SENATE—*Wednesday, May 16, 2001*

(Legislative day of Tuesday, May 15, 2001)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable LINCOLN CHAFEE, a Senator from the State of Rhode Island.

PRAYER

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

Holy God, show us Your high intent and keep us from ever being easily content. This is Your Nation; we are here to serve You. Just as Daniel Webster said that the greatest conviction of his life was that he was accountable to You, we press on with intentionality in the duties and deliberations of this day. We want to know what You desire in everything we do and say. Make us aware that You are the unseen guest at every meeting, the silent observer of all our actions, and the careful listener at every conversation. Heighten our awareness not only of Your presence but also of Your power. Give us courage to attempt what only You could help us achieve. Renew our enthusiasm, reinvigorate our vision, revitalize our patriotism, and replenish our strength. In the name of our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable LINCOLN CHAFEE 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. THURMOND).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 16, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LINCOLN D. CHAFEE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. CHAFEE thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10 a.m. with Senators permitted to speak therein for up to 10 minutes each. Under the previous order, the Senator from Kansas is to be recognized to speak for 15 minutes.

RECOGNITION OF THE ASSISTANT MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The assistant majority leader is recognized.

SCHEDULE

Mr. NICKLES. Mr. President, today the Senate will be in a period of morning business until 10 a.m. At 10 this morning, the Senate will resume consideration of S. 1, the education bill. Senators should expect rollcalls throughout the day with respect to amendments to the education bill.

Also, as a reminder, the tax reconciliation bill was reported out of the Finance Committee last night. It is expected that the Senate will begin consideration of that measure on Thursday. The majority leader hopes that significant progress can be made on the bill on Thursday with the expectation of completing the reconciliation bill on Monday.

In addition, the majority leader is expecting that the Senate will complete action on the education bill next week prior to the Memorial Day recess. I thank my colleagues for their attention.

I just mention that both of these bills, the reconciliation bill and the education bill, are two of the more important issues we will be taking up this entire session. It is our intention to complete both of them by the end of next week. That will take a lot of cooperation and attentiveness by all Members. I encourage Members if they have their amendments to bring them forward. Let us not spend a lot of time on them, complete the amendments on the education bill and on the reconciliation bill so we can give some good news to taxpayers and to everyone who is interested in improving education.

Mr. President, I thank my colleagues for their attention.

Mr. REID. Mr. President, before my colleague leaves the floor, we on this side understand the importance of the education bill. We are doing our best to work through it. I think we have made good progress. We have had some short days which has interfered a little bit, but I think we are down to the end of that and we should be able to wrap it up next week. I would say to my friend—and I hope the majority understands this—we understand the importance of reconciliation. The American people deserve a tax cut. They are going to get one. The only thing I would add is that we have to make sure we are able to read the documents; we have a little bit of time to look at them. My suggestion, to avoid problems that some would call dilatory, others would call necessity, would be that we take this matter up as early on Monday morning as possible and finish it on Tuesday. Maybe we could even finish it Monday night with a long day. I hope we are not forced to do this bill by not having an opportunity to look at it. As you know, with the budget, we had some problems because we didn't have a chance to see it. Our problems over here were very minimal. On the House side, they had a lot of problems because they tried to jam that bill through.

So I say to my friend that I hope we have time to look at it. We understand there is a timeframe that we must work under. We have 20 hours. In addition to that, we have the break coming up. The leaders on the majority side want to finish this most important legislation prior to that time. I accept that. All I am saying is let us have enough time that we can tell people over here, with some degree of certainty, how big it is; that they will have an opportunity to look at parts they are interested in and have the staff review the whole bill.

Mr. NICKLES. Mr. President, I appreciate my friend and colleague's suggestion. I will just mention a couple of things. One, the bill that passed the Finance Committee last night passed by a vote of 14–6, a bipartisan bill by every definition. The bill that passed last night in the Finance Committee is the same one introduced by Chairman GRASSLEY and ranking member BAUCUS last Friday. It hasn't really changed. The information from the Joint Tax Committee is available. The analysis of the bill is available. The bill itself has now been reported, but it hasn't

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

changed. We did not change one provision. Not one amendment was adopted, so people don't have to worry about all the things that are different. It is a pretty simple bill. The rate reductions are pretty simple. They are there. They are not quite as good as I think they should be. I will be happy to explain the entire bill; I can do that. But the rate reductions are very timid, in my opinion. It takes 7 years to get the rate reductions enacted—6 years, I guess—2007 before they are finally enacted, with only a 1 point reduction for all the rates beginning in 2002. But we do have an immediate 10-percent rate.

So, anyway, those things are there. It is pretty easily understood. I hope we go to the bill tomorrow and have as much time as necessary on Thursday, on Friday, and a final vote on Monday with Senators able to offer amendments and to consider them.

The only thing that is complicated is that when you see the bill it will be thicker because the IRA pension provision that passed with over 400 votes in the House was included and that is very extensive, with multiple provisions, several little pieces involved, some of it somewhat complicated, but it does have overwhelming support in both the House and the Senate. So that will cause the bill to be thicker. You take that provision out, or leave that provision alone, and the rest of the bill is not all that complicated.

I urge our colleagues to talk to other members of the Finance Committee. We will get information out today. I hope we begin consideration on it tomorrow and finish it no later than Monday so we can have a chance to have a conference with our colleagues in the House and actually pass it prior to adjourning for the Memorial Day break. That means we have a lot of work to do both on the education bill and on the tax bill in the next week and a half. I think these next 9 days will be very productive for the American taxpayer and for the American public. I appreciate my colleague's question.

Mr. REID. If the assistant majority leader will yield, he is a member of the Finance Committee and has been working on this issue for a long period of time, along with 19 other Senators. Some of us are not on the committee and we do not have the knowledge of the tax provisions in that bill that many of you do. I think the Senator has done a good job of outlining how some of the facts are now available to us. I think that is a good suggestion and we can go to work on that, but even that having been done, I hope the majority will understand some of the feelings of the people over on this side who are not familiar with the legislation. We want to make sure we do not get into some kind of vote-athon at the end of the process, that we not be faced with that.

We will do our best to work, as we try to do all the time, with the majority, but I want to indicate that there are people over here concerned that they have not had the opportunity to know what is in the bill and have not had a chance to see the bill. We hope people will be understanding of some Members on this side.

Mr. NICKLES. I appreciate my colleague's suggestion. I will work to make sure everyone has available from the Finance Committee a short description of the bill so at least they will understand the major details of it.

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

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

The legislative clerk proceeded to call the roll.

Mr. BIDEN. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. BIDEN. Mr. President, after speaking with the Republican and Democratic sides, I understand there is room for 10 minutes for any Senator to proceed in morning business, and/or if I need to go over that 10 minutes, my Republican colleague indicated I may have some time. I will proceed and hopefully finish in 10 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Delaware is recognized.

Mr. BIDEN. I thank the Chair.

(The remarks of Mr. BIDEN and Mr. REID pertaining to the introduction of S. 899 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BIDEN. I suggest the absence of a quorum

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

The legislative 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. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. ENSIGN). Morning business is closed.

BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT

The PRESIDING OFFICER. The Senate will now resume consideration of the pending business, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965.

Pending:

Jeffords amendment No. 358, in the nature of a substitute.

Kennedy (for Dodd) amendment No. 382 (to amendment No. 358), to remove the 21st century community learning center program from the list of programs covered by performance agreements.

Biden amendment No. 386 (to amendment No. 358), to establish school-based partnerships between local law enforcement agencies and local school systems, by providing school resource officers who operate in and around elementary and secondary schools.

Voinovich amendment No. 389 (to amendment No. 358), to modify provisions relating to State applications and plans and school improvement to provide for the input of the Governor of the State involved.

Reed amendment No. 425 (to amendment No. 358), to revise provisions regarding the Reading First Program.

Leahy (for Hatch) amendment No. 424 (to amendment No. 358), to provide for the establishment of additional Boys and Girls Clubs of America.

Helms amendment No. 574 (to amendment No. 358), to prohibit the use of Federal funds by any State or local educational agency or school that discriminates against the Boy Scouts of America in providing equal access to school premises or facilities.

Helms amendment No. 648 (to amendment No. 574), in the nature of a substitute.

Dorgan amendment No. 640 (to amendment No. 358), expressing the sense of the Senate that there should be established a joint committee of the Senate and House of Representatives to investigate the rapidly increasing energy prices across the country and to determine what is causing the increases.

Wellstone/Feingold amendment No. 465 (to amendment No. 358), to improve the provisions relating to assessment completion bonuses.

Voinovich amendment No. 443 (to amendment No. 358), to amend the Higher Education Act of 1965 to extend loan forgiveness for certain loans to Head Start teachers.

Dayton modified amendment No. 622 (to amendment No. 358), to amend the Individuals with Disabilities Education Act to fully fund 40 percent of the average per pupil expenditure for programs under part B of such Act.

Hutchinson modified amendment No. 555 (to amendment No. 358), to express the sense of the Senate regarding the Department of Education program to promote access of Armed Forces recruiters to student directory information.

Harkin amendment No. 525 (to amendment No. 358), to provide grants for the renovation of schools.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the pending amendments be set aside; that I be recognized in order to offer amendment No. 550; and that there be 15 minutes for me to present this amendment; further, following my statement, that my amendment be set aside and Senator BOXER be recognized in order to call up amendment No. 563 and there then be 1 hour equally divided for debate. Further, I ask that following the use or yielding back of time, the Senate proceed to a vote in relation to the Boxer amendment, and, finally, that there be no amendments in order to either amendment prior to the votes.

Mr. REID. Mr. President, reserving the right to object, the manager of the bill, who left for a minute, has asked that he be recognized for 5 minutes prior to the Boxer-Ensign amendment being called up. Will the Senator agree with that?

Mr. HUTCHINSON. Mr. President, I so amend my unanimous consent request.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 550

Mr. HUTCHINSON. Mr. President, I call up my amendment No. 550.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arkansas [Mr. HUTCHINSON] proposes an amendment numbered 550 to the language proposed to be stricken by the amendment No. 358.

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

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

The amendment is as follows:

(Purpose: To liberalize the tax-exempt financing rules for public school construction)

On page 794, after line 7, in the language proposed to be stricken, add the following:

TITLE X—LIBERALIZATION OF TAX-EXEMPT FINANCING RULES FOR PUBLIC SCHOOL CONSTRUCTION

SEC. 1001. ADDITIONAL INCREASE IN ARBITRAGE REBATE EXCEPTION FOR GOVERNMENTAL BONDS USED TO FINANCE EDUCATIONAL FACILITIES.

(a) IN GENERAL.—Section 148(f)(4)(D)(vii) (relating to increase in exception for bonds financing public school capital expenditures) is amended by striking ''$5,000,000'' the second place it appears and inserting ''$10,000,000''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to obligations issued in calendar years beginning after December 31, 2001.

SEC. 1002. TREATMENT OF QUALIFIED PUBLIC EDUCATIONAL FACILITY BONDS AS EXEMPT FACILITY BONDS.

(a) TREATMENT AS EXEMPT FACILITY BOND.—Subsection (a) of section 142 (relating to exempt facility bond) is amended by striking ''or'' at the end of paragraph (11), by striking the period at the end of paragraph (12) and inserting '', or'', and by adding at the end the following new paragraph:

''(13) qualified public educational facilities.''.

(b) QUALIFIED PUBLIC EDUCATIONAL FACILITIES.—Section 142 (relating to exempt facility bond) is amended by adding at the end the following new subsection:

''(k) QUALIFIED PUBLIC EDUCATIONAL FACILITIES.—

''(1) IN GENERAL.—For purposes of subsection (a)(13), the term 'qualified public educational facility' means any school facility which is—

''(A) part of a public elementary school or a public secondary school, and

''(B) owned by a private, for-profit corporation pursuant to a public-private partnership agreement with a State or local educational agency described in paragraph (2).

