in Asia, Central America, Eastern Europe, and India. The situation is also dire closer to home. The Caribbean is fast

The world's poorest countries are those hardest hit. As the virus destroys the lives and bodies of individuals, it eats away at the very fabric of developing nation-states. Tragic and personal experiences with death in these countries are adding up to disastrous social and economic trends.

UNAIDS states that 95 percent of the world's 34.3 million HIV-infected people live in developing countries, countries where access to care and much-needed medicines are limited. Development is reversed and already-fragile governments are strained. Developing economies are further marginalized by as much as 20 percent. As nations lose entire generations, they lose skilled workers, teachers, doctors, and leaders. The virus is depriving Africa of those who could best contribute to its future, leaving behind economic decline and political upheaval.

African and other third-world nations, long on the back burner of U.S. policy consideration, now demand our attention and cooperation. This continuum of suffering must be met with a continuum of real and immediate intervention. This epidemic is truly the greatest developmental challenge of our lifetime.

The situation is dire, yet is my hope that in the midst of this crisis, we can find great opportunity. Perhaps we can meet this challenge, employing crisis as a tool to improve medical training, treatment, and health care delivery infrastructure for the world's neediest people.

We must meet the urgency of this great calamity and move from shocking figures to strategic, collaborative interventions. The United States must use both our resources and our moral influence as we urge all nations to join in this fight.

We must augment our own contributions and urge increased international donations to the World Bank AIDS international trust and the U.N. Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis. The President recently requested roughly $2.5 billion for Theater Missile Defense (TMD). Surely, we can do more for AIDS.

Strategic, multilateral partnerships must be formed between governments, non-governmental organizations, pharmaceutical companies, and private foundations and industry to further a comprehensive program of worldwide HIV/AIDS prevention, awareness, education, and treatment. We must focus on authorizing critical assistance to fight the disease in sub-Saharan Africa and other developing countries.

I wish to stress that we must not lose hope as we face tough decisions and the difficult balancing of different positions and approaches. We must allocate rationed resources and discuss the appropriate balance between prevention, treatment, and research. We must craft a compromise between important international trade rules and critical access to HIV-related drugs. We must temper the urgent need for the availability of antiretroviral drugs with the reality of health systems that are not prepared for diagnosis and treatment. As we work to extend the lives of people living with AIDS, we must pursue aggressive and phased-in interventions. Without focused funding on the improvement of medical infrastructure, we entertain dangerous public health risks posed by the introduction of drug-resistant strains. We must anticipate and constructively respond to all these challenges as they arise, for they will arise. But let it be said: challenges and hurdles are never a reason to not attempt change, especially when the goal is reduction of extreme human suffering and prolonging of life. We must frame setbacks as opportunities for improved efforts.

Lastly, I urge my colleagues to consider the effects of trade and debt reduction policies that influence the treatment of the disease. We must push for the full implementation of the African trade bill and Caribbean Basin initiative. Additionally, it is essential that we provide debt relief to the world's poorest countries and enable these countries to reinvest the savings in treatment, prevention, education, and poverty reduction efforts.

I urge my colleagues to let these appropriations be another step in U.S. leadership on this issue. Our own citizens have led the fight in awareness and advocacy on this issue—let us meet them in their determination and dedication. Let these funds be the beginning of increased efforts to treat and prevent this terrible disease. If we miss this opportunity for leadership, we will lose an entire generation. We cannot come late in our response.

I thank my colleagues for their continued cooperation and action on this issue. It is my wish that our efforts will result in a day where much like smallpox, the worldwide plague of AIDS will be only a memory; poignant, yet firmly in our past.

PAYING TRIBUTE TO THE TRW CHASSIS SYSTEMS' FENTON PLANT

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to pay tribute to the TRW Chassis Systems' Fenton Plant for receiving the prestigious Michigan Voluntary Protection Programs (MVPP) Star Award for workplace safety and health excellence. They were presented with the award by the Michigan Department of Consumer & Industry Services on June 15, 2001 during a ceremony at the plant.

In receiving this award, the plant was subject to intense competition and a verification audit with stringent criteria that emphasizes management commitment, employee involvement and low accident rates. The Fenton

plant's accident rates and lost work day rates are far below the Michigan average for the industry.

Therefore Mr. Speaker, I respectfully ask my colleagues to join me in paying tribute to the TRW Chassis Systems' Fenton Plant for receiving the Michigan Voluntary Protection Programs Star Award.

HONORING MS. DOROTHY PERRY, A CHAMPION OF AFFORDABLE HOUSING

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mrs. MEEK of Florida. Mr. Speaker, I rise to pay tribute to Ms. Dorothy Perry, the Parents' Day Council's Florida Parent of the Year 2001. Ms. Perry is a worthy honoree for the 7th Annual Congressional Parents' Day Celebration. One of the unsung heroines of our community, Ms. Perry has been a trailblazer throughout her many years of dedication and service under the aegis of the affordable housing movement.

She has wisely chosen the challenge of ensuring home ownership as an affordable right for ordinary folks, who have done and are doing their fair share in contributing to the good of our community. For many years, long before the dream of affordable housing became a priority on the public agenda, Ms. Perry has been relentless in her passionate commitment to helping countless people in my community fulfill their wish of someday owning their dream house.

Tonight's honor is yet another recognition of her devotion to the little people. In fact, a few years ago the United Nations honored her as the adoptive mother par excellence of some 2000 children, having literally transformed her home in my district's James E. Scott Public Housing into a ''safe and loving haven'' for them.

Indeed, Ms. Perry symbolizes the community activist who genuinely gives credence to the dignity and optimism of the American spirit. She serves as an indelible reminder of what a difference a caring individual can make in the lives of our children in whose hands our future lies.

On behalf of a grateful nation, I salute her and wish her Godspeed in all her endeavors!

RECOGNIZING BLUE AND WHITE SUNDAY

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. KILDEE. Mr. Speaker, I rise today to join Community Baptist Church of Davison, Michigan, in honoring the dedicated men and women of law enforcement throughout Genesee County. This Sunday has been declared by Community Baptist Church as ''Blue and White Sunday,'' in honor of the members of each police department in Genesee County. The Community Baptist Church of Davison recognizes that our police officers should be surrounded with our prayers.

As a Member of Congress, I consider it both my duty and privilege to work to promote, protect, defend, and enhance human dignity. I know that because of Genesee County's loyal police forces, this task becomes easier. It takes a special kind of person to patrol our streets and ensure our citizens' safety, and because of their commitment to justice, the cities and townships of Genesee County have collectively become a better place.

I applaud Community Baptist Church for their insight in honoring these valiant people who have made it their life's work to preserve peace and order, and have served the public trust. In addition, they have become role models, colleagues, and friends to the community.

Mr. Speaker, we owe law enforcement officials throughout the country a debt of gratitude. Every day they put their very lives on the line to shield our loved ones and us from harm, and for that I am more than thankful. I ask my colleagues to please join me in recognizing their efforts.

H.R. 427, THE LITTLE SANDY WATERSHED PROTECTION ACT

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. WU. Mr. Speaker, I rise today as an original cosponsor in support of H.R. 427, the Little Sandy Watershed Protection Act. I thank my colleague from Oregon, Mr. BLUMENAUER, for spearheading such an important bill for Oregon.

This important legislation will extend the boundary of the Bull Run Management Unit, a bit Northeast of Portland, to include the Little Sandy watershed. By doing this, we will help secure the water quality of potential sources of drinking water for the Portland metro area. Additionally, by securing the Little Sandy watershed, we will protect the water quality and habitat of anadromous fish, including steelhead and Chinook, listed under the Endangered Species Act.

Mr. Speaker, this common sense solution is ''Oregonesque.'' The bill maintains the integrity of the Association of O&C Counties and authorizes Clackamas County to seek $10 million for watershed restoration projects that relate to the Endangered Species Act listings or water quality improvements. This local and federal partnership is needed to help recover these populations of endangered steelhead and Chinook. By working together to protect watersheds and habitat today, we will avoid the clashes between species protection and other land uses tomorrow.

Thank you again for lending me the time, and I urge all of my colleagues to support this responsible bill. I yield back the balance of my time.

KATIE HENIO WINS NATIONAL VOLUNTEER AWARD

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. UDALL of New Mexico. Mr. Speaker, I am delighted to rise today and recognize Katie Henio, a 73-year-old sheepherder and weaver from the Navajo Reservation, who is receiving a national community volunter award this week.

Katie is receiving the Yoneo Ono award from the Rural Community Assistance Corporation for her work with the Ramah Navajo Weavers Cooperative, a grassroots group made up of over forty traditional weavers who live on the Ramah Navajo Reservation in the pinon pine country of west central New Mexico. Founded by seventeen women in 1984, the non-profit group is working toward two broad goals: to increase family self-reliance on indigenous resources, and to strengthen important and distinctive land-based traditions, values, and spirituality for future generations of Ramah Navajos.

The Ramah Navajo weavers offer high quality traditionally handspun, hand-woven Navajo weavings. Colors are from natural wools or native plants found on or near the Ramah Navajo Reservation, giving a wide range of reds, blues, grays, yellows, tans, and browns. Each weaver raises her own sheep, creates her own designs—many of which have been passed on through generations by family members—spins her own yarns, hand-dyes the yarns using vegetal dyes from local plants, and weaves on the traditional Navajo upright loom.

Katie has been the President of the association since 1985 and serves on the planning committee to develop Navajo language and culture curriculum at Pine Hill schools. Katie has also had a children's book written about her, ''Katie Henio, Navajo Sheepherder.'' That book has taught children around the country—far from the Navajo reservation—about the ways of her people and celebrates their lifestyle.

The Yoneo Ono award is given each year to a volunteer who has made a contribution to improving the quality of life in his or her community. It is named in honor of one of the founders of the Rural Community Assistance Corporation, a nonprofit group dedicated to improving the lives of rural citizens in 12 western states.

In this day and age, one is hard pressed to find someone so selfless in caring for her community and fellow citizens. Katie epitomizes the values that all of us should strive for: leadership, commitment, dedication, compassion, and self sacrifice. Mother, grandmother, great-grandmother and pillar of her community, Katie's devotion to those around her has rightfully earned her he respect and admiration of those she has served and will continue to serve.

Mr. Speaker, as my colleagues are aware, I serve as the ranking member on the Small Business Subcommittee on Rural Enterprise, Agriculture and Technology. As someone who has dedicated himself to raising awareness of

the unique challenges that face rural America, I believe that Katie Henio is an example of a volunteer in a rural community pulling people together and thriving. She has demonstrated that individuals working together make a difference. I wish to extend my best wishes and congratulations to Katie on a job well done, and encourage this wonderful organization to keep up the good work.

INTRODUCTION OF A RESOLUTION ENSURING A FAIR AND EQUITABLE OPPORTUNITY TO HARVEST MIGRATORY MOURNING DOVES IN THE PACIFIC FLYWAY

HON. JAMES V. HANSEN

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. HANSEN. Mr. Speaker, I am pleased to introduce today a House Concurrent Resolution calling for a renegotiation of the Migratory Bird Treaty of 1916 to promote fair and equitable hunting opportunities for sportsmen in the western United States.

Specifically, my legislation provides for a lengthening of the migratory mourning dove hunting season in the Pacific Flyway Region. This region includes the states of Arizona, California, Colorado, Idaho, New Mexico, Oregon, Utah, Washington, and Wyoming.

The nationwide hunting season opening date for migratory mourning doves is September 1st, as established by the Migratory Bird Treaty. However, in the Pacific Flyway Region, 75 percent of the migratory mourning dove population has already moved south by this traditional opening day. Because of this naturally occurring event, sportsmen in western states, including my own State of Utah, are denied the same hunting opportunities for mourning doves as millions of other Americans.