''(2) PUBLIC-PRIVATE PARTNERSHIP AGREEMENT DESCRIBED.—A public-private partnership agreement is described in this paragraph if it is an agreement—

''(A) under which the corporation agrees—

''(i) to do 1 or more of the following: construct, rehabilitate, refurbish, or equip a school facility, and

''(ii) at the end of the term of the agreement, to transfer the school facility to such agency for no additional consideration, and

''(B) the term of which does not exceed the term of the issue to be used to provide the school facility.

''(3) SCHOOL FACILITY.—For purposes of this subsection, the term 'school facility' means—

''(A) any school building,

''(B) any functionally related and subordinate facility and land with respect to such building, including any stadium or other facility primarily used for school events, and

''(C) any property, to which section 168 applies (or would apply but for section 179), for use in a facility described in subparagraph (A) or (B).

''(4) PUBLIC SCHOOLS.—For purposes of this subsection, the terms 'elementary school' and 'secondary school' have the meanings given such terms by section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801), as in effect on the date of the enactment of this subsection.

''(5) ANNUAL AGGREGATE FACE AMOUNT OF TAX-EXEMPT FINANCING.—

''(A) IN GENERAL.—An issue shall not be treated as an issue described in subsection (a)(13) if the aggregate face amount of bonds issued by the State pursuant thereto (when added to the aggregate face amount of bonds previously so issued during the calendar year) exceeds an amount equal to the greater of—

''(i) $10 multiplied by the State population, or

''(ii) $5,000,000.

''(B) ALLOCATION RULES.—

''(i) IN GENERAL.—Except as otherwise provided in this subparagraph, the State may allocate the amount described in subparagraph (A) for any calendar year in such manner as the State determines appropriate.

''(ii) RULES FOR CARRYFORWARD OF UNUSED LIMITATION.—A State may elect to carry forward an unused limitation for any calendar year for 3 calendar years following the calendar year in which the unused limitation arose under rules similar to the rules of section 146(f), except that the only purpose for which the carryforward may be elected is the issuance of exempt facility bonds described in subsection (a)(13).''.

(c) EXEMPTION FROM GENERAL STATE VOLUME CAPS.—Paragraph (3) of section 146(g) (relating to exception for certain bonds) is amended—

(1) by striking ''or (12)'' and inserting ''(12), or (13)'', and

(2) by striking ''and environmental enhancements of hydroelectric generating facilities'' and inserting ''environmental enhancements of hydroelectric generating facilities, and qualified public educational facilities''.

(d) EXEMPTION FROM LIMITATION ON USE FOR LAND ACQUISITION.—Section 147(h) (relating to certain rules not to apply to mortgage revenue bonds, qualified student loan bonds, and qualified 501(c)(3) bonds) is amended by adding at the end the following new paragraph:

''(3) EXEMPT FACILITY BONDS FOR QUALIFIED PUBLIC-PRIVATE SCHOOLS.—Subsection (c) shall not apply to any exempt facility bond issued as part of an issue described in section 142(a)(13) (relating to qualified public educational facilities).''.

(e) CONFORMING AMENDMENT.—The heading for section 147(h) is amended by striking ''MORTGAGE REVENUE BONDS, QUALIFIED STUDENT LOAN BONDS, AND QUALIFIED 501(c)(3) BONDS'' and inserting ''CERTAIN BONDS''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after December 31, 2001.

Mr. HUTCHINSON. Mr. President, I know we have had a healthy debate on education and on the need for our educational infrastructure around the country. What we can all agree on is that many schools in the country are in desperate need of repair and improvement. Just because we can agree on a problem, however, doesn't mean we agree on the appropriate solution. I think the proposal of the distinguished Senator from Iowa to create a new school construction program provides an illustration of this point. We have a big difference on how we ought to approach the solution.

The bill before us maximizes the impact of limited Federal dollars by focusing them on programs for which there is a clear and historical Federal role. Creating a new facilities grant program in the Department of Education, I believe, will raise false hopes and divert our energy away from the urgent task of securing more funding for programs such as IDEA for which there is a clear and unequivocal established Federal responsibility.

The Finance Committee earlier—a few weeks ago—agreed to some measures to provide relief in the area of school construction in the Affordable Education Act. This was bipartisan. This came from the Finance Committee with broad support. It addresses this issue of school construction in a far more constructive and advantageous way. I want to offer, in my amendment, the provisions of that Affordable Education Act dealing with school construction to S. 1.

The first provision is directed at innovative financing for school districts. It expands the tax-exempt bond rules for public-private scholarships set up for construction, renovation, or restoration of public school facilities in these districts. In general, it allows States to issue tax-exempt bonds equal to $10 per State resident.

Each State would be guaranteed, under this provision, a minimum allocation of at least $5 million of these tax-exempt bonds. In total, up to $600 million per year in new tax-exempt bonds would be issued for these innovative school construction projects. This provision is important because it retains State and local flexibility. It does not impose a new bureaucracy on the States, and it does not force the Federal Government to micromanage school construction.

I cannot think of a more counterproductive step for us to take than for

the Federal Government to get into the business of school construction and to assume an unprecedented role in that which has been historically, traditionally left to States and local governments.

The provision also is important because it promotes the use of public-private partnerships. Many high-growth school districts may be too poor or too overwhelmed to take on a school construction project themselves. With these bonds, those districts can partner with a private entity and still enjoy the benefits of tax-exempt financing.

It is worth noting that there already is a significant Federal subsidy for school construction. Under current law, States and localities can issue debt that is exempt from Federal taxation. This benefit allows them to finance school construction by issuing long-term bonds at a lower cost than they otherwise could. Moreover, the evidence shows that States and localities are taking advantage of this provision, this benefit, in the current tax law. In the first 6 months of 1996, voters approved $13.3 billion in school bonds, an increase of more than $4 billion over the first 6 months of 1995.

The bottom line is that many States and localities are doing their homework, passing bonds, building and renovating schools, and enjoying favorable treatment under the existing Tax Code. They are doing all this without significant Federal involvement.

I do not have to remind my colleagues that school construction has always been the province of State and local governments. It is important that we preserve that prerogative. It is important that we ensure that the Federal Government not preempt this traditional role of State and local government.

President Clinton stated in 1994, ''The construction and renovation of school facilities has traditionally been the responsibility of State and local governments financed primarily by local taxpayers.'' In that respect, at least, I agree with former President Clinton.

There is a second bond provision in this bill.

That provision is designed to simplify the issuance of bonds for school construction. Under current law, arbitrage profits earned on investments unrelated to the purpose of borrowing must be rebated to the Federal Government. However, there is an exception generally referred to as the small issuer exception which allows governments to issue up to $5 million of bonds without being subject to the arbitrage rebate requirement.

We recently increased this limit to $10 million for governments that issue at least $5 million of public school bonds during the year.

The provision in the Finance Committee bill which I offer now as an amendment increases the small issuer exception to $15 million provided that at least $10 million of the bonds are issued to finance public schools. This measure will assist localities in meeting school construction needs by simplifying their use of tax-exempt financing.

At the same time, it will not create incentives to issue such debt earlier or in larger amounts than is necessary. It is a type of targeted provision that makes good sense.

I reaffirm there is consensus that there is a problem in the area of dilapidated schools, but there is a huge diversion on how we ought to address that problem. There are those who want to start a new categorical Federal grant program involving the Federal Government in a role that has always been left to State and local governments, a program that will, as all Federal programs, mushroom in the years ahead, a path we need not nor should we go down.

The provision I am offering is a better way. It addresses the issue of school construction in an appropriate way for the Federal Government and a provision that has broad bipartisan support in that it passed the Finance Committee on March 13 by a 20–0 vote. This is a better approach as we seek to assist local schools and State governments in their traditional role of building school facilities.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. GRASSLEY. Mr. President, I rise in opposition to the Hutchinson amendment. This tax amendment is not appropriate at this time. The pending underlying legislation is not a revenue bill.

If this amendment passes, this important bill will be potentially subject to a ''blue slip'' by the House. A ''blue slip'' would in effect kill this bill and the Senate would have to start anew.

Therefore, a tax amendment at this time would unnecessarily jeopardize the good work of the Committee on Health, Education, Labor, and Pensions.

I would note that this provision regarding private activity bonds for school construction is contained in the Finance Committee bill passed yesterday, and that bill will be taken up tomorrow for consideration.

I have had a very long history on this matter of encouraging school construction, and specifically this very language that is contained in the amendment. I am very pleased that I was able to include this school construction bond language in the tax bill and look to hopefully having it signed into law.

For these reasons, while I know that the Senator has offered this amendment with the best of intentions, unfortunately, I must respectfully oppose this amendment.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent to lay this amendment aside at this time.

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

Mrs. BOXER. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Senator, under the order, is authorized to offer her amendment.

Mrs. BOXER. I thank the Chair for being such a strong supporter of afterschool programs for children. I ask unanimous consent that Senators ENSIGN and DODD be added as original cosponsors of this amendment on afterschool programs.

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

AMENDMENT NO. 563, AS MODIFIED, TO AMENDMENT NO. 358

Mrs. BOXER. Mr. President, there is a typing error in the amendment that deals with the sense-of-the-Senate part that called ''billion'' ''million.'' I received concurrence that I may ask for that to be modified, and I so ask.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment is modified, and the clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself, Mr. ENSIGN, and Mr. DODD, proposes an amendment numbered 563, as modified, to amendment No. 358.

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

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

The amendment is as follows:

(Purpose: To express the sense of the Senate regarding, and authorize appropriations for, part F of title I of the Elementary and Secondary Education Act of 1965)

At the end of title IX, add the following:

SEC. 902. SENSE OF THE SENATE; AUTHORIZATION OF APPROPRIATIONS.

(a) SENSE OF THE SENATE.—Congress finds that—

(1) Congress should continue toward the goal of providing the necessary funding for afterschool programs by appropriating the authorized level of $1,500,000,000 for FY 2002 to carry out part F title I of the Elementary and Secondary Education Act of 1965.

(2) This funding should be the benchmark for future years in order to reach the goal of providing academically enriched activities during after school hours for the 7,000,000 children in need.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out part F of Title I of the Elementary and Secondary Education Act of 1965—

(1) $2,000,000,000 for fiscal year 2003;
(2) $2,500,000,000 for fiscal year 2004;
(3) $3,000,000,000 for fiscal year 2005;
(4) $3,500,000,000 for fiscal year 2006;
(5) $4,000,000,000 for fiscal year 2007; and
(6) $4,500,000,000 for fiscal year 2008.

Mrs. BOXER. I thank the Chair.

Mr. President, I am very pleased to be offering this amendment which deals with afterschool programs in our country. The purpose of this amendment is very clear. It is to ensure that every child who needs an afterschool program in our Nation will have that opportunity. This amendment does that by authorizing sufficient funds over the next 6 years so that no child has to be a latchkey child.

What do I mean by a latchkey child? That is a child who comes home after school, both parents are working, no one is in the home, and they, in some cases, can get into trouble.

How do we know this? We know this because the FBI tells us that most crime occurs among juveniles right after school. One can see on this chart that the juvenile crime rate peaks at the hour of 3 p.m. and continues and finally starts to go down in the evening hours. We know that juvenile crime occurs after school; that latchkey children do get into trouble after school. It is very clear. That is why we have so many police officers all over this Nation supporting our amendment and supporting afterschool programs in general.

If one looks at this chart, one can see all of the various law enforcement organizations that support the amendment of Senator ENSIGN and myself: The National Association of Police Athletic and Activity Leagues, Fight Crime, Invest in Kids, National Sheriffs Association, Major Cities Police Chiefs, Police Executive Research Forum, National District Attorneys Association, California District Attorneys Association, Illinois Association of Chiefs of Police, Texas Police Chiefs Association, Arizona Sheriffs and Prosecutors Association, Maine Chiefs and Sheriffs Associations, Rhode Island Police Chiefs' Association.

This is a partial list of police organizations across the country that support this amendment. They understand that once a crime is committed and they are called in, it is very late in the game. I have talked with police officers who look me in the eye and say there used to be a divide between the social workers and the police officers when it came to juvenile crime. There is no longer a divide.

The police officers understand, because they are on the street, that if kids are kept busy and they are kept happy, we see a lessening of the crime rate, and that is why quality afterschool programs are so important.

I am very pleased that with Senator JEFFORDS' leadership, along with Senator KENNEDY, we have sufficient funding in this year's bill of $1.5 billion for the year 2002. If we play that out, which is what we do in our legislation, and we continue the increase just to meet the need, we will be able to cover 7 million children in afterschool programs by the year 2008.

This bill is about reform, and I am for reform, but clearly if we reform our schools during the day, but then kids are left to fend for themselves after school, all the benefits of that reform and testing could well be lost. That is why it is so important that we add this afterschool component, not just for this year as we have in this bill but we play it out for the 6-year authorization.

We need places that are safe for our children, protected places, productive places for them to go.

Let me show a couple pictures because pictures tell a story and are worth a thousand words.

This is a photo from our Sacramento afterschool program where they have called in special people. This gentleman is an expert with animals. He brought in this crocodile. The kids are so taken with it. One can see the look on their faces. These kids are happy, they are excited, they are happy to be in school, they are learning about nature, and they are not getting into trouble.

I have another photograph. This one is also from Sacramento. One can see the young people are engaged in a board game, and there is an older mentor sitting with them. Again, they are productive and happy. It is another way of showing what afterschool programs can do.

It is instructive to hear what the kids themselves say about afterschool programs. There is a great program in Los Angeles called LA's Best. I have visited it. It is a shining example of what we can do right for our children. This is a student at 68th Street Elementary School:

> LA's Best is the best place to be after school. I like the games and the work. I like going to the computer lab . . . I like going to the library, but most of all I like the people.

And then we have another student from Hillcrest Drive Elementary School:

> If we didn't have LA's Best, I would probably still be going home to an empty house.

No child should have to go home to an empty house. No child should have to be tempted to get into trouble after school. We can do this.

I often say that it was Dwight Eisenhower who really started the Federal role in education. It is true the States do the majority of it, but what he pointed out was that when there is a void, we have an obligation to move in to assist the schools—not tell them what to do but to offer them the resources.

That is what this amendment is all about. We are taking your $1.5 billion, Mr. President, that you have put in this bill and we are extending it out so we can make sure every schoolchild in this country gets afterschool supervision.

At this time, it is my pleasure to yield 10 minutes to the Senator from Nevada, Mr. ENSIGN, who is the original cosponsor of my amendment.

Mr. ENSIGN. Mr. President, I am pleased to rise today in support of the sense of the Senate being offered by the junior Senator from California on the 21st Century Community Learning Centers program.

The 21st Century Community Learning Centers provide a safe-haven for children during the after-school hours. They provide students in rural and inner-city public schools with access to homework centers, tutors, mentors, and drug and alcohol prevention counseling, as well as cultural and recreational activities. Nationwide, these centers serve over 615,000 children per year in over 3,600 public schools.

There are an estimated 8 million ''latch-key kids'' who go home every day to an empty house after school. Approximately 35 percent of 12 year-olds are regularly left alone while their parents are at work. Parents need a viable alternative to leaving their children alone.

According to the Department of Education, children who regularly attend high-quality after-school programs have better peer relations and emotional adjustment, better grades and conduct in school, more academic and enrichment opportunities, spend less time watching television, and have lower incidences of drug-use, violence, and pregnancy. This makes sense considering that studies by the FBI have found that the peak hours for juvenile crime and victimization are from 2 p.m. to 8 p.m.

My home State of Nevada receives four grants from this program, which serve numerous elementary, middle, and high schools across the state. Recently a news crew was visiting one of the 21st Century Community Learning Center sites in Las Vegas and asked the children why they liked coming to the program. The children responded more enthusiastically than the reporter had anticipated, stating that the program had helped them improve their grades from D's and F's to A's and B's, and was a safe and fun place for them to go after school.

I am committed to ensuring that our schools have the assistance they need to ensure that our children leave the public education system as well-rounded individuals. Children attending public schools should not only be proficient in reading, writing, and arithmetic, but should also be skillful in music, art, and athletics.

I hope that my colleagues will support this amendment to prove that Congress is willing to provide the 21st Century Community Learning Centers program with the much-needed support that it deserves.

Mr. President, on a personal note, when I was growing up with a single mother—my mom worked—at times she wasn't home for us latchkey kids

and we did not have these types of programs after school. I will tell you that I was on my road to a life of crime because of the situation. I was very fortunate that later in life my mom got remarried and was able to quit her job and stay home with us; but a lot of parents are not in that kind of a situation. There is no question that direct supervision helped me turn away from a life of juvenile delinquency into now what, obviously, has become a productive life. At least I like to think of it that way.

I think of many children, though, in the same situation that I was in, go home after school with nothing to do. Back then, my friends and I would say: What are we going to do today? We would think of numerous ways to get in trouble.

Now, the things that we did back then, which we don't want to mention today, were not exactly good things to do but are mild compared to what a lot of the kids are into today because of the influences we have in our society. So for us to use programs such as this, programs that are working to make a difference and giving children positive things to do, I think these programs should be applauded and supported. We should work to eliminate wasteful Government spending, but when Government programs such as this are working, we should all be getting behind them and say: Let us fund these programs; let us make sure that they are working effectively. Hold them accountable for their results. But as long as they are providing the results they have been, I think we should continue to support them.

Mr. President, I yield the floor, and I thank the junior Senator from California for allowing me to participate in her amendment.

(Mr. ENSIGN assumed the Chair.)

Mrs. BOXER. Mr. President, I hope our colleagues in their offices and doing their work heard the remarks of my colleague from Nevada. I think he was eloquent because he spoke from the heart and from his own life experience. His own life experience underscores the need for this amendment and what we are trying to do. You can take the best kid in the world, but if they are home alone after school and they are very lonely and they do not have guidance, bad things can happen, and bad things do happen.

I want to show, again, the chart by the FBI which underscores exactly what my friend was saying as far as when crime occurs. If you look at the chart, it is very clear. Juvenile crime starts climbing right after school and it peaks right after school, and eventually, as the parents come home, the crime rate goes down. So it is not, as we say, rocket science to understand that we can do a tremendous amount for our children.

The other point my friend made which I thought was important was that he has heard stories from his own State, where they use some of these funds, that the academic performance of the children is also improving.

I have seen programs in Richmond, CA, where the local Police Athletic League serves over 400 students and the juvenile crime rate has decreased by 36 percent as a result of the afterschool program. It is documented. The scores are going up.

In Hemet, CA, we have, again, the police athletic and activities league serving over 2,500 students in that afterschool program. There has been a 29-percent decrease in juvenile crime and the scores are getting better.

In Highland Park, MI, the 21st Century Learning Center reports a 40-percent drop in juvenile crime after the implementation of their programs and the scores are getting better.

In Brooklyn, at the Cyprus Hills Center, it was reported that 72 percent of the program participants improved their grades by 35 percentage points in one or more of their classes. This is a proven winner.

In Chatanooga, TN, absentee days dropped from 568 days to 135 days. That is an amazing drop. Why is it? Because the children are doing their homework after school. They are getting support after school. They are getting mentoring after school, and it works.

In Plainview, AR, the 21st Century Learning Center implemented an abstinance program that resulted in no pregnancies in their high school graduating class for the first time in years. Before this program, there were 16 pregnancies in 1998. I did not mention that. I showed you the crime rate. What I did not tell you is the teen pregnancy situation is traced back to afterschool hours.

So, Mr. President, what you said is so, so true. We know it from our own experience when we were children growing up. We know it as we watch the new afterschool programs take hold.

I have been in public office for 25 years now and I have worked hard in a number of areas, but I have to say one of my proudest moments was bringing the first afterschool amendment down to the floor of the Senate many years ago where we were then spending $40 million a year on afterschool programs. And working together across party lines, and at that time working with the President, we were able to see this program go up to $800 million and is now serving many children.

But still, we have 7 million children to go and we will not rest, all of us here, across party lines, who care about kids, until we make sure that every child has an alternative, every child has an option.

In closing, I would like to say our children are good kids. Unfortunately, we always seem to spotlight the bad kids, the kids who get in trouble. I have to say, I believe all children are gifts from God and all children deserve to be honored. They all come on this Earth and they deserve to be honored. We do not honor our children if we do not invest in them.

These are not huge investments, these are really quite small investments. When we invest in a child in a way that is positive, where we give that child that Head Start, that Early Start, that Jump Start, where we then send them to quality public schools where we then have quality afterschool programs, we are going to see the vast majority of social problems in our Nation will be resolved. This is what I believe. Are you going to miss the boat on a few kids? Of course. Are you going to have a kid who simply will not respond? Of course. But that is a rarity.

So I think this amendment, as it was spoken to by Senator ENSIGN in such an eloquent way, where he traced back his childhood, where he remembered what it was like to be alone, without supervision, to be floundering and perhaps to be steered into a life from which you can never really come back—that kind of situation should not be present for any of our children in this Nation.

I hope very much we will have bipartisan support, that we will be able to pass this overwhelmingly and send a clear signal to our children that they are important before school, during school, and after school.

Mr. President, I reserve the remainder of my time.

Mr. KENNEDY. I wonder if the Senator will be good enough to yield me 5 minutes.

Mrs. BOXER. I am delighted to yield Senator KENNEDY as much time as he may require.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I thank Senator BOXER and Senator ENSIGN for this amendment. I think this amendment is enormously important. In this whole debate on elementary and secondary education we are now making a commitment to the families and to the country that we are going to have the funding for these reforms which are in this legislation, which I support; also, that we are not going to leave children who have limited-English-speaking ability behind. We had a good debate on that. We are only reaching 25 percent of those children.

As a result of the amendment of the Senator from Arkansas—we had a good debate on this—a decision was made that we were not going to be satisfied to leave behind any children who had those challenges.

Now with this amendment we are saying we are not going to leave behind any of the children who need afterschool services. That is what this amendment is really all about. We are making our commitment to the children in the classroom with supplementary services, with good teachers,

and we have made a commitment to make sure we are going to have good teachers. We are making sure we are going to have the bilingual support children are going to need. We are not leaving anyone behind. This amendment is saying the same with regard to afterschool programs.

As the Senator from California understands, this program, the afterschool program, was the most oversubscribed program of any in the Clinton administration, with quality programs. There were not any other programs that could come close to it. That is a reflection of the demand in the local communities. That is a reflection of what is happening out there in communities all across this country.

As has been pointed out, there are 7 million children going to be home alone. Under the existing legislation, we cover a little more than a million of them. But the importance of this program is that we are moving in a glidepath to reach out to these children, all 7 million. It will take some time, but that is the best we can do at this time.

What we are saying to those children about their afterschool situation is, we as a country believe this time for you is important. For many of us who have seen these afterschool programs, we know what an extraordinary difference they make in enhancing the child's not only academic ability but confidence. Also, the children work with other children. In many of the centers in Massachusetts you have older children working with younger children. That has made a big difference in the older children's attitude about the program. It has made a big difference in the private sector.