This Resolution is the first step towards correcting this problem by urging the President to take immediate action to begin discussions for the necessary renegotiation of the Migratory Bird Treaty with the appropriate counties who are signatories to this document. It is only through these modifications that sportsmen across the United States will be able to enjoy equally fruitful hunting experiences.

It is important to note that migratory mourning doves are the most widely distributed game bird in North America, as well as the most harvested. Current hunting regulations for mourning doves have been conclusively found to cause no significant effects on recruitment of fledglings in mourning dove populations. An extended hunting season of one additional week at the end of August will pose no threat to migratory mourning doves as game managers will be free to update any regulations necessary to allow for a lengthened season.

This resolution has already found approval with many sportsman groups and wildlife managers throughout the Pacific Flyway region, especially in the intermountain states of Colorado, Idaho, Utah, and Wyoming.

Mourning dove hunting remains a time honored tradition in the Pacific Flyway region, and it is essential that more equitable harvesting conditions be established. Congress should pass this resolution as an act of fairness and as an expression of our gratitude to western sportsmen who have consistently demonstrated a commitment to conserving wildlife by contributing millions of dollars to the Federal Aid to Wildlife Conservation Fund. I urge the expeditious passage of this Resolution so that we can start the process of resolving this inequitable situation.

CONGRATULATIONS TO SEVERAL HOSPITALS IN WESTERN PENNSYLVANIA

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Ms. HART. Mr. Speaker, I rise to the floor today to congratulate several hospitals in western Pennsylvania that were just named as some of the best in the country by U.S. News and World Report.

Pittsburgh has a long history as a hub of research and development in health care. From the life saving work of tissue research, to their reputation as a world-renowned provider of pediatric care, Pittsburgh area hospitals continue to make breakthroughs in the care and treatment of the sick. Three local hospitals made U.S. News and World Report's annual assessment of the country's best hospitals, and I would like to pay tribute to them now.

Children's Hospital of Pittsburgh was ranked as one of the best pediatric hospitals in the country, a testimony to their efforts to ensure that children are in playgrounds and camps during the summer, not hospital beds. The University of Pittsburgh Medical Center was named as one of the top otolaryngology centers due to their commitment to curing disorders from hearing loss to neck cancer. The University of Pittsburgh Medical Center also joined Allegheny General Hospital in Pittsburgh as two of the best centers in America to treat cancer.

These hospitals are on the front lines every day, searching for more answers and providing more cures to some of the most painful and debilitating disorders known to man. I commend these and all other hospitals as they work to make our lives healthier and happier. It is through their tireless work and dedication that we continue to expand the quality of life and health of all western Pennsylvanians, as well as people throughout the world.

TRIBUTE TO CENTRAL NEW YORK BENEFACTOR SHERMAN SAUNDERS

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. WALSH. Mr. Speaker, I rise today to recognize a neighbor who has generously given of his time, talent, and finances to benefit the Central New York community. Mr. Sherman Saunders, a local businessman, was honored earlier this week at a surprise eighty-third birthday party in Syracuse, New York.

Mr. Saunders was born on July 10, 1918, in Syracuse to a local family that operated a stone and gravel business. Mr. Saunders' great-grandfather started the business as a livery stable on West Onondaga Street. After receiving a civil engineering degree from Syracuse University, Mr. Saunders ran the family business, eventually expanding it to sell sand and Redi-Mix in addition to stone and gravel. Many major Syracuse area landmarks and development projects utilized his company's services during their construction, and the Central New York community continues to literally rely upon him as it grows and prospers.

Mr. Saunders and his wife of forty-two years, Marie, have six children—Judith, Karen, Gail, Michael, Sandy, and Marilyn—and continue to reside in the Syracuse area. Their son Michael directs the family business today.

Besides Mr. Saunders' community contributions as a local businessman, Mr. Saunders has been a tireless advocate for good government. With a keen interest in politics, Mr. Saunders has given generously to local candidates for public office. Mr. Saunders has also been a generous benefactor to such local organizations as the Greater Syracuse Boys & Girls Club, various youth recreation organizations, the SPCA, and Syracuse-area Catholic Charities.

Mr. Saunders' longtime philanthropic work is deserved of such special recognition this week, but his modest and humble demeanor makes his generosity even more noteworthy. As his family and friends gather in celebration of his birthday, I wish him continued health and prosperity as he enters his eighty-fourth year and thank him for his numerous contributions to making Syracuse a better place to live, work, and raise a family.

IN MEMORY OF KENNETH HERMAN BLOHM

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. FARR of California. Mr. Speaker, I rise today to honor the life of Mr. Kenneth Herman Blohm, whose lifelong career of public service influenced many lives on the Central Coast of California. Mr. Blohm, who passed away on July 2, 2001, is survived by his two sisters, five children, nine grandchildren, and seven great-grandchildren. His wife of 56 years, Agnes O'Grady Blohm, died in 1990.

Mr. Blohm was born in Watsonville, California on November 8, 1908. He worked as an auditor for the Railroad Express Agency from 1926–1963, and then served as a Monterey County judge for ten years. Mr. Blohm served in the California State Guard during World War II, and in 1942, he was President of the Spring District School Board in Salinas. From 1969 until 1974, he served as President of the North Monterey County School District, and in 1976, Mr. Blohm was elected to the Monterey County Board of Supervisors, where he served until 1980. Beyond his contributions as

a public servant, Mr. Blohm dedicated himself to the broader community. He was a member, and leader, of the Salinas Elks, the Castroville Rotary, the Knights of Columbus, the Gambetta Little League, the Elkhorn School Parent-Teacher Association, and the Boy Scouts of America.

Mr. Blohm, known as a man with firm convictions, truly believed in his work, and worked towards improving the quality of lives on the Central Coast. Throughout his term on the Monterey County Board of Supervisors, he was a frequent critic of county land-use policy and often voted in favor of property owners who appealed county planning decisions. He strongly believed in voting his conscience and believed that every citizen had the right to be heard on an issue before it became policy. Throughout his years of public service he remained loyal to his belief in less government control over land and property. Although Mr. Blohm was a critic of state Coastal Commission procedures, in 1978, the Board of Supervisors picked Mr. Blohm as its representative on the Coastal Commission.

Mr. Blohm remained strong in his beliefs, and was a supporter of programs that he believed would benefit the Central Coast. His admirable career of public service was dedicated to improving the Coastal Coast, and his contributions have made a significant impact. I, along with the Central Coast community, would like to honor the life of Mr. Blohm's whose dedication and contributions are truly commendable.

TRIBUTE TO WHITEMAN AIR FORCE BASE 509TH BOMB WING EMERGENCY RESPONSE TEAM

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. SKELTON. Mr. Speaker, let me take this means to pay tribute to the Whiteman Air Force Base 509th Bomb Wing emergency response team. On July 12, 2001 the team successfully helped a TWA flight divert a tragedy by acting with precision and expertise.

The 509th Bomb Wing emergency response team is made up of firefighters, security forces, medics, transportation, chaplain, legal, public affairs, and services. Nearly every unit at Whiteman AFB played a role in the successful execution of this mission. After an emergency landing the team was on hand to help safely unload every passenger and transport them to the community center.

At the community center passengers were offered an array of services and support, including meals, free phone calls and entertainment. Members of the team did sign language for a hearing impaired family, spoke Japanese to three passengers that spoke no English and spent there own money on snacks for the travelers.

Mr. Speaker, I want to commend the members of the 509th Bomb Wing emergency response team for such outstanding performances during the recent unexpected commercial landing. These men and women went above and beyond the call of duty and deserve our praise. I know that Members of the House will join me in sending the 509th Bomb Wing emergency response team a heartfelt thank you for a job well done.

PERSONAL EXPLANATION

HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mrs. JONES of Ohio. Mr. Speaker, had I been present on Monday, July 23, 2001, the record would reflect that I would have voted: on roll 257, H.R. 2137, Criminal Law Technical Amendments Act of 2001, ''yea''; on roll 258, H.R. 1892, Family Sponsor Immigration Act, ''yea''; and on roll 259, S. 468, James C. Corman Federal Building Designation Act, ''yea''.

I was unable to return to Congress on July 23, 2001 due to a funeral of a close family friend. Therefore, I respectfully request an excused absence for July 23, 2001.

PERSONAL EXPLANATION

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. ROEMER. Mr. Speaker, I regret that as a result of several unanticipated flight delays associated with my travel from South Bend, Indiana in my district, I was not able to be present in the chamber to cast my votes on Monday, July 23, 2001. Had I been present, I would have voted ''yea'' on Rollcall No. 257—H.R. 2137, the Criminal Law Technical Amendments Act; ''yea'' on Rollcall No. 258—H.R. 1892, the Family Sponsor Immigration Act; and ''yea'' on Rollcall No. 259—S. 468, the James C. Corman Federal Building.

PERSONAL EXPLANATION

HON. JIM NUSSLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. NUSSLE. Mr. Speaker, on Monday, July 23, my vote was not recorded on rollcall votes Nos. 257–259. Had my votes been recorded, they would have been in the following manner:

Rollcall vote No. 257 (to suspend the rules and pass, as amended H.R. 2137)—' ''yea''.

Rollcall vote No. 258 (to suspend the rules and pass, as amended, H.R. 1892)—' ''yea''.

Rollcall vote No. 259 (to suspend the rules and pass S. 468)—' ''yea''.

PERSONAL EXPLANATION

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. GREEN of Wisconsin. Mr. Speaker, on rollcall No. 257, Criminal Law Technical Amendments (H.R. 2137), had I been present, I would have voted ''yea''; on rollcall No. 258, H.R. 1892, Family Sponsor Immigration Act, had I been present, I would have voted ''yea''; and on rollcall No. 259, S. 468, the James C. Corman Federal Building Designation Act, had I been present, I would have voted ''yea''.

HONORING THE CONTRIBUTIONS OF WILLIAM N. GUERTIN

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Ms. LEE. Mr. Speaker, I rise today in celebration of a community leader, Mr. William N. Guertin, who has served the interests of physicians and patients in Alameda and Contra Costa Counties since 1971. Mr. Guertin served as Assistant Executive Director of the Alameda-Contra Costa Medical Association (ACCMA) from 1971 to 1984 and in 1984 became Executive Director of the ACCMA. He continues to serve in that position. Today, I would like to express my sincere appreciation for his leadership in serving the public by promoting and improving the quality of medical care administered to patients throughout his tenure.

Mr. Guertin is well-respected among medical association executives across the country, having been elected to serve on the Board of Directors of the American Association of Medical Society Executives (AAMSE) in 1994. He will be installed as President of AAMSE on July 27, 2001, in Washington, D.C., due to his exemplary accomplishments in the field of medicine

The Alameda-Contra Costa Medical Association (ACCMA) is the second largest county medical association in California, currently with a membership of approximately 3100 medical doctors. Under Mr. Guertin's executive leadership, the ACCMA has promoted the quality of medical care and the well-being of patients in the East Bay community in numerous ways.

Mr. Guertin has worked hard to protect physicians from impositions that interfere with their ability to practice medicine and to preserve their relationships with patients. This has directly benefited physicians by allowing them to maximize their abilities to provide quality care for their patients.

Mr. Guertin has also been involved with exposing proposals that would exploit patients and physicians for profit. His goal has always been to uphold the quality of care for patients by exposing any measures that might hamper this goal in any way. He has extensively reviewed and analyzed health plan contracts while educating physicians on the perils of signing unfair agreements. Often these contracts will contain provisions that conflict the relationship between doctors and their patients by refusing doctors the right to provide medically necessary treatment to patients. As a result of Mr. Guertin's efforts, many physicians refuse to sign contracts that withhold their right to make treatment decisions for their patients.

In his tenure at the ACCMA, Mr. Guertin has created programs and activities to promote public health, quality and access to care,

and professional standards in the local medical community. This has allowed patients within the community to lead more robust and healthier lives.