I can take you to places in Boston where many companies are coming in and talking about graphic arts and photography, which are not being taught in the schools. It just clicked children's minds open. Children who were indifferent in school are tying into photography or graphic arts in ways they could not have imagined and are now interested in going to school.

It can also provide pathways for children in sports and athletics, with all the lessons in life that come from competing and participating in sports.

This makes sense. It is of key importance. These afterschool situations can be enormously important and significant for the supplementary services that are necessary and needed for children. We have seen that particularly in the Boys Clubs and Girls Clubs in Boston, how they are working providing all these supplementary services.

If we are really going to do the job for children in this country, which I believe this President wants to do, and we are committed to do in this legislation, this amendment is enormously important, far beyond the resources that are being talked about here, making a real difference in quality education and investment in the children.

I commend the Senator. I certainly hope this amendment will be adopted.

The PRESIDING OFFICER. Who yields time?

Mr. JEFFORDS. I yield myself such time as I may consume.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. JEFFORDS. Mr. President, I commend the Senator from California for what she is doing with this very wonderful program. I introduced the original legislation which resulted in this program. It was modeled after a school I found in Vermont which had the foresight to understand the need to extend the child's time in school, or on the school grounds, and to give them constructive things to do, something educational during the period of time before they can go home and find someone there to greet them.

Actually, it came further in the past than that. When I had the opportunity to visit the former Soviet Union, not too long after the end of the Soviet Union in that sense, I visited what were called Pioneer Palaces. They were spread throughout the Soviet Union. I visited them. I found what they did. From the time school ended, from 3 in the afternoon until 6 at night, every child was required to do something that was constructive and hopefully leading toward some occupation or whatever. As you walked around, you found people learning how to be cosmonauts, 8- or 9-year-olds. Then as you went further, you saw people very intensely working on musical instruments and all sorts of things. Every child was required to find something to do that was constructive during that period.

As we know, as the Senator from Nevada pointed out, the studies show how important it is, in the time from the midafternoon until suppertime, to keep young people fully occupied. Crime, pregnancies—almost all of that results from behavior during that period of time.

So I have a certain feeling of thankfulness for the way this program has grown. President Clinton grabbed onto a program which had a little bit of funding and had the foresight to make it into a really well funded program.

I thank the former President for doing that, but right now it is up to us to do all we can to make sure this kind of a program is available as far across this land as possible and in such numbers that at least every young person ought to have an opportunity to have a fulfilling full day rather than just the hours at school.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mrs. BOXER. Has all my time expired?

The PRESIDING OFFICER. The Senator has 6½ minutes.

Mrs. BOXER. I ask unanimous consent that Senator FEINGOLD be given 6 minutes to speak on another topic since no one else is in the Chamber to speak against my amendment. We can take the rest of the time or whatever the Presiding Officer wishes.

The PRESIDING OFFICER. The Senator yields time?

Mrs. BOXER. OK. I yield 6 minutes.

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

The Senator from Wisconsin is recognized.

Mr. FEINGOLD. I thank the Senator very much for her amendment and for her help in getting me time to speak.

(The remarks of Mr. FEINGOLD are located in today's RECORD under ''Morning Business.'')

Mr. FEINGOLD. Mr. President, I, again, thank the ranking member, the chairman, and the Senator from California for their generosity in giving me this time.

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

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

Mr. KENNEDY. As I understand, there is one-half hour in opposition, which is not being used at this time. For the benefit of the membership, the time has been established to vote. We are prepared to do that. I think the leadership has stated a time for the convenience of the Members. If there is no objection, I will talk a little bit about what the afterschool programs have meant to children, and as soon as any Member comes to speak in opposition to the amendment, I will be glad to yield the floor.

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

Mr. KENNEDY. I will proceed on that basis.

Mr. President, I will mention some success stories. I regret I missed the splendid presentation by the present Presiding Officer earlier today, but I look forward to reading it in the RECORD. I have been told by a number of my colleagues what a moving story it was. I thank the Senator for sharing that with this body.

I will mention a few of the individual success stories that we have seen in Boston. We have a program called From 2 To 6. It is available to all children up to the age of 13 in Boston. Let me mention some of the experiences which we have seen in that program.

There is a young student named Natalia. When Natalia started in the Gardner Extended Services School in Allston in the middle of the 1999 school year, she could not read, write, or perform basic arithmetic. They suggested that Natalia enroll in its afterschool

program to receive extra support in both her academics and her study skills. With the help of a certified teacher, a teacher's aide, and several Boston College tutors, Natalia showed significant progress.

Currently, Natalia is in the second grade and is performing at grade level in all academic areas of the classroom. She is maintaining a solid B average. Natalia is also now participating in many extracurricular activities, such as the African Dance Club and swimming lessons at the YMCA.

Michael: In 1999, 11-year-old Michael spent afterschool time playing Nintendo, and as the end of the school year approached, he began to hang around with a group of kids who were affiliated with a local gang. His mother grew concerned and enrolled Michael in the summer camp program run by the East Boston YMCA Program Center.

At first Michael was not very responsive. However, as the summer progressed, he learned how to swim and became more confident in his athletic abilities. By the end of the summer, he made a lot of friends and also started to mentor the 5- and 6-year-olds. He also continued to attend the afterschool program when school started again. He got sort of hooked on it through the course of the summer. Many of his new friends were going to the afterschool program, too. Since being involved in the program, all of his teachers have commented about the progress he has made. He now receives A's and B's on his report card And enjoys outdoor activities.

Edgar from Roxbury first came to the B.E.L.L. Foundation's BASICs program at the Jackson/Mann Elementary School in Allston in the fall of 1998 as a second grader. He was a friendly, outgoing, energetic student, but he couldn't read and didn't know the alphabet. Edgar was embarrassed to work on academics with other students his age because he was well below grade level in literacy. They paired him with a one-on-one tutor, and he worked hard to improve but became frustrated when he didn't see immediate results.

Seeing that Edgar might need more support, his tutor encouraged him to get to know a fifth grader name Jesus. They both had many things in common. Both were recent immigrants from Brazil. They loved wrestling, making people laugh. One day a tutor overheard Jesus say to Edgar: I know you're having a hard time reading. I did, too, when I first came here, and I promise you that it will get easier.

A year later, Edgar is now completing grade level work in school and getting good grades. He also helps his peers who are having a hard time reading. It was the afterschool program that has made the difference.

We have example after example of these programs. The 2–6 program, as I mentioned, is primarily for children 12 or younger. We know that this particular program will reach the children in middle school and high school, and that is something which is very much in need and is one of the principal reasons we are working now to see its support.

I mentioned the Institute for Student Achievement in six New York school districts which is a school-based afterschool program that provides counseling and academic assistance to middle and high school students who are struggling in school. The programs, STAR, Success Through Academic Readiness, and COMET, Children of Many Educational Talents, provide tutoring, academic enrichment activities, and computer-assisted instruction. Community service and family involvement are also key components of the afterschool programs. Every STAR student has graduated from high school, and 96 percent have gone on to college. Test scores at Hempstead High School on Long Island have improved dramatically since the afterschool program began.

This is the tie-in between the core program that we are talking about in terms of the classroom. What goes on in the classroom is the key: obviously, a well-trained teacher, good curriculum, accountability, the range of different challenges that exist in the classroom. We see these afterschool programs and what has happened. When you have effective afterschool programs associated with schools in terms of providing those supplementary services, the children improve academically significantly.

I mentioned this excellent series of afterschool programs in six New York districts that the students have been attending, and 96 percent have gone on to college. The test scores of the Hempstead High School on Long Island, which is sort of the major high school in the center of these activities, have improved dramatically since the afterschool program began. The State removed the school from its list of low-performing schools 1 year ahead of schedule.

Here was a school that was in trouble. With the development of the afterschool programs and the supplementary services that were provided, we see the very positive impact that had on the academic achievement in the school. This is the point which has been made by the two sponsors of this legislation.

In Pennsylvania, the Rand Corporation, when evaluating afterschool programs supported by Foundations, Inc. in the Philadelphia area, found fourth graders in the program outperformed comparison students in reading, language arts, and math. The Rand Corporation is a tough, independent organization that does evaluations of various programs. Their own evaluation of afterschool programs, in this case in Philadelphia, which is very much challenged in terms of their school systems, has shown some results.

In Ohio, the University of Cincinnati, when evaluating the Ohio Hunger Task Force urban afterschool initiative, found fourth graders in the program exceeding the statewide percentage of students meeting proficient standards in math, writing, reading, citizenship, and in science.

In Texas, the Lighted Schools Project, in Waco, TX, provides over 650 middle school students with a safe, supervised environment during after hours. The program targets at-risk youth, although all middle school students can participate in free activities, including sports, crafts, special events, and institutions. Students have access to primary health care and programs to enhance self-confidence, violence prevention, the dangers of drug and alcohol abuse, conflict resolution, and to receive tutoring and homework assistance.

These programs also have a very positive effect in terms of reducing the violence in school and, in this particular case, the dangers of alcohol abuse and also the conflict resolution, important initiatives which are taking place in schools.

We have some enormously impressive ones in Massachusetts started by the former Attorney General Harshbarger and continued and expanded by Attorney General Reilly on conflict resolutions. And we have had as well in many of our schools the AmeriCorps students involved with the students in what they call Peace Games. It is a rather interesting concept where they just do it for an hour once a week. And what it is, they take large popcorn cans, jars, and they take extended rubber bands. Then they all pick up the popcorn cans and pile them on top of each other to make a design.

The fact is, they all have to work together because if one loosens the end of the rubber bands, the popcorn can will fall. And as they build it, they will work it out so they will have 10 students working together in order to construct it. They play games with it about what part of the class can do it. Then they have classes against each other, just 1 hour a week. It is supervised by the AmeriCorps children. It has had an incredible impact in terms of reducing conflict and violence among the students in that school. It is called Peace Games.

These are the range of activities. These are the kinds of hands-on local initiatives that are taking place in these afterschool programs that are helping. They have demonstrated a positive impact in terms of academic achievement.

I know time is running out now. I could give the example in the reduction in terms of teenage pregnancies.

The interesting sad effect is about 80 percent of teenage pregnancies happen during the afterschool time, between 3 in the afternoon and 7 o'clock at night.

The fact that we have these afterschool programs has had a positive impact in reducing teenage pregnancies, in many instances, more effectively than some of the other programs that have been tried. Reducing violence, academic achievement, bringing children who may have fallen somewhat further behind because of the fact maybe they didn't get into the Head Start program, maybe they didn't get the early interventions in terms of help in literacy as they were starting through school, all these kinds of initiatives have helped.

This amendment is really an outreach. It is going to bring up all of these children that perhaps have fallen through the cracks at one place or another and help to bring them on into hopefully the academic setting, and then, with the other parts of the legislation working, if they are funded—they are not funded, but they have to be funded—can really make a difference.

Mrs. BOXER. Will the Senator yield?

Mr. KENNEDY. Yes.

Mrs. BOXER. I am taken with my colleague's analysis because there are very few things we do that have such a beneficial effect in so many ways. As my colleague said: We are looking at a program, after school, that helps kids improve their scores; that is, the academic achievement.

We are seeing a program that keeps kids out of trouble. That is why all the police organizations support after school, and the PAL group supports it. We are talking about a reduction in teen pregnancy, which is absolutely documented because of these programs. We are talking about the ability of kids to learn to work together. There is one other thing, I say to my friend, he didn't mention directly, but he hinted at it. If there is a child who falls through the cracks who may have an emotional problem—and we all looked at this when we looked at the Columbine tragedy and other places where kids have acted out in horrible ways. It is a chance for a professional to see a child who really needs help. It gives a chance for that one-on-one.

My colleague from Nevada pointed out that there is a chance for kids to learn better English, make sure their skills in the language are improved. It is very rare that you see a program that does so many things. Of course, someone is going to slip through the cracks. But this is one that I think is so crucial. I am proud to have the support of my colleague from Massachusetts and the Senator from Vermont.

Mr. KENNEDY. One final point. This is the Milwaukee project. Public schools, law enforcement, community-based organizations, and residents provide safe havens at neighborhood sites for children. There were 8,400 youth participating. The Milwaukee project provides homework tutoring assistance, recreational games, arts and crafts. The program helped reduce the crime rate in neighborhoods participating in the project by providing youth with alternative activities during afterschool hours.

In the 15 months following the inception of the program, the crime rate dropped 21 percent in the neighborhoods that had these afterschool programs—law enforcement, teenage pregnancy, substance abuse, violence, academic achievement, and accomplishment.

Mr. JEFFORDS. May I interrupt for a unanimous consent request?

Mr. KENNEDY. Yes.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the vote on the Boxer amendment occur at 11:15 a.m.

Mr. REID. Mr. President, reserving the right to object, I say to my friend, the manager of the bill for the majority, we have been waiting for I don't know how many days to conclude the Harkin amendment. We are waiting for a second-degree amendment to be filed by the majority. This is one of the most important amendments in this whole legislation. I suggest we should move on and just vote on Harkin if a second-degree amendment is not going to be offered.

I will just alert everybody that I hope perhaps after this vote it will be ready because each hour we are told it is almost ready. It must be a doozy if it is taking this long to prepare.

Mr. JEFFORDS. My understanding is there will be a second-degree amendment.

Mr. REID. We know that, and we are waiting. We have tried to be cooperative. We could have filled the tree ourselves. We want to have good feelings on both sides about the way this legislation moves. We hope that maybe it can be filed when we finish the vote on the Boxer amendment.

Mr. JEFFORDS. I will meet with the Senator. I hope we can go forward with this vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER (Mr. BUNNING). The question is on agreeing to the amendment of the Senator from California.

The yeas and nays have not been ordered.

Mrs. BOXER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Missouri (Mrs. CARNAHAN) is absent attending a funeral.

I further announce that, if present and voting, the Senator from Missouri (Mrs. CARNAHAN) would vote ''aye.''

The result was announced—yeas 60, nays 39, as follows:

[Rollcall Vote No. 105 Leg.]

YEAS—60

Akaka	Dodd	Lincoln
Allen	Dorgan	Mikulski
Baucus	Durbin	Miller
Bayh	Edwards	Murkowski
Biden	Ensign	Murray
Bingaman	Feingold	Nelson (FL)
Boxer	Feinstein	Nelson (NE)
Breaux	Graham	Reed
Byrd	Harkin	Reid
Campbell	Hollings	Rockefeller
Cantwell	Inouye	Sarbanes
Carper	Jeffords	Schumer
Chafee	Johnson	Smith (OR)
Cleland	Kennedy	Snowe
Clinton	Kerry	Specter
Collins	Kohl	Stabenow
Conrad	Landrieu	Torricelli
Corzine	Leahy	Warner
Daschle	Levin	Wellstone
Dayton	Lieberman	Wyden

NAYS—39

Allard	Frist	McCain
Bennett	Gramm	McConnell
Bond	Grassley	Nickles
Brownback	Gregg	Roberts
Bunning	Hagel	Santorum
Burns	Hatch	Sessions
Cochran	Helms	Shelby
Craig	Hutchinson	Smith (NH)
Crapo	Hutchison	Stevens
DeWine	Inhofe	Thomas
Domenici	Kyl	Thompson
Enzi	Lott	Thurmond
Fitzgerald	Lugar	Voinovich

NOT VOTING—1

Carnahan

The Amendment (No. 358) was agreed to.

Mrs. BOXER. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

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

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

Mr. LOTT. Mr. President, I believe the manager of the legislation is going to offer a unanimous consent request we have worked out that will allow us to have some morning business for Senators who wish to speak for a brief period of time and for Senator AKAKA to offer his amendment and also to get to a vote this afternoon on a Reed of Rhode Island amendment.

Let me plead with the Members, though, if we could avoid interruptions as much as we could today. Senators KENNEDY and JEFFORDS and others working on the legislation are trying very hard to make progress on the education bill. When we have interruptions for other issues, Senators tend to get

away from the floor, and it slows us down. We want to try to finish this legislation at a reasonable time next week. I thank Senators JEFFORDS and KENNEDY and REID for trying to make that happen.

At this point, we thought the fair thing was to work out an agreement where we could have a brief period of morning business and then return to the bill. Senator JEFFORDS has an agreement we are ready to offer.

Mr. JEFFORDS. I have one which will be here momentarily.

Mr. LOTT. If I could inquire while we are waiting, is it correct then that Senator AKAKA will have an amendment right after morning business?

Mr. KENNEDY. The Senator is correct. As I understand, it will take 2 to 3 minutes for Senator AKAKA to raise this amendment, and hopefully it will be accepted. If not, we will accept it at a later time. Then we put into effect the understanding that the Senator from Rhode Island, Mr. REED, would offer his libraries amendment and to vote at a quarter of 2. Then we would have the time, as the leader has announced, so there would be a brief period for morning business so that from three to four Senators would be able to address the Senate.

Mr. LOTT. Would Senator REED be ready to go immediately after this sequence is lined up?

Mr. REED. There is a modification of my amendment which is being reviewed by your staff and Senator JEFFORDS' staff. If that is in order, then I believe we will have to wait until I get word.

Mr. LOTT. Does the Senator have a unanimous consent request?

Mr. JEFFORDS. Yes, I do.

Mr. LOTT. Go ahead then.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that Senator AKAKA now be recognized to call up amendment No. 407 and there be up to 5 minutes under his control. I further ask unanimous consent that the following Senators be recognized as in morning business for the following times: Senator HELMS, up to 15 minutes; Senator KERRY, 10 minutes; Senators BAUCUS and JEFFORDS, 5 minutes each. I further ask unanimous consent that following the morning business, Senator REED of Rhode Island be recognized to call up and modify his amendment No. 425 and the time between then and 1:45 be equally divided, with no second-degree amendments in order, and that the vote occur in relationship to the amendment at 1:45 today.

The PRESIDING OFFICER. Is there objection?

The Senator from Rhode Island.

Mr. REED. Mr. President, reserving my right to object, the modification is critical, whether or not the modification is accepted by your side. I wanted to clarify, the modification has been accepted in your unanimous consent request?

Mr. JEFFORDS. It is in the UC.

Mr. REED. I thank the Senator.

Mr. BAUCUS. Mr. President, reserving the right to object, I regret I was not present on the floor when the leader and the chairman and ranking member of the committee were proposing a unanimous consent request.

Mr. JEFFORDS. The Senator has 5 minutes.

Mr. BAUCUS. I do not object.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 407 TO AMENDMENT NO. 358

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, I have an amendment at the desk, amendment No. 407. I ask that it be called up.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. AKAKA] proposes an amendment numbered 407.

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

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

The amendment is as follows:

(Purpose: To strike the provision requiring recognition by the Governor of Hawaii of certain organizations primarily serving and representing Native Hawaiians)

On page 548, lines 2 and 3, strike ''which are recognized by the Governor of the State of Hawaii''.

Mr. AKAKA. Mr. President, this amendment makes a technical change to section 4118 of S. 1, and would allow organizations that primarily serve Native Hawaiians to compete for grants under this section. The current language in the bill requires the Governor to recognize the Native Hawaiian institution as a condition for consideration for the grant. This amendment would remove this requirement, thereby streamlining this process and allowing more organizations to apply for these grants. I urge adoption of this amendment.

The PRESIDING OFFICER. Is there further debate on the amendment of the Senator from Hawaii?

Mr. KERRY. Mr. President, I don't intend to debate it, but Senator KENNEDY indicated he would be right back. I don't know if he intends to speak. I wanted to protect his right to do that.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to amendment No. 407.

The amendment (No. 407) was agreed to.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. HELMS. Mr. President, I ask unanimous consent that it be in order for me to deliver my remarks seated at the desk.

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

(The remarks of Mr. HELMS pertaining to the introduction of S. 894 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, with respect to my previously agreed upon amendment No. 407, I ask unanimous consent that the instruction line conform to the Jeffords substitute amendment.

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

Under the previous order, the Senator from Massachusetts is recognized for 15 minutes.

Mr. KERRY. I thank the Chair.

(The remarks of Mr. KERRY and Mr. FRIST pertaining to the introduction of S. 895 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

AMENDMENT NO. 425, AS MODIFIED

Mr. REED. Mr. President, pursuant to the unanimous consent under consideration there will be a vote scheduled on my amendment at 1:45. At this time I ask unanimous consent to make a modification to amendment No. 425. I send that modification to the desk for immediate consideration.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendment (No. 425), as modified, is as follows:

On page 203, between lines 20 and 21, insert the following:

''SEC. 1228. IMPROVING LITERACY THROUGH SCHOOL LIBRARIES.

''(a) IN GENERAL.—From funds made available under subsection (d) for a fiscal year, the Secretary shall allot to each State educational agency having an application approved under subsection (c)(1) an amount that bears the same relation to the funds as the amount the State educational agency received under part A for the preceding fiscal year bears to the amount all such State educational agencies received under part A for the preceding fiscal year, to increase literacy and reading skills by improving school libraries.

''(b) WITHIN-STATE ALLOCATIONS.—Each State educational agency receiving an allotment under subsection (a) for a fiscal year—

''(1) may reserve not more than 3 percent to provide technical assistance, disseminate information about school library media programs that are effective and based on scientifically based research, and pay administrative costs, related to activities under this section; and

''(2) shall allocate the allotted funds that remain after making the reservation under paragraph (1) to each local educational agency in the State having an application approved under subsection (c)(2) (for activities described in subsection (f)) in an amount that bears the same relation to such remainder as the amount the local educational

agency received under part A for the fiscal year bears to the amount received by all such local educational agencies in the State for the fiscal year.

''(c) APPLICATIONS.—

''(1) STATE EDUCATIONAL AGENCY.—Each State educational agency desiring assistance under this section shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary shall require. The application shall contain a description of—

''(A) how the State educational agency will assist local educational agencies in meeting the requirements of this section and in using scientifically based research to implement effective school library media programs; and

''(B) the standards and techniques the State educational agency will use to evaluate the quality and impact of activities carried out under this section by local educational agencies to determine the need for technical assistance and whether to continue funding the agencies under this section.

''(2) LOCAL EDUCATIONAL AGENCY.—Each local educational agency desiring assistance under this section shall submit to the State educational agency an application at such time, in such manner, and containing such information as the State educational agency shall require. The application shall contain a description of—

''(A) a needs assessment relating to the need for school library media improvement, based on the age and condition of school library media resources, including book collections, access of school library media centers to advanced technology, and the availability of well-trained, professionally certified school library media specialists, in schools served by the local educational agency;

''(B) how the local educational agency will extensively involve school library media specialists, teachers, administrators, and parents in the activities assisted under this section, and the manner in which the local educational agency will carry out the activities described in subsection (f) using programs and materials that are grounded in scientifically based research;

''(C) the manner in which the local educational agency will effectively coordinate the funds and activities provided under this section with Federal, State, and local funds and activities under this subpart and other literacy, library, technology, and professional development funds and activities; and

''(D) the manner in which the local educational agency will collect and analyze data on the quality and impact of activities carried out under this section by schools served by the local educational agency.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $500,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 6 succeeding fiscal years.