Mr. Guertin has continued to bring issues affecting quality of care to the attention of elected officials and the public to promote effective reforms.

He has operated a community blood bank to maintain an adequate blood supply and needed blood services for patients in Alameda and Contra Costa Counties. This has proved to be highly advantageous and convenient in efficiently providing vital care to patients within the community.

Mr. Guertin has also participated on statewide and national advisory committees to promote medical association activities on behalf of physicians and patients.

He has dedicated his life to promoting quality care for patients. He has worked diligently to ensure that physicians are able to promote quality medical care. Mr. Guertin is a respected leader, activist, and humanitarian. He has brought about a wealth of positive change to our community.

I thank Mr. Guertin for dedicating his time and insight for many years and for providing such quality care to individuals. I also congratulate him on his election as the President of the American Association of Medical Society Executives. I am positive that he will continue his outstanding work in promoting the welfare of patients and improving the quality of our lives. Congratulations Mr. Guertin and I wish you the best in your quest to improve the lives of our community in the Bay Area and throughout the nation.

PERSONAL EXPLANATION

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Ms. SCHAKOWSKY. Mr. Speaker, during rollcall vote No. 257 on 7/23/2001 I was unavoidably detained. Had I been present, I would have voted "yea".

TRIBUTE TO THE LATE MARY G. IEZZI

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. TRAFICANT. Mr. Speaker, please insert the obituary on the attached sheet in today's CONGRESSIONAL RECORD.

MARY G. IEZZI, 91, CO-FOUNDED ALBERINI'S

NILES—Mary G. Iezzi, 91, 103 Moreland, died 3:52 a.m. Tuesday, May 1, 2001, at Shepherd of the Valley Lutheran Home.

She was born Aug. 28, 1909, in Niles, a daughter of August and Sadie Polita Corso.

Mrs. Iezzi co-founded Alberini's Restaurant with her daughter and son-in-law, where she worked in the kitchen, making her famous homemade spaghetti sauce for the past 43 years, until two months ago.

She was a member of the Niles Jehovah's Witnesses Kingdom Hall and enjoyed cooking.

Her husband, Thomas, whom she married Oct. 31, 1926, died July 28, 1978.

Survivors include a son, Raymond of Niles; a daughter Gilda Alberini of Warren; two brothers, Anthony and John Corso, both of Niles; two sisters, Catherine DiFebo of Hermitage, Pa. and Rose Liberatore of Niles; a granddaughter and caregiver with whom she resided, Mary Ann Nicholas of Niles; eight grandchildren; eight great-grandchildren; and a great-great-grandchild.

Two daughters, Sadie Nicholas and Isabelle Iezzi; two brothers, August and Joseph Corso, and two sisters, Margaret Soriano and Ann Corso, are deceased.

The funeral service is 11 a.m. Friday at Joseph Rossi Funeral Home in Niles, where friends may call 5 to 8 p.m. Thursday. Burial will be in Niles City Cemetary.

TRIBUTE TO ROSALIE S. WOLF, PIONEER IN FIGHT AGAINST ELDER ABUSE

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. MCGOVERN. Mr. Speaker, I rise today to pay tribute to Rosalie S. Wolf, Ph.D. Rosalie, an international leader in the fight against elder abuse, the long time Director of the Institute on Aging of the University of Massachusetts Memorial Health Care System in Worcester, as well as a friend and constituent, passed away on June 26, 2001.

Rosalie Wolf was the Founder and President of the National Committee for the Prevention of Elder Abuse. Through her research, advocacy, and coalition building skills, Rosalie brought the issue of elder abuse to the halls of Congress in search of legislative solutions. She helped raise the public consciousness about the scourge of elder abuse, neglect and exploitation.

During Rosalie's tenure as president, the Committee advised Congress and the Executive Branch on legislation and other programs that were needed to combat elder abuse and neglect. Rosalie testified on several occasions before Congress and served as a project director for three national programs funded by the Administration on Aging regarding elder abuse information dissemination. She also served as a delegate to the 1995 White House Conference on Aging and she helped secure passage of a resolution on elder abuse prevention.

In addition to these accomplishments, she also served as an organizational partner and member of the management team for the National Center on Elder Abuse in Washington. Rosalie worked as Editor and contributor to the highly acclaimed Journal of Elder Abuse and Neglect. Her impact was felt internationally when she worked to found the International Network for the Prevention of Elder Abuse.

Rosalie Wolf was the recipient of many awards, most notably the Donald P. Kent award from the Gerontological Society of America for exemplifying the highest standards of professional leadership in gerontology through teaching, service, and interpretation of gerontology to the larger society.

The UMass Memorial Health Care System was fortunate to have Rosalie Wolf as the Executive Director of the Institute on Aging. National aging policy grows more important as the nation continues to age. Rosalie Wolf, through her work and leadership, became a true champion to those who were victimized by elder abuse.

The national aging network mourns the passing of Rosalie Wolf. She was a leader with great intellect and integrity. She was dedicated to her work and determined to make a difference in the fight against elder abuse. I offer these words on behalf of Rosalie and on behalf of her family, her many professional colleagues, and admirers.

At this point, I submit into the RECORD two additional items related to Rosalie Wolf. The first is her obituary from the Worcester Telegram and Gazette. The second is a heartfelt tribute written by a close colleague of Rosalie's from California, Lisa Nerenbert.

ROSALIE WOLF, 74

WORCESTER.—Rosalie (Savat) Wolf, 74, of 25 Ashmore Road, an active researcher and worker in the fields of elder abuse prevention and gerontology, died Tuesday, June 26, in UMass Memorial Medical Center—Memorial Campus after an illness.

Her husband, Wallace W. Wolf, died in 1988. She leaves two sons, Dr. Gary L. Wolf of Worcester and Dr. Jonathan S. Wolf of Upper Saddle River, N.J.; a daughter, Amy Wolf of New York City; her twin sister, Constance Kreshtool of Wilmington, Del.; and five grandchildren. A sister, Nancy Melnik of Cherry Hill, N.J., predeceased her. She was born in Worcester, daughter of Samuel and Tillie (Lederman) Savat. She graduated from Classical High School and graduated with Phi Beta Kappa and summa cum laude honors from University of Wisconsin. She earned a doctorate in social welfare policy from Brandeis University in 1976.

Since 1990, Mrs. Wolf was executive director of the Institute on Aging at UMass Memorial Medical Center, and assistant professor of family medicine, community health and psychiatry at the University of Massachusetts Medical School. From 1981 to 1990, Mrs. Wolf was associate director of the University Center on Aging at University of Massachusetts Medical Center. She previously was director of the gerontology planning project at the University of Massachusetts Medical Center for four years. From 1976 to 1977, she was a project director of data monitoring and evaluation for the Division of Family Health Services, Massachusetts Department of Public Health.

She received numerous grants and awards for her research in elder abuse and authored and edited many articles on the subject. She was the founder and editor of the journal of Elder Abuse and Neglect.

Mrs. Wolf was active in the gerontology field on the local and national level, serving in several capacities. She was honored by Temple Emanuel as a life trustee. She also assisted in writing legislation for a number of states and testified before the U.S. Congress at least once or twice a year for the past 10 years.

The funeral service will be held at 2:30 p.m. Thursday, June 28, in Temple Emanuel, 280 May St. Burial will be in B'nai B'rith Cemetery. Memorial observance will be held through Sunday, July 1, at the residence of Dr. and Mrs. Gary Wolf, 10 Donna Road. Memorial donations may be made to the Wallace W. Wolf Endowment Fund, Jewish

Healthcare Center, 629 Salisbury St., Worcester, MA 01609; or to Temple Emanuel, 280 May St., Worcester, MA 01602. Perlman Funeral Home, 1026 Main St., is directing arrangements.

ROSALIE WOLF, PHD—IN MEMORIAM

(Submitted by Lisa Nerenberg, friend and colleague)

For over two decades, Dr. Rosalie Wolf was the driving force behind a movement to ensure the safety, security, and dignity of our nation's most vulnerable members . . . the elderly. She devoted much of her career to exploring the causes, patterns, and treatment of elder abuse and neglect through her own groundbreaking research and by promoting the work of others. She edited the Journal of Elder Abuse & Neglect, spearheaded multiple demonstration projects, and provided advise and help to countless organizations and individuals.

Dr. Wolf was committed to helping seniors remain in their homes and communities, avoiding unnecessary institutionalization. But she also recognized that achieving that goal required a safety net of supportive and protective services, and that to create such a safety net required the cooperation of multiple disciplines. Much of her work was devoted to promoting cross-disciplinary exchange and cooperation. She founded the National Committee for the Prevention of Elder Abuse, a remarkable diverse network of researchers, educators, police, prosecutors, advocates, health care professionals, and protective service personnel to promote research, advocate for enlightened policy, raise public awareness, create grassroots local programs, and promote collaboration. It is a distinctive and distinguished group; the common thread among its members is the respect they share for Dr. Wolf. Bringing together people with diverse perspectives hasn't always been without strife. Different disciplines bring divergent views and interests to the table, particularly with respect to personal freedom, family responsibility, society's obligation to protect vulnerable members, and holding perpetrators accountable. Dr. Wolf thrived on creative exchange and believed that when committed, thinking people come together with a common purpose, their differences strengthen and enrich the field.

Her broad focus was also reflected in her work worldwide. She collaborated with scholars, teachers, and practitioners in Finland, Japan, India, Argentina, and the UK. She was a founding member and chair of the International Network for the Prevention of Elder Abuse, a member of the World Health Organization Consulting Group for the World Report on Violence, and a member of the Steering Committee of the United Nations International Working group on Trauma.

Dr. Wolf answered calls to the National Committee herself. Whether it was a senator calling for background on a proposed bill or a high school student writing a paper on abuse, she was equally receptive, equally gratified by their interest, and equally willing to drop what she was doing to be of help. She was a valued source of information and assistance for the Justice Department, the Department of Health and Human Services, and the National Institute on Aging. She served on government task forces and focus groups, and testified before Congressional committees on numerous occasions.

Dr. Wolf was Director of the institute on Aging at UMass Memorial Health Care in Worcester, and Assistant Professor in the Department of Medicine and Family Practice Studies at the University of Massachusetts Medical School. She was a member of the management team of the National Center on Elder Abuse and was active in the American Society on Aging and the Gerontological Society of America, which awarded her its Donald P. Kent award in 1998.

In the last year of her life, as her health declined, colleagues begged her to slow down-if not to pass the torch, then at least to let others help clear her path. But there was always one more conference, one more article, or one more new project to plan. It was her colleagues who ended up being swayed during these exchanges; they emerged with renewed energy and commitment. Her passion was contagious.

She brought people together, mentored, guided, encouraged, and motivated. She led with grace, dignity, wisdom, humility, and boundless energy. Even in death, she will continue to lead through the contributions she has left behind, the relationships she has forged, and the example she has set.

CONGRATULATING EL SEGUNDO POLICE CHIEF TIM GRIMMOND ON HIS RETIREMENT

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Ms. HARMAN. Mr. Speaker, I rise today to honor Tim Grimmond, who will be retiring at the end of this month as chief of the El Segundo Police Department.

For those of us who have been privileged to call him a friend, Tim's retirement is bittersweet. It's well-deserved, for sure, but for those of us left to fight another day, Tim's departure from the ranks means that we will no longer have the benefit of his perseverance, his insight and expertise, and his leadership in the war against crime.

Tim dedicated his life and immense talents to the South Bay. His law enforcement career began at an early age, when he became a cadet in the Hermosa Beach Police Department in 1964. Transferring to the El Segundo Department in 1967, Tim advanced through the ranks, ultimately becoming Chief of Police in 1992—just as I was elected to Congress. How quickly time goes by.