''(e) WITHIN-LEA DISTRIBUTION.—Each local educational agency receiving funds under this section shall distribute—

''(1) 50 percent of the funds to schools served by the local educational agency that are in the top quartile in terms of percentage of students enrolled from families with incomes below the poverty line; and

''(2) 50 percent of the funds to schools that have the greatest need for school library media improvement based on the needs assessment described in subsection (c)(2)(A).

''(f) LOCAL ACTIVITIES.—Funds under this section may be used to—

''(1) acquire up-to-date school library media resources, including books;

''(2) acquire and utilize advanced technology, incorporated into the curricula of the school, to develop and enhance the information literacy, information retrieval, and critical thinking skills of students;

''(3) facilitate Internet links and other resource-sharing networks among schools and school library media centers, and public and academic libraries, where possible;

''(4) provide professional development described in 1222(c)(7)(D) for school library media specialists, and activities that foster increased collaboration between school library media specialists, teachers, and administrators; and

''(5) provide students with access to school libraries during nonschool hours, including the hours before and after school, during weekends, and during summer vacation periods.

''(g) ACCOUNTABILITY AND CONTINUATION OF FUNDS.—Each local educational agency that receives funding under this section for a fiscal year shall be eligible to continue to receive the funding for a third or subsequent fiscal year only if the local educational agency demonstrates to the State educational agency that the local educational agency has increased—

''(1) the availability of, and the access to, up-to-date school library media resources in the elementary schools and secondary schools served by the local educational agency; and

''(2) the number of well-trained, professionally certified school library media specialists in those schools.

''(h) APPLICABILITY.—The provisions of this subpart (other than this section) shall not apply to this section.

''(i) SUPPLEMENT NOT SUPPLANT.—Funds made available under this section shall be used to supplement and not supplant other Federal, State, and local funds expended to carry out activities relating to library, technology, or professional development activities.

''(j) NATIONAL ACTIVITIES.—From the total amount made available under subsection (d) for each fiscal year, the Secretary shall reserve not more than 1 percent for annual, independent, national evaluations of the activities assisted under this section. The evaluations shall be conducted not later than 3 years after the date of enactment of the Better Education for Students and Teachers Act, and each year thereafter.

Mr. REED. Mr. President, this modification deals with my underlying amendment which would authorize funding for the acquisition of library books and library materials for our school libraries across the country. This original amendment I offered on behalf of myself and Senator SNOWE, Senator CHAFEE, Senator KENNEDY, and others.

While I was debating the amendment initially, there was some concern raised by my colleague and friend, Senator COLLINS from Maine, that my amendment would in some way detract from the President's Reading First Initiative. I support that initiative and compliment both him and Senator COLLINS. It is focused on raising the literacy of our children across the country. It is an effort that has to be undertaken and I am pleased it is being undertaken.

I want to make it clear that my proposed amendment to restore funding for school libraries is a complement to the President's program and not a subtraction from that program. The modification to the amendment does just that. It clarifies that what I am attempting to do is add to the Reading First Initiative and not subtract from it.

My amendment will complement the President's initiative and Senator COLLINS' correcting amendment that were unanimously adopted last week in this Chamber. It will do that by providing an essential part of any literacy program, and that is high-quality reading material.

The President's focus and Senator COLLINS' focus is improving the instruction with respect to reading skills and literacy in this country, which is an important goal. But it cannot be fully accomplished, the goal of having literate American students, without also having high-quality reading material. Most people understand this intuitively. It is one thing to teach the techniques of reading; it is something else to open up to children a realm of discovery and wonder and opportunity by having good, high-quality school libraries—we hope in every school in this country.

I see my proposal as a very important component of the overall strategy of the Reading First Initiative. This is a proposal that would essentially allow local communities to receive Federal resources to acquire library materials: books and the materials necessary for a modern, up-to-date school library.

It would give extraordinary flexibility and discretion to local communities because it would allow them to make the choice of what is the most appropriate material. It responds to an obvious need throughout this country and the need is chronic, and that is to provide for good school libraries.

Unfortunately, if you travel throughout this country, if you go back to your home State, and you visit school libraries, most of those collections are out of date; most of those collections have not been renewed and have not been improved over many years. This is not because of the intentions or the wishes of local authorities. The reality is, library acquisitions are the type of program that can be put off year to year to deal with more pressing needs, and year 1 becomes year 2, which becomes year 3, and you find yourself, as we find ourselves in so many schools across this country, in a situation where the library is deplorable.

We know that good libraries are connected to good literacy skills and, for the purpose of this legislation, good results on tests—both standardized tests and nonstandardized tests. The latest results in the National Assessment of Educational Progress show that from 1992 to the year 2000, reading scores have remained flat for fourth graders. One aspect of that finding is the fact

that there are too many schools in this country where the library books are out of date and inadequate, in addition to problems with teaching the mechanics of reading. We have to solve both problems if we really want to see test results take off.

As you find throughout the country, in looking at different studies, there is a clear indication that well-stocked, modern, up-to-date school libraries contribute directly to success on achievement tests. And that seems obvious to most people because libraries are the places which will have the information, but are also attractive to young people. They will want to go to the library because it is modern, up to date, interesting, exciting—all the things we want education to be in this country.

One of the reasons why school libraries are in such poor condition is the lack of dedicated funding. In the beginning of our efforts to improve elementary and secondary education in 1965, in the confines of the first Elementary and Secondary Education Act, we provided for specific funding for school libraries. However, several years later, we rolled all of this funding into one block grant, title VI. As a result, the commitment to libraries, because of local pressures to spend on other endeavors, has resulted in a situation across the country of very poor school libraries. We can do better. When we improve school libraries, as I indicated before, we improve the performance of students.

It has been found in one study that for every school, in every grade level, in which there was a strong school library and strong school library services, there were improvements in test scores regardless of social and economic factors in the particular community. This study was conducted in States such as Colorado, Pennsylvania, and Alaska. So it is not a regional effect; it is not an urban effect versus a rural effect; it is the effect of good libraries in the schools. These findings echo earlier findings which found that students in schools with well-equipped libraries and staff performed better on achievement tests for reading comprehension and basic research skills.

Interestingly enough, the President has appointed, as his nominee for Assistant Secretary for Elementary and Secondary Education at the U.S. Department of Education, Dr. Susan Neuman. Dr. Neuman, a professor at Temple University, is a nationally renowned expert in early literacy development. She has written about the importance of books in developing and enhancing the literacy skills of children.

Dr. Neuman wrote an article in the Reading Research Quarterly entitled ''Books Make A Difference: A Study of Access to Literacy.'' She talked about a literacy program in Pennsylvania childcare centers and concluded that access to books matters and is critical for early literacy; children exposed to books outperformed a control group on every measure of early literacy abilities.

That is the distinguished individual who has been nominated by President Bush to be the key individual with respect to elementary and secondary education. Through her academic research, she has concluded that access to high-quality library material—books and other materials—is critical to literacy. I think that is a compelling argument that my initiative today will complement the President's approach to literacy training through our schools in this country.

As I said, if you go through the school libraries of America today, the books are terribly out of date. I could rattle off another litany of arcane books that are inaccurate, politically incorrect, stereotypical, out of date, that talk about the fact that someday we might land on the Moon. But I believe most people at this point understand that because you have been in your communities; you have looked at your schools; you have been in schools where the library is an old closet or it is at the end of a hallway that is not being used. You have been in schools where you can take books off the shelves and the copyright is 1967. In fact, some of them are still stamped: ''Elementary and Secondary Education Act of 1965,'' indicating from where they originally came.

So we can do better. We have to particularly do better when it comes to disadvantaged students because we know this is one of the particular burdens urban school systems and poorer rural school systems bear. That is where the resources do not filter down into the library.

If what we are asking and demanding is that these young, low-income, disadvantaged children do well on tests, then we have to give them the tools to do that job—not just training in literacy but give them the books that will allow them to practice what they have been taught and open up worlds of excitement and information and knowledge to them. That is what I hope my bill can do.

We are going to, I hope and believe, train these teachers because of the President's initiative. But without the books to complement that training, I do not know if in fact we are going to make the progress we need to make.

We also understand this is a burden that is increasingly more difficult for local communities to bear. The price of an average school library book today is about $16. Yet it has been estimated that across the country the average amount of money expended per pupil on library material is $6.75 in elementary schools, $7.30 in middle schools, and $6.25 in high schools. And that is an average. I think you can understand there are some wealthy communities that are spending more, but there are a lot of very poor communities. So we can help. It is important, I believe, to help.

We want to go ahead and ensure that our children have excellent instruction in literacy but also excellent access to books so that they can in fact be literate, not just during the schoolday but throughout the day, not just as students but we hope as lifelong learners. My amendment will, I hope, do that.

It would provide $500 million in funding support for school libraries. It would not take away any resources from the President's Reading First Initiative. It also would target the funding to the poorest schools because we know that is the greatest need. We know that is where the library budget is usually close to zero. We know there we can make a difference—and we should make a difference.

It would provide great flexibility to these schools. There would be no standardized issue of books from Washington or elsewhere. It would allow local communities to make decisions about what they purchase. It would allow them to use these resources to train library specialists. And it would also establish, we hope, or inspire resource-sharing initiatives as exist in Ohio and Rhode Island, so that school libraries could be linked to academic libraries and to public libraries, to broaden the reach of the library program in each school.

It would also allocate funding on a formula basis to school districts, so that all needy districts and schools get the assistance they need to improve their libraries.

I believe it is very important to adopt this amendment in the context of this reauthorization. This bipartisan amendment is cosponsored by Senators SNOWE, KENNEDY, CHAFEE, BINGAMAN, WELLSTONE, MURRAY, CLINTON, SARBANES, JOHNSON, BAUCUS, LEVIN, REID of Nevada, ROCKEFELLER, DURBIN, DAYTON, and SCHUMER. It is supported by the American Library Association, the Association of American Publishers, and a wide array of educational organizations. It is a bipartisan amendment.

Let me again, for the record, reiterate several points.

My proposal does not create a separate standalone program. It incorporates school library acquisition funding as a component of the Reading First Program. This approach is as old as the Elementary and Secondary Education Act reauthorization. In 1965, when we first committed ourselves at the national level to help elementary and secondary schools, an important part of that commitment was helping school libraries directly to acquire books and library material.

I know there is a desire to consolidate many programs, but we have seen, at least in the case of the library program, where this consolidation has led

to a diminution of resources for school libraries. If we are serious about literacy, we have to enhance the resources for school libraries.

So I urge that this amendment be adopted. I urge that we get on with the great task before us of ensuring that every child has access to excellent instruction in reading and also excellent books to read.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I believe I have time allotted as in morning business.

The PRESIDING OFFICER. That is affirmative.

(The remarks of Mr. JEFFORDS pertaining to the introduction of S. 897 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. JEFFORDS. 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. KENNEDY. 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. KENNEDY. Mr. President, if the Senator from Rhode Island will be good enough to yield 5 minutes, I would like to rise to express my great appreciation to my good friend from Rhode Island for pursuing this issue regarding quality libraries in our schools across this country.

Among many other education issues, the Senator from Rhode Island has devoted an enormous amount of time, attention, efforts, and energy, to the issue of school libraries. Today, he has put before the Senate an extremely thoughtful amendment and one that is extraordinarily compelling. He has thought a great deal about the state of libraries in the nation's schools, and has consulted with many who have worked on this issue throughout the course of their lives.

I was disappointed that, at the time of our markup of this legislation, we were unable to embrace Senator REED's proposal. Historically, we have made a major national commitment to reading. We have supported outstanding programs that promote literacy in young children, such as the Reading Is Fundamental Program, and the Everyone Wins Program, which was shepherded by the chairman of our committee, Senator JEFFORDS. Our efforts to promote and increase literacy have targeted all ages, from early literacy programs to those that serve adults later in life.