In my view, what truly made Tim's tenure as chief unique was his vision in seeing how technology could be used to combat crime—how it could be used to give law enforcement and citizens the upper hand in protecting lives, property, the peace and our values. To achieve this goal, Tim understood the importance of developing partnerships between local, state and federal governments. In fact, a success that he and I are particularly proud of is the siting in El Segundo of the Department of Justice's Western Regional Law Enforcement and Technology Center.

One of five federal centers nationwide, the Law and Tech Center's role is to research, review, develop, and implement innovative technologies for both regional and national law enforcement and corrections services. With an

More recently, I worked with Tim on the issue of radio interoperability. Given the multiplicity of broadcast frequencies and varying radio equipment, it's sometimes seems easier for one police agency to yell out the window to another than to find a common broadcast frequency or compatible equipment. In a region the size and population of Los Angeles County, and with our history of natural disasters, this shouldn't be the case and, under Tim's leadership, we are beginning the process of solving this communications problem.

Knowing him as we do, it's easy to believe that Tim is a mentor to many. He is generous in the amount of time and energy he devotes to his profession, to his fellow officers, to civic groups, and to young people. I am honored that he devoted time to me—inviting me to join him and the other South Bay chiefs in learning about the challenges that face law enforcement. Armed with the guidance and advice that Tim and others have given, I am proud to have translated their needs into federal policies supportive of their hard work.

Of course, any list of accomplishments doesn't begin to summarize one's life—particularly one as active as Tim's. Indeed, I was surprised recently to learn that Tim is a talented artist. He enjoys the arts of woodworking and painting and one of his watercolors hangs in my Redondo Beach district office. What other hidden talents does he have besides frequenting "Blackie's House of Beef" when he's in Washington, DC?

I will miss having Tim as one of the police chiefs in the 36th district, but he will forever remain a friend and an inspiration on the true meaning of public service.

IN RECOGNITION OF BRIAN COSS HEROISM

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. SHIMKUS. Mr. Speaker, I rise today to recognize Mr. Brian Coss of Nokomis, Illinois, for his recent show of courage at the Nokomis Park Pool.

Brian Coss has worked as a lifeguard at the pool for the past four years. Recently, when a woman became disoriented and ended up face-down in the water, Brian quickly responded by diving in an rescuing her. If he had not spotted the woman, she would have drowned.

Brian Coss is a diligent, 18 year-old high school student who is spending his summer working two jobs. He is also an Eagle Scout and junior assistant scoutmaster for a local scout troop. Brian Coss certainly deserves our recognition for his hard work and bravery.

PERSONAL EXPLANATION

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. SCHAKOWSKY. Mr. Speaker, during rollcall vote No. 258 on July 23, 2001 I was unavoidably detained. Had I been present, I would have voted "yea".

A SPECIAL TRIBUTE TO RANGER ROBERT GEER ON THE OCCASION OF HIS INDUCTION INTO THE RANGER HALL OF FAME

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. GILLMOR. Mr. Speaker, I rise today to recognize a truly great American. An American war hero who will soon be inducted into the United States Army Ranger Hall of Fame. Mind you, being a Ranger to begin with is an honor in itself, but being inducted into the Ranger Hall of Fame is an honor of unbelievable proportions. On Wednesday, July 25, 2001, Robert Geer of Norwalk, Ohio will join the ranks of the elite as an inductee in to the US Army Ranger Hall of Fame in Fort Benning, GA.

Soon after the conclusion of World War II, Robert Geer joined the US Army in 1948. His Army career only lasted 4 years, but they were extraordinary years. In 1950, he volunteered for the prestigious Rangers and was assigned to 1st Ranger Infantry Company (Airborne).

As the Korean War escalated he was sent into action on the Asian continent. One particular battle in February of 1951, the Battle of Chipyong-Ni, ended his Army career. On February 3, the 23rd Regimental Combat Team (RCT), under the command of Colonel Paul Freeman, was ordered to hold a crossroad and protect the vital communications hub at Chipyong-Ni. During the next several days, patrols reported extensive Chinese movement. In fact, 18,000 troops were encircling the 23rd Regimental Combat Team's position. On February 13, the Chinese attacked the position. The 23rd Regimental Combat Team was overrun. Splintered and wounded, the Rangers and a piecemeal platoon of survivors from the overrun companies were ordered to retake the lost position.

Soon the platoon leaders and officers were killed. The chaos that ensued prevented the make-up platoon mounting coordinated attack. The Ranger platoon pressed forward under heavy fire. Ranger Geer assumed command and continued to attack with the few remaining Rangers. As they were securing the position, a grenade was thrown in his direction. Unable to see the grenade in the deep snow, Ranger Geer thrust his weapon between himself and where he assumed the grenade to be. When the grenade exploded, shrapnel tore out his left eye and destroyed his weapon. Bleeding, blind in one eye, unarmed, grossly outnumbered and out of ammunition Ranger Geer ordered a withdrawal. He continued to fire, covering the withdrawal of his troops until his ammunition was expended. Armed only with a knife, he discovered his brother, Richard, who was wounded twice in the fight. Ranger Geer carried his brother's wounded body off the hill on that cold February day. Sadly, Richard paid the ultimate price and was killed in action.

Mr. Speaker, it is truly men like Ranger Robert Geer that make this great country what it is today. He has set an example for all Americans and especially his grandson. T.J. Root, who currently attends the United States Military Academy. I ask my colleagues to join me in honoring him and thanking him for his service to the country.

RECOGNIZING THE CITY OF BATAVIA AS NEW YORK STATE'S ''CAPITAL FOR A DAY''

HON. THOMAS M. REYNOLDS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. REYNOLDS. Mr. Speaker, I rise today to inform this body that on Wednesday, July 25, 2001, the Capital of New York state is moving to the city of Batavia, in picturesque Genesee County. While the move may not be permanent, it is significant, and will provide residents of Batavia and Genesee County an opportunity see, first hand, all their state government has to offer.

Commissioners and Executive Directors of 18 State Agencies—along with New York State Governor George Pataki—will be at Genesee County Community College for ''Agencies at Your Service,'' providing information on a wide variety of programs and services, as well as allowing local residents to sign up for such programs as Child Health Plus.

Governor Pataki will end the day with a Town Hall meeting at the Genesee Center for the Arts. Capital for a Day is a tremendous outreach initiative, and the governor should be commended for his unique and visionary effort to bring state government directly to the people of New York state.

Further, Capital for a Day will provide our community an opportunity to showcase Batavia and Western New York to all of the Empire State.

Mr. Speaker, I ask that this Congress join me in recognizing the city of Batavia as New York state's Capital City for Wednesday, July 25, 2001.

PERSONAL EXPLANATION

HON. JIM RYUN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. RYUN of Kansas. Mr. Speaker, I was unable to be present on July 23, 2001 to cast recorded votes for Rollcall No. 257, 258 and 259. If I had been present, I would have voted yea on No. 257, 258 and 259.

PERSONAL EXPLANATION

HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. RILEY. Mr. Speaker, I was unavoidably detained for Roll Call No. 236. On Approving the Journal, had I been present I would have voted Yea;

Roll Call No. 237, H.R. 1, No Child Left Behind, disagreeing to Senate amendment and agreeing to a conference. Had I been present I would have voted Yea;

I was unavoidably detained for Roll Call No. 238, H.R. I, motion to instruct conferees. Had I been present I would have voted Yea;

I was unavoidably detained for Roll Call No. 239, the Maloney Amendment, increasing funding for the Census Bureau by $2 million in order to facilitate more accurate counting of Hispanic subgroups. Had I been present I would have voted Nay;

I was unavoidably detained for Roll Call No. 240, the Maloney Amendment. Had I been present I would have voted Nay;

I was unavoidably detained for Roll Call No. 241, the Delay Amendment. Had I been present I would have voted Yea; and

I was unavoidably detained for Roll Call No. 242, the Jackson-Lee Amendment. Had I been present I would have voted Nay.

PERSONAL EXPLANATION

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Ms. SCHAKOWSKY. Mr. Speaker, during rollcall vote No. 259 on July 23, 2001, I was unavoidably detained. Had I been present, I would have voted ''yea''.

RECOGNIZING MATTHEW ALEXANDER ENGEL

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. ISRAEL. Mr. Speaker, it is with great pride that I rise today to recognize one of New York's outstanding young students, Matthew Alexander Engel. The Boy Scouts of his troop will honor him as they recognize his achievements by giving him the Eagle Scout honor on this coming Thursday, July 26th.

Since the beginning of this century, the Boy Scouts of America have provided thousands of boys and young men each year with the opportunity to make friends, explore new ideas, and develop leadership skills while learning self-reliance and teamwork.

This award is presented only to those who possess the qualities that make our nation great: commitment to excellence, hard work, and genuine love of community service. Becoming an Eagle Scout is an extraordinary award with which only the finest Boy Scouts are honored. To earn the award—the highest advancement rank in Scouting—a Boy Scout must demonstrate proficiency in the rigorous areas of leadership, service, and outdoor skills.

I ask my colleagues to join me in congratulating the recipients of these awards, as their activities are indeed worthy of praise. Their leadership benefits our community and they serve as role models for their peers.

Also, we must not forget the unsung heroes, who continue to devote a large part of their lives to make all this possible. Therefore, I salute the families, scout leaders, and countless

others who have given generously of their time and energy in support of scouting.

It is with great pride that I recognize the achievements of Mr. Engel, and bring the attention of Congress to this successful young man on his day of recognition. Congratulations to Matthew and his family.

IN MEMORY OF ROBERT LESLIE GRAINGER

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. FARR of California. Mr. Speaker, I rise today to honor Mr. Robert ''Bob'' Leslie Grainger, who recently passed away. Mr. Grainger was a dedicated community member for many years, and was heavily involved in the California Rodeo in Salinas, California.

Mr. Grainger was born in Lincoln, Nebraska and lived in Salinas for 67 years. He attended Stanford University, was a member of the Sigma Chi Fraternity, and became a farmer and produce grower. During his military service in World War II, Mr. Grainger held the rank of First Lieutenant, and he received the Air Medal with three Oak Leaf Clusters. Mr. Grainger served as the California Rodeo Salinas President in 1977 and was heavily involved in announcing at the annual event. Furthermore, Mr. Grainger involved himself in many community activities, such as the Boy Scouts and Eagle Board of Review and the First Presbyterian Church. In his free time, he was an avid fisherman, hunter, and golfer. Throughout his lifetime, Mr. Grainger established himself as a successful agricultural businessman and dedicated community member.

Mr. Grainger's contributions and loyalty to the Salinas Valley were hallmarks of his long years of community service. Therefore, I honor the life and contributions of Mr. Grainger with his friends and family, including his wife of 54 years, Sally; his sons, William and Joseph of Salinas, and John of Carmel; his sisters, Olive Bundgard of Salinas and Lesley Browne of Lincoln, Nebraska; his eight grandchildren and one great-childdaughter.

ENSLAVEMENT OF WOMEN DURING THE COLONIAL OCCUPATION OF ASIA AND PACIFIC ISLANDS

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. EVANS. Mr. Speaker, this afternoon I was joined by Ms. Soon Dok Kim, an unconquered survivor of one of the worst crimes committed against women—the mass rape of 200,000 women and girls orchestrated by the Imperial Japanese Army. To this date the Government of Japan still has not issued a clear apology, offered state reparations, or attempted to educate it's population on these atrocities. Therefore, I am introducing a resolution in Congress today that calls upon the Government of Japan to formally issue a clear and unambiguous apology for the sexual enslavement of young women during the colonial occupation of Asia and Pacific Islands during World War II.

Ms. Soon Dok Kim told a large audience this afternoon about how she was kidnaped from her village at 17 years old and forced to be a comfort woman. She is a very courageous person to take such a public role and share the story of her suffering in order to seek justice.

It has been almost 56 years since Japan surrendered to the allied powers. Very few comfort women are still alive and time is running out for Japan to properly account for its actions. We must act soon and remember that there is no statute of limitations on crimes against humanity.