President Bush has also placed a tremendous emphasis on the importance of reading. He has furthered our commitment made last year in the Reading Excellence Act, through his Reading First and Early Reading First proposals in ESEA.

However, the idea of launching a major national literacy program without a commitment to the nation's libraries defies rational thought. We all understand the importance of reading, and we all recognize that schools—especially low-performing schools—which devote greater attention to reading early in the school day, for 60 or 90 minutes, will have greater success in ensuring that all students are strong readers. Prince George's County in Maryland has increased their results on statewide assessments of student performance, and reading was a key element of that increase. If we plan to make a commitment in terms of reading as a matter of national purpose, that commitment must be accompanied by a commitment to the libraries in our children's schools.

The idea that we do not have an effective, comprehensive library program is just missing the most basic, fundamental recognition of the relationship between a reading program and libraries. It defies understanding and explanation.

The Senator has reminded us that we have failed in the past to devote the proper attention to libraries and their impact on literacy. The Senator from Rhode Island now offers an amendment which is a responsible one, as well as one that I am very hopeful will be accepted.

I would like to take the opportunity to mention some comments from groups that have lent their support to this amendment. The Association of American Publishers states:

> It is a national disgrace that we live in the most technologically advanced nation in the world, yet our K–12 school libraries are packed with outdated books and materials. For our children to succeed in today's digital world, they first must learn to read and read well, and therefore need access to school libraries containing up-to-date information.

The American Library Association asserts:

> Many of the nation's school libraries have collections that are old, inaccurate, and out of date. How can we encourage children to read, continue their education in college and become life-long learners if the material we have available for them is inadequate?

We must give adequate attention to reading. Any that fail to support this amendment really fail to appreciate the relationship between literacy and libraries. This amendment is a very responsible one that makes a great deal of sense. I commend the Senator from Rhode Island for bringing this amendment forward. We have all been dilatory in understanding this very important and major hole in our educational system. The good Senator is going to help us to address it with his amendment. I am very hopeful that it will have overwhelming support.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Rhode Island.

Mr. REED. Mr. President, I thank Senator KENNEDY for those insightful words and also for his leadership on this legislation. He, along with Chairman JEFFORDS, has been battling and moving along to try to bring, ultimately, a bill that will improve education in the United States.

I believe, as evidenced by this amendment, that one very pragmatic, practical way to do this is to help local communities acquire library materials for their schools. In fact, I am always amazed that there is any controversy about this issue. It seems to me to be the most obvious complement to the President's program for literacy and also one of those programs which doesn't raise issues of curriculum, doesn't raise issues of local control, doesn't raise issues of any seriousness.

Frankly, I hope that each of my colleagues will recognize that allowing local communities, local school systems to buy books is something we should be doing and not rejecting.

I hope that at 1:45, when the roll is called, we will have the strongest possible support. This is a bipartisan initiative, cosponsored, along with many Senators, by Senators SNOWE and CHAFEE. I hope we can get a good, solid vote for school libraries when this roll is called.

I reserve the remainder of my time 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. REED. 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. REED. Mr. President, I understand the quorum call is being charged to my time. I ask unanimous consent that, pursuant to the unanimous consent agreement, it be evenly divided and charged equally to both sides.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REED. 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. REED. Mr. President, I ask unanimous consent to be allowed to speak for 5 minutes at the conclusion of the quorum call and prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BOND. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. BOND. I ask the pending amendment be set aside.

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

AMENDMENT NO. 476, AS MODIFIED

Mr. BOND. Mr. President, I call up amendment No. 476 and send a modification to the desk.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. BOND] proposes an amendment numbered 476, as modified.

Mr. BOND. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To strengthen parental involvement)

On page 763, lines 23, insert ''(including statewide nonprofit organizations)'' after ''organizations''.

On page 764, line 4, strike ''(including parents of preschool age children)'' and insert ''(including parents of children from birth through age 5)''.

On page 764, line 17, insert ''(including statewide nonprofit organizations)'' before the comma.

On page 765, line 4, insert ''and Parents as Teachers organizations'' after ''associations''.

On page 765, line 14, insert ''(including a statewide nonprofit organization)'' before ''or nonprofit''.

On page 767, line 23, strike ''part of'' and insert ''at least ½ of''.

On page 768, line 2, insert ''or other early childhood parent education programs'' before '';''.

On page 769, line 22, insert ''(such as training related to Parents as Teachers activities)'' before the semicolon.

On page 770, line 8, strike ''and''.

On page 770, line 12, strike the period and insert ''; and''.

On page 770, between lines 12 and 13, insert the following:

''(6) to coordinate and integrate early childhood programs with school age programs.

Mr. BOND. Mr. President, I understand my colleague from Rhode Island has requested 5 minutes. I intend to do this briefly. But I think it is very important that we consider this issue. I believe the amendment can be accepted on both sides to make sure that we deal properly with early childhood education.

I have come to this Chamber many times to state that research has now verified what parents have known instinctively for generations, and teachers will tell us time after time that the first years of life are absolutely crucial development periods for children. How well the parent handles that early time with the child will determine how well that child performs in school later on. Infant brain development occurs very rapidly. The sensations and experiences of this time go a long way toward shaping the baby's mind in a way that has long-lasting effects on all aspects of the child's life.

We have learned in Missouri from a program called Parents As Teachers that we can assist parents and families to be better in playing this role that is key to the child's development. Early positive interaction between parents and guardians plays a critical role.

A child's education and mental development begin very early in life. Through this amendment, we seek to ensure the continued support of families with the youngest children to find the early childhood parent education programs that can help those families and parents provide supportive, stimulating environments we know all children need.

We must focus on the earliest years before formal schooling. We know that half of the child's mature intelligence develops in those first critical 3 years.

This amendment provides no new money. All the amendment does is clarify that the early childhood and early childhood parent education is to be a key focus of title VI, Part A.

I have talked about the Parents As Teachers Program that really was developed in Missouri. I managed to carry it statewide when I was Governor. One of the great successes is that it now has over 150,000 families in Missouri, with 200,000 children benefiting from it. If you want to find out whether it is working, I just ask that you go and talk to the parents who have been in the program. They are the ones who can tell you it works. We have scientific assessments that show it works.

The PAT, the Parents As Teachers, is an early childhood-parent education program that empowers all parents—regardless of income level, regardless of social condition—to give their children the best possible start in life.

We have programs now in all 50 States and in 6 foreign countries.

It provides information to parents on child development from birth to age 5. It has voluntary participation. It is tailored to meet the needs of each parent, and it is often included as part of Even Start and other title I programs. We have found it works very well with Head Start.

The PAT Program benefits the children, but it also helps the parents develop the confidence to take an active role in their children's education.

Earlier this year, I received a report from the Missouri Department of Elementary and Secondary Education: The School Entry Assessment Project. The findings throughout are that the highest performing children in schools are the ones whose parents have participated in Parents As Teachers. It further shows that special needs children who participate in Parents As Teachers in preschool, in addition to an early childhood special education, are rated by teachers as being similar in preparation to the average child.

These findings sum it all up. Parents As Teachers works. It works for children raised in households of all income levels. It works for children who are home schooled. It works for children with special needs.

My amendment makes certain that priority is given to these programs, such as Parents As Teachers, HIPPY, and others. For any of my colleagues who would like a fuller description of it, I happen to have a few pamphlets available. You can contact my office, and I will provide you with that.

Mr. President, I ask unanimous consent that a 2-page summary of the evaluation of Parents As Teachers be printed in the RECORD.

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

EVALUATIONS OF PARENTS AS TEACHERS

A PARTIAL LIST

In 1985, an independent evaluation of the Parents as Teachers (PAT) pilot project was conducted. Evaluators randomly selected 75 project families from a group of 380 first-time parents representing Missouri's urban, rural and suburban communities, and, from the same communities, 75 comparison families who had not received PAT services. Posttest assessments of children's abilities and parents' knowledge and perceptions showed that PAT children at age three were significantly more advanced in language, problem-solving and other intellectual abilities, and social development than comparison children. PAT parents were more knowledgeable about child rearing practices and child development.

(Pfannenstiel, J., and Seltzer, D. Evaluation report: New Parents as Teachers project. Overland Park, KS: Research & Training Associates, 1985.)

A follow-up study of the pilot project showed PAT children scored significantly higher on standardized measures of reading and math at the end of first grade than did comparison children. In all behavorial areas assessed by their teachers, the PAT participant children received higher ratings than the comparison group children. A significantly higher proportion of PAT parents initiated contacts with teachers and took an active role in their child's schooling.

(Pfannenstiel, J. New Parents as Teachers project follow-up study. Overland Park, KS: Research & Training Associates, 1989.)

Results of the 1991 Second Wave evaluation of the PAT program's impact on 400 randomly selected families enrolled in 37 diverse school districts across Missouri indicated both children and parents benefited. At age three, PAT children performed significantly higher than national norms on measures of language and intellectual abilities, despite the fact that the Second Wave sample was

over-represented on all traditional characteristics of risk. More than one-half of the children with observed developmental delays overcame them by age three. Parent knowledge of child development and parenting practices significantly increased for all types of families. There were only two documented cases of abuse and neglect among the 400 families over a three-year period.

(Pfannenstiel, J., and Lambson, T., and Yarnell, V. Second wave study of the parents as teachers program. Overland Park, KS: Research & Training Associates, 1991.)

A follow-up study of the Second Wave sample was initiated in 1993 to assess the longer-term impacts of program participation. This study focused on the early school experiences and peformance of the PAT children, and their parents' involvement in their children's school and in activities to support learning in the home. PAT children scored high on measures of complex and challenging tasks. Overall, the relative level of achievement children demonstrated at age three on completion of the PAT program was maintained in the first (or in some cases second) grade. This held true despite broad diversity in children's experiences with preschool, child care, kindergarten and primary grades. PAT parents demonstrated high levels of school involvement, which they frequently initiated.

(Pfannenstiel, J. Follow-up to the second wave study of the Parents as Teachers program. Overland Park, KS: Research & Training Associates, 1995.)

A series of studies of PAT program participation and school readiness has been carried out in the Binghamton, New York School District. Children enrolled in kindergarten in Binghamton in 1992 were tested in pre-kindergarten and again in kindergarten. PAT children had significantly higher cognitive, language, motor, and social skills than non-participants. These advanced skills led to higher grades in kindergarten and lower remedial and special education costs in first grade. PAT families also had substantially reduced welfare dependence and half the number of suspected child abuse and neglect cases compared to comparison groups. When assessed again in second grade, PAT children continued to perform better on standardized tests and required fewer remedial and special education placements.

(Drazen, S., and Haust, M. Increasing children's readiness for school by a parental education program. Binghamton, NY: Community Resource Center, 1994; Drazen, S. and Haust, M. The effects of the Parents and Children Together (PACT) program on school achievement. Binghamton, NY: Community Resource Center, 1995; Drazen, S., and Haust, M. Lasting academic gains from and home visitations program. Binghamton, NY: community Resource Center, 1996.)

A study demonstrating the effectiveness of PAT was conducted by the Parkway School District, a large suburban district in St. Louis County. Third graders who had received PAT with screening services from birth to age three scored significantly higher on standardized measures of achievement than non-participating counterparts. PAT children had a national percentile rank of 81, while non-participating students had a rank of 63 on the Stanford Achievement Test, with a significant difference in scores on all subtests. The study also reported PAT graduates were less likely to receive remedial reading assistance or to be held back a grade in school. PAT ''graduates'' continued to significantly outperform non-PAT children on the Standard Achievement test in fourth grade.

(Coates, D. Early childhood evaluation. Missouri: A report to the Parkway Board of Education, 1994. Coates, D. Memo on one-year update on Stanford scores of students—early childhood evaluation study group. St. Louis County, MO: Parkway School District, Dec. 26, 1996.)