When human rights are violated, the international community must act because we have a moral responsibility to do so.

So, let us do what is just and what is right for the comfort women and other victims. Let us speak out for them. Let us stand up for them. Let us lend them our strength.

We must act, and we must speak out because in the end, people will remember not the words of their enemies, but the silence of their friends.

Let us not remain silent.

DALLAS INNER CITY GAMES

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. FROST. Mr. Speaker, I rise today to honor the Inner-City Games, a nationwide program dedicated to providing opportunities for inner-city youth to participate in sports, educational, cultural, and community enrichment programs. In recent years, the program has expanded its education efforts by focusing on educational technology and the digital divide.

The Inner-City Games was formed in response to the growing number of children across the nation living in poverty and facing the negative influences surrounding them in inner-city neighborhoods. Involving young people in sports clinics and competitions teaches valuable life lessons, brings young people from different cultures together on an equal playing field and teaches kids about teamwork, discipline, setting goals, working hard, and the valuable lessons of winning and losing. At the Inner-City Games, young people are taught that participation and learning are more important than winning and losing.

Inner-City Games brings together local community leaders, creating an alliance between the private and public sectors to achieve their mission. Mayors, Police Chiefs, Public Schools, Parks and Recreation Departments, Public Housing and other youth service providers are working together to create a truly meaningful opportunity for thousands of young people across the country.

Mr. Speaker, the Inner-City Games are due to launch in Dallas, Texas this week. This makes Dallas the 15th city to join this remarkable program. I commend the efforts of the city of Dallas and the tremendous number of people and organizations that came together to make the Games possible. Today, I especially want to thank Mr. Todd Wagner, National Board Member and Dallas Chairman for the Games. Mr. Wagner was instrumental in bringing the Inner-City Games to Dallas, and he deserves recognition for his outstanding efforts.

Mr. Speaker, I am proud of the Inner-City Games and the opportunities it creates for thousands of young people across America. I know my colleagues will join me in congratulating the City of Dallas as they launch the first annual Dallas Inner-City Games this week, as well as Inner-City Games across America.

END OF INDIA-PAKISTAN TALKS SIGNALS INSTABILITY IN SOUTH ASIA

HON. CYNTHIA A. McKINNEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Ms. MCKINNEY. Mr. Speaker, I was disappointed to see that the recent talks between Pakistan and India ended with no agreement due to India's intransigence. India wanted a statement that Pakistan was engaging in cross-border terrorism, when India itself is responsible for terrorism against its own people.

Last month, a group of Indian soldiers tried to burn down a Gurdwara and some Sikh houses near Srinagar in Kashmir. This terrorist act was prevented by the efforts of townspeople of both the Sikh and Muslim faiths. In March 2000, during former President Clinton's visit to India, the government killed 35 Sikhs in Chithisinghpora, according to two independent investigations. The book Soft Target shows that India blew up its own airliner in 1985. 329 innocent people died in that explosion. The newspaper Hitavada report that the Indian government paid an official to generate state terrorism in Kashmir and in Punjab, Khalistan. According to a 1994 State Department report, the Indian government paid more than 41,000 cash bounties to police officers to kill Sikhs.

Before the meeting, the Council of Khalistan wrote to President Musharraf. They noted that he and his government had been friendly to the Sikhs and their cause of freedom. They noted that in 1948 the Indian government promised the United Nations that it would hold a plebiscite so Kashmiris could decide their political status in a free and fair vote. This shouldn't be too hard for ''the world's largest democracy'' to do, but we are now more than halfway through 2001 and it hasn't been held yet. When does India plan to keep its promise?

In addition, the people of Khalistan, the Sikh homeland, declared their independence from India on October 7, 1987 and the people of primarily Christian Nagaland are actively seeking theirs. In all, there are 17 freedom movements in India. When will these people be allowed by ''the world's largest democracy'' to exercise their right to self-determination? Self-determination is the birthright of all people and nations.

Mr. Speaker, if America can do something to help bring democracy and freedom to South

Asia, that is not only in our national interest, it is the right thing to do. Fortunately, there are measures we can take to help bring freedom, peace, and stability to that dangerous region. The time has come to stop providing American aid to India—remember, this is public money—until India begins to treat all its people fairly and ends the repression against the minorities. The other thing that we can do is strongly urge India to hold a plebiscite, not just in Kashmir as it promised in 1948, but in Khalistan, Nagalim, and everywhere else that people seek their freedom. This will help to defuse the tense situation in South Asia and enhance America's national security by bringing us new allies in the subcontinent.

Mr. Speaker, I would like to place the Council of Khalistan's letter to President Musharraf into the RECORD for the information of my colleagues.

COUNCIL OF KHALISTAN,
GURU GOBIND SINGH JI, TENTH MASTER,
Washington, DC June 27, 2001.

Hon. GENERAL PERVEZ MUSHARRAF,
President of Pakistan,
Islamabad, Pakistan.

DEAR PRESIDENT MUSHARRAF, On behalf of the Sikh Nation, I congratulate you on becoming President of Pakistan. We hope and pray that this step will be useful for the people of Pakistan, the Sikhs, and the people of South Asia.

Soon you will be visiting India. We sincerely hope that your visit will go well and will be productive to the cause of peace and freedom in South Asia.

While you are in India, I urge you to visit the Golden Temple in Amritsar. The Sikhs who visited Nankana Sahib last fall were so well treated that we know you are a friend of the Sikh Nation. Your visit to the Golden Temple will enhance your friendship with the Sikh nation.

You are aware that India divided Pakistan through a war and created the nation of Bangladesh. You are also aware that India promised in 1948 to hold a plebiscite on the future of Kashimir. Fifty-three years later, that plebiscite has still not been held. The people of Punjab, Khalistan also seek their freedom, and General Javed Nasir has endorsed the achievement of Khalistan by peaceful means. In addition, there are freedom movements in Nagalim, Tamil Nadu, Assam, Manipur, and other nations under Indian occupation. Self-determination is the birthright of all peoples and nations. Support for the freedom movements within India's borders would also be in Pakistan's interest, as well as the interest of peace, freedom, and stability in South Asia. In addition, it would help to prevent another war between India and Pakistan.

India has murdered over 250,000 Sikh since 1984, more than 75,000 Kashmiri Muslims since 1988, over 200,000 Christians in Nagaland since 1947, and tens of thousands of Dalits, Tamils, Manipuris, Assamese, and others. It has admitted to holding over 52,000 Sikh political prisoners without charge or trial. Recently in Kashmir, Muslim and Sikh villagers caught a group of Indian soldiers trying to burn down a Gudwara and overpowered them. Is this the way of ''the world's largest democracy''? Add to this the fact that India started the nuclear arms race in South Asia with their nuclear tests. India is a destabilizing and repressive country seeking hegemony in the subcontinent.

President Musharraf, I urge you to support the freedom movements in Kashmir, Khalistan, Nagaland, and all the other nations seeking their freedom from India. I urge you to press the Indian government on this issue and urge them to hold a free and fair plebiscite on the question of independence, monitored by the international community. This would go a long way towards establishing stability, peace, and freedom in South Asia.

Sincerely

DR. GURMIT SINGH AULAKH,
President,
Council of Khalistan.

MARKING THE CENTENNIAL OF THE VILLAGE OF VANDERBILT, MICHIGAN

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. STUPAK. Mr. Speaker, certainly one of the milestone events in the history of our nation was the adoption of the Constitution by a convention of the states in 1787. But another significant event in our history took place that year. Congress, operating under the governing document known as the Articles of Confederation, approved a plan for the growth of the Untied States known as the Northwest Ordinance.

I call these facts to mind, Mr. Speaker, because the Northwest Ordinance spelled out to the world that the United States planned to settle the areas that would eventually become Ohio, Indiana, Illinois, Wisconsin, and my own state of Michigan.

Despite this early commitment by the young nation to expand, settlement came late to many of these areas. In my congressional district the Village of Vanderbilt is celebrating its centennial, making it a young community even by the standards of this young nation. The community plans to mark its celebration with three days of festivities at the end of July.

Communities like Vanderbilt sprang into being when railroads pushed north into the vast timberlands of the upper Midwest. Vanderbilt itself is named for Cornelius Vanderbilt—famously known as Commodore Vanderbilt—who in 1866 took over the railroad that runs through this small village, located near the northern end of Lower Michigan.

The efforts of Commodore Vanderbilt to build for himself a sprawling rail empire are the stuff of American legend, the legendary tycoon did not visit all his holdings. As Vanderbilt local historian Bonnie Karslake has written, "None of the Vanderbilts ever lived in northern Michigan, even though the town as named for them."

Bonnie Karslake's history details the arrival of the first permanent settlers and the development of the first local businesses around 1880. Such business activity, like the Vanderbilt Bowl Factory under the proprietorship of G.G. Williams, were based on forest products. As Bonnie's history makes clear, however, a village truly becomes a community when other businesses and services arrive, such as the Vanderbilt Gazette in 1883 and the Corwith Township Library in 1884.

Within a decade of 1879 the community acquired three hotels, a two-story school, three sawmills, a planing and shingle mill, a stave mill, and a store and post office. Among other professionals and tradesmen, it had a taxidermist, a shoemaker, a constable, a milliner, a barber, a liquor dealer, a druggist, blacksmiths, wagon makers and two justices of the peace. Though not yet incorporated as the Village of Vanderbilt, by 1887 a community had sprung to life in the North Woods, much as the writers of the Northwest Ordinance had envisioned 100 years before.

Elizabeth Haus, village president, has said that residents have planned ''an old-time celebration'' to mark the milestone 100 years. In addition to celebrating the centennial of Vanderbilt's incorporation, the community will also mark the 100th birthday of the Vanderbilt Community Church building, one of the centers of community life.

Mr. Speaker, I ask that you and my House colleagues join me in wishing the people of Vanderbilt a joyous centennial celebration and in praying the community can thrive and continue to be a great place to live, work and raise families.

TRIBUTE TO EDWARD AND SALLIE MCCLAIN

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Edward and Sallie McClain of Charleston, South Carolina, who have been chosen as the South Carolina Parents of the Year for 2001. Reverend and Mrs. McClain will be honored on July 25, 2001 with this prestigious award at the seventh annual Congressional Parents' Day Celebration cosponsored by The American Family Coalition and The Washington Times Foundation.

Reverend and Mrs. McClain have been married for 42 years. They have nine children, twenty grandchildren, and two great-grandchildren. All of their children lead successful lives, ranging from personnel directors and electrical engineers to Olympian basketball players and college students. I have no doubt their success is due in strong part to the selfless and unconditional love bestowed upon them by their parents and passed on to their children.

In addition to this complete and absolute devotion to their family, Reverend and Mrs. McClain continually extend their hearts to the Charleston community. Reverend McClain, a former educator and minister of Calvary African Methodist Episcopal Church, serves on the local school board. Reverend McClain is also one of the founders of the Interdenominational Ministerial Alliance, in which Mrs. McClain plays an integral role as well. Reverend and Mrs. McClain began a soup kitchen that has operated for 17 years. They hold special church services every year to honor the young people in their church who have achieved academic excellence, and have been leaders in a highly effective program against drug dealing in their neighborhood. These examples are only a fraction of the contributions Reverend and Mrs. McClain have made to the Charleston community.

Mr. Speaker, I ask you and my colleagues to join me in recognizing Edward and Sallie McClain. The distinguished couple has continually put their children, their church, and their community before their own needs. Reverend and Mrs. McClain are examples of passionate parental role models in an age when such models are becoming both more rare and more crucial.

COMMUNITY SOLUTIONS ACT OF 2001

SPEECH OF

HON. JOHN R. THUNE

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. THUNE. Mr. Speaker, I had the opportunity this last April to travel around my home state of South Dakota and visit just a few of the hard-working local charities that would benefit from the Community Solutions Act, H.R. 7. I am continually amazed by the kind hearts of the neighborhood saints who work and volunteer at these organizations. Day in and day out these folks serve the poor, the weak, and the victimized.

I have also been witness to the bureaucratic processes of the welfare state. The question that seems to always work its way into my head is, ''why is there such a visible difference between our government services and local organizations?''

First of all, local charities and organizations are efficient. Money is almost always scarce in this line of work, so they must learn to stretch every penny they receive.

Secondly, local charities and organizations are exactly that . . . local. Folks here in Washington can devise a system to deal with the National Substance Abuse Problem, but what works in Canton, South Dakota? I have a feeling those who have lived there know the unique local factors that contribute to substance abuse and can make a difference in people's lives.

Thirdly, local charities and organizations are compassionate. A deep sense of calling can be the only reason why the armies of compassion continue to serve. Their calling shows itself in the care that is shown.

Because of what I have seen and heard from those who work and volunteer at these local organizations, I am convinced that we must take every opportunity we can to support them. And by passing H.R. 7 today, we'll be one step closer to achieving that goal. Through the expanded tax deductions, incentive would be put in place for individuals to give to the charitable groups they deem worthy of their hard-earned income. Any increase in charitable donations is well worth the decrease in taxes the government would receive. Why? Because these groups are performing many of the same duties our government would have to otherwise provide. Let's foster the charitable spirit alive in our constituents and allow all of our civil society the opportunity to serve.

TRIBUTE TO THE IRON WORKERS LOCAL UNION NO. 25 100TH ANNIVERSARY

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. BONIOR. Mr. Speaker, I am honored to recognize the Centennial Anniversary of a proud organization. On Saturday, July 21, 2001, the loyal and hard working members, contractors, dignitaries and their families of the Iron Workers Local Union No. 25 joined together in celebration of the largest iron workers' local in the country, a dedicated group of over 4,500 members.

Iron Workers Local Union No. 25 has been a charter member of the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers since July 18, 1901. They are a local union for bridge, structural, ornamental, reinforcing, rigging, pre-engineered, pre-cast, glazing, fence, siding and decking, conveyor and canopy construction workers. Jurisdiction stretches from the State of Michigan to parts of Canada, however most of the Union's early work displays itself in the city of Detroit. Buildings such as the American Car & Foundry plants, Dime Savings Bank, Broadway Theater, Cobo Hall, City County Building, and the Renaissance Center give testament to their dedication and tireless efforts. They pride themselves in saying ''We Built Detroit.'' I most sincerely agree.

The organization has been a trailblazer for fair wages, benefits, shorter workdays and safety for the trades. Ensuring strength and solidarity in thirty-four counties including both Macomb and St. Clair, Local Union No. 25 is certainly worthy of applause and recognition.

Today, the organization has a membership of approximately 4,500. After 100 years of honorable service, Local Union No. 25 celebrates this remarkable milestone with a grand celebration that I was honored to attend.

On the 100th Anniversary of the Iron Workers Local Union No. 25 we celebrate the people who have made this organization remarkably successful. I applaud Local 25 for their outstanding dedication, and I urge my colleagues to join me in congratulating them on this landmark occasion.

PERSONAL EXPLANATION

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. MOORE. Mr. Speaker, Vice President CHENEY invited me to participate in an event in Kansas City, Missouri, that took note of the impending mailing of tax rebate checks to millions of Americans, including 877,000 Kansans, as the result of the enactment of H.R. 1836, which I supported.

For this reason, I was absent during the consideration of H.R. 2216, which made supplemental appropriations for fiscal year 2001. Had I been present for rollcall 256, which was final passage of this conference report, I would have voted ''yes''.

BREAKDOWN OF INDIA-PAKISTAN TALKS SHOWS INDIA'S CONTEMPT FOR DEMOCRACY, PEACE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. TOWNS. Mr. Speaker, I think we were all distressed by the breakdown of the talks between India and Pakistan aimed at reducing tensions in South Asia, one of the most troubled areas in the world. The fact that the talks broke down increases the danger and the instability in that region.

It looks as if much of the blame for the breakdown goes squarely to the Indian government. As Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, put it, ''It is very clear that India does not want a peaceful solution to the Kashmir issue.'' India's Defense Ministry spokeswoman did not even mention Kashmir among the topics under discussion. Three drafts of a joint statement were vetoed by the Indian cabinet. As you know, the Indian government is run by the militant, Hindu nationalist BJP, a branch of the pro-Fascist Rashtriya Swayamsewak Sangh (RSS), which has said that everyone in India must be Hindu or be subservient to Hinduism. The RSS published a booklet last year showing how to implicate Christians and other religious minorities in false criminal cases.

India's human-rights violations have been well documented. It has killed over tens of thousands of Sikhs, Muslims, Christians, Dalits, and other minorities. It has burned churches, prayer halls, and Christian schools, destroyed the most revered Muslim mosque in India, and attacked the seat of Sikhism, the Golden Temple. It has killed priests and raped nuns. Indian troops were recently caught in a village in Kashmir trying to set fire to a Gurdwara and some Sikh homes. This atrocity was prevented by the joint action of Sikh and Muslim villagers. The Indian government killed 35 Sikhs in Chithisinghpora in March 2000. In 1997, Indian troops broke up a Christian religious festival with gunfire.

India admitted to holding over 52,000 Sikhs in illegal detention without charge or trial under the repressive TADA law, which expired in 1995, according to a recent report by the Movement Against State Repression. It was routine to rearrest people released under TADA and to file charges in more than one state simultaneously to deter prisoners from contesting the charges. Amnesty International notes that there are tens of thousands of Sikhs and others being held as political prisoners. Christians, Muslims, and other minorities are also held as political prisoners in large numbers. A few months ago, the Council of Khalistan called on the political prisoners to run for office from their jail cells. This might be the most effective action that the political prisoners and minority political leaders can take. I call upon President Bush to press India for the release of all political prisoners. Why are there political prisoners in a democracy?

India has murdered Christians, Sikhs, Dalits, Muslims, and other minorities by the tens of thousands. Should the United States be supporting such a country, especially when it tries

to immunize its human-rights violations by proclaiming itself a democracy?

America is the bastion of freedom in the world. It is our mission to extend and expand liberty wherever and whenever we can. Accordingly, we should stop U.S. aid to India until we no longer have to stand up here denouncing its human-rights abuses and we should support the birthright of all people, the democratic right to self-determination. If India is truly a democracy, it should live up to its promise made 53 years ago to hold a plebiscite in Kashmir. If India genuinely believes in democratic values, it must hold plebiscites on the political future of Kashmir, of Nagaland, of Punjab, Khalistan, and of all the nations seeking their freedom from India. India is an inherently unstable country composed of many different nations whose breakup is inevitable. For the cause of peace, prosperity, stability, security, and freedom, we must do whatever we can to ensure that this occurs peacefully like the breakups of the Soviet Union and Czechoslovakia, not violently like that of Yugoslavia. Unfortunately, India seems to be headed down the violent path. Let us work to help end the violence, repression, and terrorism and to ensure freedom and peace for all the peoples of that troubled region.

Mr. Speaker, I would like to insert the Council of Khalistan's press release about the breakdown of the India-Pakistan talks into the RECORD at this time.

INDIAN ARROGANCE EXPOSED DURING MUSHARRAF-VAJPAYEE SUMMIT

PLEBISCITE IN KASHMIR, PUNJAB, AND OTHER NATIONS ESSENTIAL FOR PEACE IN SOUTH ASIA

Washington, DC, July 17, 2001.—Indian hypocrisy was exposed to the international community when they refused to mention the word Kashmir during the bilateral talks between Pakistani President Musharraf and Indian Prime Minister Vajpayee. The Indian Foreign Ministry's press spokeswoman, Niruparna Rao, did not even list Kashmir among the items discussed. Aides to President Musharraf said that three drafts of a joint statement had been approved by both sides but the Indian Cabinet vetoed them.

''It is very clear from these actions that India does not want any peaceful solution to the Kashmir issue,'' said Dr. Gurmit Singh Aulakh, President of the Council of Khatistan, which leads the Sikh struggle for independence from India. ''India must learn that 54 years of repression in Kashmir which resulted in the murder of over 75,000 Kashmiris and the expenditure of over $2 billion a year have not extinguished the flame of freedom which is burning in the hearts of the people of Kashmir,'' he said.

''India must keep its promise of a plebiscite in Kashmir, which it agreed to in 1948 in a United Nations resolution,'' Dr. Aulakh said. ''India is morally wrong. If India is a democracy, why is it afraid of a vote?,'' he asked. ''How can India justify its invasion annexation of Hyderabad, where the ruler was a Muslim and the majority population was Hindu, but by the same token in Kashmir population is Muslim and the ruler was Hindu and India sent the army to maintain its illegal occupation?,'' Dr. Aulakh asked.

India is not one country and it is not one nation. It is a multinational state put together by the British for administrative convenience. India is a vestige of colonialism. India has 18 official languages and there are 17 freedom movements within its borders. The fundamentalist Hindu ruling BJP government is on record that anyone living in India must either be a Hindu or subservient to the Hindus. This is not acceptable to the Sikh, Christian, or Muslim minorities.

India has unleashed a reign of terror on the minorities. In 1984, the Indian government attacked the Golden Temple, the holiest shrine of the Sikh religion, and 38 other Gurdwaras and killed over 20,000 people during that attack throughout Punjab. India demolished the Babri mosque in Ayodhya, the most revered mosque in India, and it is planning to build a Hindu temple on that site. Similarly, Christian churches, prayer halls, and schools have also been demolished. Christians have also seen the murder of priests, rape of nuns, the murder of a missionary and his two sons, ages 8 and 10, by burning them alive while they slept in their jeep and other atrocities. Now the government plans to expel his widow from the country.

Last month, Indian soldiers were caught red-handed attempting to burn down a Gurdwara and several Sikh homes in Kashmir. Sikh and Muslim townspeople overpowered the troops and prevented them from carrying out this atrocity. In March 2000, while former President Clinton was visiting India, the Indian government murdered 35 Sikhs in the village of Chithisinghpora in Kashmir and tried to blame the massacre on alleged militants. In November 1994 the Indian newspaper Hitavada reported that the Indian government paid the late governor of Punjab, Surendra Nath, $1.5 billion to organize and support covert state terrorism in Punjab and Kashmir.

Indian security forces have murdered over 250,000 Sikhs since 1984, according to figures compiled by the Punjab State Magistracy and human-rights organizations and published in *The Politics of Genocide* by Inderjit Singh Jaijee. Over 52,000 Sikh political prisoners are rotting in Indian jails without charge or trial. Many have been in illegal custody since 1984. Since 1984, India has engaged in a campaign of ethnic cleansing in which over 50,000 Sikhs have been murdered by the Indian police and security forces and secretly cremated. The Indian Supreme Court described this campaign as ''worse than a genocide.'' General Narinder Singh has said, ''Punjab is a police state.'' U.S. Congressman Dana Rohrabacher has said that for Sikhs, Kashmiri Muslims, and other minorities ''India might as well be Nazi Germany.''

''The people and nations of the subcontinent are entitled to freedom and self-determination,'' said Dr. Aulakh. ''It is time for India to do the democratic thing and end the repression,'' he said. ''It will help the Indian government and the people of India to give freedom to all the nations of South Asia,'' he said. ''As soon as it happens, the South Asian nations can make a South Asian economic market parallel to the European Economic Community where the nations are independent but joined economically, which benefits every member,'' he said. ''It will also include Pakistan, Bangladesh, Nepal, Sri Lanka, and others. This will reduce tensions and the nuclear threat in this dangerous region and will benefit all the people of South Asia,'' Dr. Aulakh said.

HONORING EUDORA WELTY

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. PICKERING. Mr. Speaker, Mississippi has lost one of its most treasured authors. We all mourn the passing of Eudora Welty and as Mississippians, we celebrate her accomplishments and her love of our state and its people. She is recognized around the world as a Pulitzer Prize winner and an ambassador for Mississippi by sharing her vivid descriptions of its people and places so that others might learn about our state through her writings.

Ms. Welty won the Pulitzer Prize in 1973 for her work titled ''The Optimist's Daughter''. She was presented with numerous other honors and awards including the National Book Award for fiction in 1971, the National Medal for Literature 1980 Book Award, and the National Medal of Arts in 1987. She was the first living writer ever to be included in the prestigious Library of America series in 1999.

Mr. Speaker, today we recognize and honor Ms. Welty for her outstanding literary achievements and awards. While we are all saddened by her death, we celebrate her life and her concern for the people of Mississippi and all of America. Her writing shows the care and concern she had for her fellow man. Ms. Eudora Welty will truly be missed by all of us.

TRIBUTE TO MARANDA PHILLIPS HOLMES

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Mrs. Maranda Phillips Holmes of Charleston, South Carolina, a recent recipient of a National Jefferson Award. Mrs. Holmes is greatly admired for her outstanding community and public service. I join the citizens of Charleston County in expressing our deepest gratitude for everything she has done and continues to do.

Mrs. Holmes, who is often known as ''Mother Teresa,'' has been a church and community volunteer for more than forty years. She has served on numerous boards and commissions, including the Neighborhood Housing Service Commission where she helped provide loans and grants to those wishing to renovate their homes. She is an extraordinary person and throughout her life has made extraordinary contributions to her church, and the politics, and social welfare of her community.

Mrs. Holmes has been the recipient of 154 awards that reflect her lifelong dedication to community improvement. The American Institute—an organization founded in 1972 by Jacqueline Kennedy Onassis, Senator Robert Taft, Jr., and Sam Beale—presents this prestigious award annually. The award seeks to recognize individuals for their outstanding community and public service. WCSC-Channel Five, a local television station, produced a thirty-minute documentary highlighting the contributions on Mrs. Holmes and two other National Jefferson Award recipients.

Mr. Speaker, I ask you to join me today in honoring Mrs. Maranda Phillips Holmes for the incredible service she has provided for the citizens of her community. The world is a better place because of her years of distinguished service, and she has certainly earned the honor this notable award recognizes. The citizens of Charleston County and I congratulate Mrs. Holmes on her outstanding accomplishments and wish her the best in all of her future endeavors.

PERSONAL EXPLANATION

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. ABERCROMBIE. Mr. Speaker, yesterday, on July 23 I was necessarily absent and was not able to vote on three recorded votes. Had I been present, I would have voted as follows:

H.R. 2137—Criminal Law Technical Amendments Act of 2001—Yes; H.R. 1892—Family Sponsor Immigration Act of 2001—Yes; S. 468—James Corman Federal Buildings Designation—Yes.

ON THE ANOINTMENT OF REVEREND DR. HUBERT BANKS AS BISHOP

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mrs. ROUKEMA. Mr. Speaker, I rise today to recognize and congratulate Reverend Dr. Hubert Banks on his elevation to the Office of Bishop in the Pentecostal Deliverance Tabernacle Worship Center in Ridgewood, New Jersey. On July 29, 2001, Reverend Dr. Banks will be consecrated as Bishop, one of the highest levels in his faith, at the Gilmore Memorial Tabernacle in Paterson, New Jersey. Reverend Dr. Banks has devoted his life to his faith, community, his family, and to ministering throughout the world. He is truly an exemplary man of faith and we are fortunate to have him serve our northern New Jersey community.

Reverend Dr. Banks has faithfully ministered since 1985, however his involvement with the Church began when he was twelve years old. A graduate of Ridgewood High School, he has served as Director of various youth, senior, and state choirs and worked actively with youth faith groups. His outstanding leadership and devotion brought him to the position of deacon while continuing his work with a men's chorus. At this point, Reverend Dr. Banks was also named Board Chairman of the Allene Gilmore Day Care Center.

In 1980, Reverend Dr. Banks was licensed into ministry as an Evangelist by the United Christian Church and Ministerial Association. One year later, he was ordained and went on to found the Pentecostal Deliverance Ministry. Reverend Dr. Banks then brought his spiritual leadership overseas as he spent time ministering in Israel. Since that experience, he has spent extensive time doing evangelistic work throughout Africa in Venda, Malawi, and Johannesburg. In 1990, Reverend Dr. Banks was promoted to District Elder in the Northern New Jersey region and received his Doctorate Honoris Causu from the Shiloh Theological Seminary shortly thereafter. In 1998, Reverend Dr. Banks was named Bishop-Elect under the Faith Tabernacle Outreach Ministries and now, three years later, he will be appointed to the respected position of Bishop in a traditional ceremony, rich with his faith's symbols. With his elevation to the title of Bishop, Reverend Dr. Banks will serve a larger congregation, bringing his dedication to new churches in the area. These churches are fortunate to have such an outstanding man both leading and serving their communities.

Reverend Dr. Banks' life as a minister includes his wife and two daughters, three stepsons and five grandchildren. Mr. Speaker, I ask my colleagues in the House of Representatives to join me in congratulating Reverend Dr. Banks for his elevation to the position of Bishop and for the outstanding example he sets for all of us.

HONORING ANDREW A. ATHENS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. GILMAN. Mr. Speaker, I rise today to recognize an outstanding American, a humanitarian and a dedicated health provider, Andrew A. Athens.

Mr. Athens has dedicated his life not only to serving his family, his faith, and his nation, but is trying to improve the quality of life for millions of patients in need of health care throughout the world. With the same dedication and work ethic, Andy Athens and his wife, Louise, have raised their children and grandchildren in the best traditions of philanthropy, respect, and good will.

Andy was born in Chicago, IL, the son of Greek-American immigrants. He went on to serve as a captain in the U.S. Army during World War II where he distinguished himself in the European and African campaigns for which he was decorated with the Bronze Star. Following the war, he helped rebuild the infrastructure of war-ravaged Europe, which service earned him a citation from the Hungarian Government. Subsequent to his return to America, Andy cofound Metron Steel Corporation, in which he served as its president for 41 years and during which time it became a major steel service center in the Midwest.

A life-long activist in the Greek Orthodox Faith, Andy Athens has held leadership roles on the local, Diocesan and national levels. While President of the Archdiocesan Council of the Greek Orthodox Archdiocese of America from 1974–1995, the highest position a layman can hold in the Church's national administration, Andy helped to establish the charitable arms of the Greek Orthodox Church in America, the International Orthodox Christian Charities, and Leadership 100. For his outstanding humanitarian service, Andy received numerous awards, including the highly regarded Religious Heritage of America Award, the Athenagoran Human Rights Award, the Medal of Saint Paul, and other honors. Furthermore, Andy's service to the National Church has earned him the international recognition of the leader of World Orthodoxy, the Ecumenical Patriarch of Constantinople, who has elevated Andy to the rank of Archon of the Order of Saint Andrew.

Responding to the need for political action, Andy mobilized the Greek American community to petition elected officials and to express their views for global action. In 1974, he founded the United Hellenic American Congress (UHAC), and continues to serve as its' chairman. UHAC has helped to bridge the gap between the Greek American communities who govern nationally and globally. It is a voice for human rights violations in the Mediterranean and the Balkans and the need for religious freedom in Turkey. Continuing his international humanitarian service, in 1995, Mr. Athens was elected to serve as the 1st President of the World Council of Hellenes Abroad (SAE).

Andy's greatest political and humanitarian achievements have been in his service with the SAE, which represents 7 million Hellenes living outside of Greece. Under Andy's leadership, the SAE instituted an historic program bringing primary health care and job opportunities to Hellenes and their neighbors living in the countries of the former Soviet Union. The SAE Medical Relief Program has established three health care centers in Georgia, a clinic and visiting nurses program in Ukraine, and a health care clinic in Armenia. Soon, they will begin a full program in Albania. They have managed to help more than 34,000 patient's per month throughout these clinics.

Mr. Speaker, I invite my colleagues to join in honoring Andrew A. Athens, a ''Greek-American global advocate of all the values that have made our nation so strong.'' Mr. Athens has lived the American dream based on honor, duty, faith and respect. He has truly been saintly as a philanthropic global advocate for the values we all embody as Americans.

EUROPEAN INTERESTS ARE NOT ALWAYS THOSE OF THE U.S.

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. BEREUTER. Mr. Speaker, this Member wishes to commend to his colleagues the July 22, 2001, editorial from the Omaha World-Herald entitled ''Why America Says No.''

Currently, the U.S. is under intense pressure from members of the European Union (EU) to conform to what they deem best for their combined interests. While U.S. economic and security interests often intersect with those of its European allies, such convergence is not always the case. Environmental standards (particularly those outlined in the Kyoto Protocol), agriculture subsidy levels, and the use of genetically modified organisms (GMOs) are among the issues on which the U.S. and the EU disagree. Participation in the proposed

permanent International Criminal Court (ICC) is yet another issue on which the U.S. national interests and many other countries' national interests diverge.

Mr. Speaker, it should be noted that choosing not to participate in institutions such as the ICC is not, as some continue to argue, equal to isolationism. Choosing not to engage in conversations with other leaders on difficult issues is isolationism. President Bush, while rightly standing strong against pressure to pursue international agreements and institutions which would be contrary to American interests, has engaged his European counterparts in dialogues on the tough issues and should be commended for doing so.

[From the Omaha World-Herald, July 22, 2001]

WHY AMERICA SAYS NO

One of the irritants in President Bush's current dealings with European nations is his administration's opposition to a permanent International Criminal Court. The 15-member European Union is one of the leading proponents of a United Nations plan to form such a tribunal.

Bush should stand firm. Not because a world court would be a bad thing as a general principle—indeed, in the abstract the idea has appeal. And not even because the trend of recent years toward some kind of world government is a direct affront to American sovereignty, as it surely is.

The U.S. government should continue to be against this proposal because America's potential exposure to the potential misuse of such an entity is greater than that of most other nations.

That's because America is a superpower that is often called upon to be the world's policeman. By tradition and instinct, it has chosen to pursue an active, interventionist foreign policy during many stretches of its history, acting as a force for good in the world. No nation has single-handedly done more to defend down-trodden people against tyranny or to combat the problems of disease, poverty and deprivation.

Accordingly, America has had far-flung military and civilian operations sometimes in circumstances or with outcomes sufficiently ambiguous as to make it a target for prosecution in an international court if the people who ran that court happened not to like Americans.

The purpose of the proposed entity would be to try and sentence war criminals, violators of human rights and perpetrators of genocide. Administration officials fear that the machinery of an international court could, if it fell into the wrong hands, mean trouble for American troops or their leaders—trouble caused by someone who tried to paint an American military intervention (Haiti? Panama?) as a violation of human rights or a foreign policy decision (Henry Kissinger on the bombing of Cambodia in 1970) as a war crime. Not everyone sees things through the same eyes. George Bush, the former president, is either a national liberator or a war criminal, depending on whether you are Kuwaiti or Iraqi.

The spectacle of Americans, based on foreign policy differences, being hauled before a foreign tribunal without the protections of the U.S. Constitution would be an affront to U.S. sovereignty.

Moreover, standards evolve unpredictably. Just a few years ago, the death penalty was widely used around the world. Recently, moralists all across Europe applauded when Amnesty International labeled the United States a human rights violator for not outlawing capital punishment. does that make George Bush and Bill Clinton, under whom executions were conducted when they were governors, violators of human rights? Not now, perhaps. But later? The evolution continues.

Thirty-seven nations have ratified the treaty that would form the court. They range from E.U. nations to Senegal, Croatia and Tajikistan. Increasingly, collective operations seem to appeal to the E.U. and parts of the Third World. Americans may just have to recognize—and hope they recognize it, too—that our interests are sometimes different from theirs, and govern ourselves accordingly.

DEPARTMENTS OF COMMERCE, JUSTICE AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

SPEECH OF

HON. BRIAN BAIRD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2001

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes:

Mr. BAIRD. Mr. Chairman, I want to thank my colleague FRANK LUCAS for joining me in offering this important amendment.

The Methamphetamine/Drug Hot Spots Program provides funding for states to pay for the costs associated with fighting meth. This includes identifying and dismantling meth labs and training law enforcement to respond to labs.

Last year, Clark County in my district received funding from this program to hire an additional meth detective for our local drug task force.

As one of the founders of the Meth caucus, I am pleased to offer an amendment to increase the funding for this important program. Forty-two members of our caucus asked appropriators to increase funding for the Meth/Drug Hot Spots from $48.5 million (FYO1) to $60 million. The bill before us today funds this program at $48.3, $11.7 less than requested by our bipartisan caucus.

Our amendment would increase the funding for this program to $60 million. We are proposing to accomplish this by reducing the increase given to the International Broadcasting Operations by $11.7 million, which received a $32 million increase in this bill. Our amendment would still provide for more than a 5% increase for International Broadcasting Operations. This is still more than President Bush's request for no more than a 4% increase in the growth of federal spending.

I want to make clear that this amendment is in no way meant to take away from the important role that International Broadcasting Operations has in spreading the American ideals of freedom and democracy throughout the globe. The amendment is designed to help our law enforcement officials stop the scourge of methamphetamine abuse here at home.

I thank my colleague from Oklahoma for joining me in offering this amendment and I ask for your support.

THE PATIENT PRIVACY ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. PAUL. Mr. Speaker, I rise to introduce the Patient Privacy Act, which repeals those sections of the Health Insurance Portability and Accountability Act of 1996 authorizing the establishment of a "standard unique health care identifier" for all Americans, as well as prohibiting the use of federal funds to develop or implement a database containing personal health information.

Establishment of such a medical identifier, especially when combined with HHS's misnamed "federal privacy" regulations, would allow federal bureaucrats to track every citizen's medical history from cradle to grave. Furthermore, it is possible that every medical professional, hospital, and Health Maintenance Organization (HMO) in the country would be able to access an individual citizens' record simply by entering the patient's identifier into a health care database.

When the scheme to assign every American a unique medical identifier became public knowledge in 1998, their was a tremendous outcry from the public. Congress responded to the public outrage by including language forbidding the expenditure of funds to implement or develop a medical identifier in the federal budget for the past three fiscal years. Last year my amendment prohibiting the use of funds to develop or implement a medical ID unanimously passed the House of Representatives.

It should be clear to every member of Congress that the American public does not want a uniform medical identifier. Therefore, rather than continuing to extend the prohibition on funding for another year, Congress should simply repeal the authorization of the national medical ID this year.

As an OB/GYN-with more than 30 years experience in private practice, I know better than most the importance of preserving the sanctity of the physician-patient relationship. Oftentimes, effective treatment depends on a patient's ability to place absolute trust in his or her doctor. What will happen to that trust when patients know that any and all information given their doctor will be placed in a data base accessible by anyone who knows the patient's "unique personal identifier?"

I ask my colleagues, how comfortable would you be confiding any emotional problem, or even an embarrassing physical problem like impotence, to your doctor if you knew that this information could be easily accessed by friend, foe, possible employers, coworkers, HMOs, and government agents?

Many of my colleagues will admit that the American people have good reason to fear a government-mandated health ID card, but they will claim such problems can be "fixed" by additional legislation restricting the use of the

identifier and forbidding all but certain designated persons to access those records.

This argument has two flaws. First of all, history has shown that attempts to protect the privacy of information collected by, or at the command, of the government are ineffective at protecting citizens from the prying eyes of government officials. I ask my colleagues to think of the numerous cases of IRS abuses that were brought to our attention in the past few months, the history of abuse of FBI files, and the case of a Medicaid clerk in Maryland who accessed a computerized database and sold patient names to an HMO. These are just some of many examples that show that the only effective way to protect privacy is to forbid the government from assigning a unique number to any citizen.

The second, and most important reason, legislation ''protecting'' the unique health identifier is insufficient is that the federal government lacks any constitutional authority to force citizens to adopt a universal health identifier, or force citizens to divulge their personal health information to the government, regardless of any attached ''privacy protections.'' Any federal action that oversteps constitutional limitations violates liberty as it ratifies the principle that the federal government, not the Constitution, is the ultimate arbitrator of its own jurisdiction over the people. The only effective protection of the rights of citizens is for congress and the American people to follow Thomas Jefferson's advice and ''bind (the federal government) down with the chains of the constitution.''

Those who claim that the Patient Privacy act would interfere with the plans to ''simplify'' and ''streamline'' the health care system, should remember that under the constitution, the rights of people should never take a backseat to the convenience of the government or politically powerful industries like HMOs.

Mr. Speaker, the federal government has no authority to endanger the privacy of personal medical information by forcing all citizens to adopt a uniform health identifier for use in a national data base. A uniform health ID endangers constitutional liberties, threatens the doctor-patient relationships, and could allow federal officials access to deeply personal medical information. There can be no justification for risking the rights of private citizens. I therefore urge my colleagues to join me in supporting the Patient Privacy Act.

PRIVATE CALENDAR AGREEMENT

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. COBLE. Mr. Speaker, I would like to take this opportunity to set forth some of the history behind, as well as describe the workings of the Private Calendar. I hope this might be of some value to the Members of this House, especially our newer colleagues.

Of the five House Calendars, the Private Calendar is the one to which all Private Bills are referred. Private Bills deal with specific individuals, corporations, institutions, and so forth, as distinguished from public bills which deal with classes only.

Of the 108 laws approved by the First Congress, only 5 were Private Laws. But their number quickly grew as the wars of the new Republic produced veterans and veterans' widows seeking pensions and as more citizens came to have private claims and demands against the Federal Government. The 49th Congress, 1885 to 1887, the first Congress for which complete workload and output data is available, passed 1,031 Private Laws, as compared with 434 Public Laws. At the turn of the century the 56th Congress passed 1,498 Private Laws and 443 Public Laws—a better than three to one ratio.

Private bills were referred to the Committee on the Whole House as far back as 1820, and a calendar of private bills was established in 1839. These bills were initially brought before the House by special orders, but the 62nd Congress changed this procedure by its rule XXIV, clause six which provided for the consideration of the Private Calendar in lieu of special orders. This rule was amended in 1932, and then adopted in its present form on March 22, 1935.

A determined effort to reduce the private bill workload of the Congress was made in the Legislative Reorganization Act of 1946. Section 131 of that Act banned the introduction or the consideration of four types of private bills: first, those authorizing the payment of money for pensions; second, for personal or property damages for which suit may be brought under the Federal tort claims procedure; third, those authorizing the construction of a bridge across a navigable stream, or fourth, those authorizing the correction of a military or naval record.

This ban afforded some temporary relief but was soon offset by the rising postwar and cold war flood for private immigration bills. The 82nd Congress passed 1,023 Private Laws, as compared with 594 Public Laws. The 88th Congress passed 360 Private Laws compared with 666 Public Laws.

Under rule XXIV, clause six, the Private Calendar is called the first and third Tuesday of each month. The consideration of the Private Calendar bills on the first

On the first Tuesday of each month, after disposition of business on the Speaker's table for reference only, the Speaker directs the call of the Private Calendar. If a bill called is objected to by two or more Members, it is automatically recommitted to the Committee reporting it. No reservation of objection is entertained. Bills unobjected to are considered in the House in the Committee of the Whole.

On the third Tuesday of each month, the same procedure is followed with the exception that omnibus bills embodying bills previously rejected have preference and are in order regardless of objection.

Such omnibus bills are read by paragraph, and no amendments are entertained except to strike out or reduce amounts or provide limitations. Matters so stricken out shall not be again included in an omnibus bill during that session. Debate is limited to motions allowable under the rule and does not admit motions to strike out the last word or reservation of objections. The rules prohibit the Speaker from recognizing Members for statements or for requests for unanimous consent for debate. Omnibus bills so passed are thereupon resolved in their component bills, which are engrossed separately and disposed of as if passed separately.

Private Calendar bills unfinished on one Tuesday go over to the next Tuesday on which such bills are in order and are considered before the call of bills subsequently on the calendar. Omnibus bills follow the same procedure and go over to the next Tuesday on which that class of business is again in order. When the previous question is ordered on a Private Calendar bill, the bill comes up for disposition on the next legislative day.

Mr. Speaker, I would also like to describe to the newer Members the Official Objectors system the House has established to deal with the great volume of Private Bills.

The Majority Leader and the Minority Leader each appoint three Members to serve as Private Calendar Objectors during a Congress. The Objectors are on the Floor ready to object to any Private Bill which they feel is objectionable for any reason. Seated near them to provide technical assistance are the majority and minority legislative clerks.

Should any Member have a doubt or question about a particular Private Bill, he or she can get assistance from objectors, their clerks, or from the Member who introduced the bill.

The great volume of private bills and the desire to have an opportunity to study them carefully before they are called on the Private Calendar has caused the six objectors to agree upon certain ground rules. The rules limit consideration of bills placed on the Private Calendar only shortly before the calendar is called. With this agreement adopted on July 24, 2001, the Members of the Private Calendar Objectors Committee have agreed that during the 107th Congress, they will consider only those bills which have been on the Private Calendar for a period of seven (7) days, excluding the day the bill is reported and the day the calendar is called. Reports must be available to the Objectors for three (3) calendar days.

It is agreed that the majority and minority clerks will not submit to the Objectors any bills which do not meet this requirement.

This policy will be strictly enforced except during the closing days of a session when the House rules are suspended.

This agreement was entered into by: the gentleman from North Carolina (Mr. COBLE), the gentleman from Georgia (Mr. BARR), the gentleman from Ohio (Mr. CHABOT), the gentleman from Virginia (Mr. BOUCHER), and the gentlelady from Connecticut (Ms. DELAURO).

I feel confident that I speak for my colleagues when I request all Members to enable us to give the necessary advance considerations to private bills by not asking that we depart from the above agreement unless absolutely necessary.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

SPEECH OF

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2001

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice and State, and Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes:

Mrs. LOWEY. Mr. Chairman, I rise in support of the DeGette amendment, and I thank my colleague for her strong leadership on this issue.

A woman's right to make a private decision to terminate a pregnancy is the law of the land. The prohibition on prisoners' access to abortion services in federal prison facilities contained in this bill does not make it impossible for women in prison to obtain an abortion—but it deliberately makes it more expensive, more difficult and less private.

In my view, the only reason the ban does not go further—ban abortion outright—is because Americans support a woman's right to choose. I know that many of my colleagues do not, and I respect their views on this issue. I know that these colleagues would vote to overturn the Roe v. Wade decision immediately, if they thought they could get away with it.

But they don't go that far, because Americans wouldn't let them get away with it.

Instead, those who oppose a women's right to choose take every opportunity to make the decision ever more difficult, dangerous, and expensive.

I support the DeGette amendment because I believe that's the wrong approach. If we agree that there should be less abortion, we can and should work together to make the decision to terminate a pregnancy less necessary. The policy we are debating in this amendment—which allows women in federal prison to pay for an abortion outside but not obtain one inside the prison system—only makes the decision to terminate harder.

What could we do to make the need for terminating a pregnancy less necessary? We could do more to promote contraceptive access and use. We could work harder to educate people about taking responsibility for protecting themselves from unintended pregnancy. We could do more to prevent sexual assault, rape and incest. We could work together—as our constituents clearly would like us to do—to ensure that most women never need to make the personal decision about terminating their pregnancy.

Less necessary—not more harassing and less private.

I ask my colleagues to join me in supporting the DeGette motion to strike.