Researchers in North Carolina have followed 97 families who were involved in the Rutherford County PAT program beginning in 1991. The PAT children were compared to 61 children whose families did not receive PAT services, and another 61 whose families received a quarterly educational newsletter from PAT, but no direct services. Children were assessed upon entry into kindergarten. the PAT children outperformed children from both comparison groups on measures of cognitive, language, motor, and self-help skills, with significant differences on the language and self-help measures. Also, PAT parents talked to their children significantly more often about their daily activities.

(Coleman, M., Rowland, B., and Hutchins, B. Parents as Teachers: policy implications for early school intervention. Paper presented at the 1997 annual meeting of the National Council on Family Relations, Crystal City, VA: November 9, 1997; Parents as Teachers: Kindergarten screening final report. Rutherford County, VA: Rutherford County Schools, May, 1998.)

A 1999 study of kindergarten readiness involved 3,500 kindergartners from randomly selected districts and schools across Missouri. Results showed that children who participated in PAT had significantly higher readiness scores than children who did not, as rated by both kindergarten teachers trained in the evaluation process and by parents. The study also showed that PAT in combination with other kinds of preschool experiences (home child care, center-based child care, preschool, Head Start) resulted in higher kindergarten readiness scores for children.

(Pfannenstiel, J. and Barr, S. School entry assessment; the power of PAT participation. Paper presented at the Parents as Teachers Annual International Conference. St. Louis, Mo. June 1999.)

Mr. BOND. Mr. President, studies and reports have shown that PAT children at age 3 are found to be significantly more advanced than comparison children in language, problem solving, and social development. Often, through participation in PAT, learning problems or development delays are identified and treated early.

PAT parents are more confident in their parenting abilities and knowledge. The great thing is, PAT hooks parents early on which means that they are more likely to stay involved in their children's schooling.

We all know that we can have all the programs in the world and can provide all the funding possible, but one of the main ingredients to a child's success in school is the involvement of the child's parents in the child's education.

As I said, earlier this year I received a copy of a report from the Missouri Department of Elementary and Secondary Education. The report was the ''School Entry Assessment Project''. The summary of findings reinforced my interest, support, and commitment to PAT. The findings of the report are as follows:

1. When Parents as Teachers is combined with any other pre-kindergarten experience for high-poverty children, the children score above average on all scales when they enter kindergarten.
2. The highest performing children participate in PAT and preschool or center care. Among children who participate in PAT and attend preschool, both minority and non-minority children score above average. Children in both high-poverty and low-poverty schools who participate in PAT and attend preschool score above average when they enter kindergarten.
3. Among children whose care and education are sole home-based, those whose families participate in PAT score significantly higher.
4. Special needs children who participate in PAT and preschool in addition to an early childhood special education program are rated by teachers as being similar in preparation to the average child.
5. Head Start children who also participate in PAT and another preschool score at average or above when they enter kindergarten.

This findings sum it all up. PAT works. PAT works for children raised in household of all income levels. PAT works for children who are homeschooled. PAT works for our special needs children.

My amendment makes certain that priority is given to programs such as PAT and other early childhood parent education programs.

With that, Mr. President, I urge my colleagues to support this amendment.

I yield the floor.

AMENDMENT NO. 425, AS MODIFIED

The PRESIDING OFFICER. There are 5 minutes of debate remaining under the control of the Senator from Rhode Island.

Mr. REED. Mr. President, I will reiterate the importance of this amendment and summarize it. But I also understand that the Senator from Maine is here, and I am delighted and honored to yield 1 minute to her.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I commend the Senator from Rhode Island for his work on this issue. He has been a long-time, strong advocate for improving libraries in our Nation's schools. I was pleased to work with him in refining parts of this amendment to make sure that it did not take funds away from the important reading programs.

I thank the Senator from Rhode Island for his efforts and pledge my support for the amendment.

Mr. President, I ask unanimous consent to be added as a cosponsor.

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

Ms. COLLINS. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. I thank the Senator from Maine not only for her gracious statement and her support but also for her leadership on the Reading First Literacy Program, the President's program. As we all know, last week unanimously we adopted her amendment

which focused and refined the President's proposal. I believe, as Senator COLLINS believes, that a complement to that program is the program that I am supporting today, which would allow local communities to acquire library materials for their school libraries. I thank her very much for her cooperation, her leadership, and her collaboration on this effort.

Mr. President, let me just emphasize what my amendment, as modified—working closely with Senator COLLINS—would do.

It is designed to complement the President's approach to literacy, to improve reading so that those improvements in reading can be translated to better academic performance and better performance throughout a person's entire life.

It gives flexibility to the States. It authorizes $500 million. It is a targeted program going to the poorest schools because that is where the greatest need is. It allows local communities the flexibility to decide what library materials they need for their school libraries.

It is a bipartisan effort. I am so delighted to have been joined at this point by Senator COLLINS, along with Senator SNOWE and Senator CHAFEE, and many colleagues.

It is an amendment that is supported by the American Library Association and the Association of American Publishers.

It is important to note, as was suggested by my colleague, Senator COLLINS, what the amendment does not do. It does not preempt or distort the President's program, the Reading First Initiative. It is not a new program or a separate program. It is part of America First, and is as old as the Elementary and Secondary Education Act.

In 1965, the first time this Congress spoke out decisively to help local schools, a large part of that was direct funding for school libraries. In fact, those books, in some cases, are still on the shelves today.

Interestingly, the President has appointed Dr. Susan Neuman as his nominee to be Assistant Secretary for Elementary and Secondary Education. Her research shows that books are important. In fact, she published an article in ''Reading Research Quarterly,'' the title of which is, ''Books Make A Difference: A Study of Access to Literacy.'' My amendment could properly be subtitled: ''Books Make A Difference.''

We have a strong program for reading instruction, for literacy, championed by Senator COLLINS, but books make a difference. We can make that difference by supporting the Reed amendment.

Again, the President has entrusted Dr. Neuman with the implementation of this literacy program. I hope that she would echo today my comments here and say: Once again, books do make a difference.

I hope that when the roll is called in just a few moments we will have strong bipartisan support for this amendment which will allow local communities to acquire the materials they need so their children—every child in this country—can succeed.

With that, Mr. President, I yield the floor and reserve whatever time I have.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

All time having expired, under the previous order, the pending amendment is laid aside, and the question occurs on agreeing to Reed amendment No. 425, as modified.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REED. I announce that the Senator from Missouri (Mrs. CARNAHAN) is absent attending a funeral. I further announce that, if present and voting, the Senator from Missouri (Mrs. CARNAHAN) would vote ''aye.''

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

The result was announced—yeas 69, nays 30, as follows:

[Rollcall Vote No. 106 Leg.]

YEAS—69

Akaka	Domenici	Lugar
Allen	Dorgan	McCain
Baucus	Durbin	Mikulski
Bayh	Edwards	Miller
Biden	Feingold	Murkowski
Bingaman	Feinstein	Murray
Boxer	Fitzgerald	Nelson (FL)
Breaux	Graham	Nelson (NE)
Byrd	Grassley	Reed
Campbell	Harkin	Reid
Cantwell	Hollings	Rockefeller
Carper	Hutchison	Sarbanes
Chafee	Inouye	Schumer
Cleland	Jeffords	Sessions
Clinton	Johnson	Shelby
Cochran	Kennedy	Smith (OR)
Collins	Kerry	Snowe
Conrad	Kohl	Specter
Corzine	Landrieu	Stabenow
Daschle	Leahy	Torricelli
Dayton	Levin	Warner
DeWine	Lieberman	Wellstone
Dodd	Lincoln	Wyden

NAYS—30

Allard	Frist	McConnell
Bennett	Gramm	Nickles
Bond	Gregg	Roberts
Brownback	Hagel	Santorum
Bunning	Hatch	Smith (NH)
Burns	Helms	Stevens
Craig	Hutchinson	Thomas
Crapo	Inhofe	Thompson
Ensign	Kyl	Thurmond
Enzi	Lott	Voinovich

NOT VOTING—1

Carnahan

The Amendment (No. 425), as modified, was agreed to.

Mr. KENNEDY. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that following the adoption of the following amendments, which have been cleared—Cleland amendment No. 430 and Akaka amendment No. 524—Senator ENZI be recognized to offer a first-degree amendment regarding the subject matter contained in the Harkin amendment and there be 1 hour of debate equally divided on the Enzi amendment, the Harkin amendment No. 525, and the Hutchinson amendment No. 550 concurrently, and that votes occur on the amendments in the order listed above at the use or yielding back of time, with no second-degree amendments in order to any of the amendments mentioned above; that Senator CLELAND be recognized for 10 minutes and Senator AKAKA be recognized for 5 minutes on their amendments.

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

AMENDMENT NO. 524 TO AMENDMENT NO. 358

(Purpose: To provide for excellence in economic education)

Mr. AKAKA. Mr. President, I thank my colleague for permitting me to go before him.

I ask that my amendment, which is at the desk, amendment No. 524, which is cosponsored by my friend from New Jersey, Senator CORZINE, be called up.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. AKAKA], for himself and Mr. CORZINE, proposes an amendment numbered 524 to amendment No. 358.

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

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

(The text of the amendment is located in today's RECORD under ''Amendments Submitted.'')

Mr. AKAKA. Mr. President, this amendment is similar to the economic education legislation which I introduced during the 106th Congress. That legislation received considerable bipartisan support from my colleagues, Senators BAYH, BREAUX, CLELAND, COCHRAN, COLLINS, CRAPO, DASCHLE, DODD, DURBIN, ENZI, HAGEL, JOHNSON, Bob Kerrey, JOHN KERRY, LANDRIEU, LINCOLN, LUGAR, Moynihan, SNOWE, and WELLSTONE.

With each passing day, the need for increased economic literacy becomes more and more apparent. Our nation's economy is undergoing enormous changes. When I first introduced economic education legislation, we were in the midst of unprecedented economic growth and the longest peacetime economic expansion in our nation's history. More recently, however, the stock market experienced serious volatility and the NASDAQ suffered a

sharp downturn. A number of employers, especially in the technology sector, have released a substantial number of their employees. The Federal Reserve has cut interest rates five times this year, the most recent cut occurring yesterday, in an effort to prevent our nation from sliding into an economic recession.

Economic changes such as these highlight the importance of economic and financial literacy. I am convinced that increased education about basic economic principles such as money management, personal finance, interest rates, and inflation will assist all Americans in making informed decisions about their financial situations. Beginning this education at a young age will better equip future generations to manage their financial affairs in our rapidly and constantly fluctuating economy. It is critical that today's students learn that there are consequences for every fiscal decision they make because the fiscal habits they learn now are likely to be the habits that remain as adults.

We must also assist today's students in becoming productive and well-informed citizens. Studies have shown that a lack of individual knowledge about fundamental economic principles can lead to negative effects on our national economy. Economic education, or the lack of it, has profound long-term effects on us all. In an April 6, 2001, speech, Federal Reserve Chairman Alan Greenspan concurred with this assessment. In that speech, Chairman Greenspan articulated his belief that our nation's schools need to improve their ability to teach young people basic financial education. He also stated that this financial education should begin as early as possible.

I would like to share some of the results of a national test on basic economic principles conducted by the National Council on Economic Education in 1998 and 1999, which provide further evidence of the need for increased economic education. These results are based on responses from 1010 adults and 1085 high school students. Both the students and adults alike lacked a basic understanding about the fundamental concepts of money, inflation, and scarcity of resources. One-half of the adults and two-thirds of the students tested did not know that the stock market brings people who want to buy stocks together with those who want to sell them. Thirty-five percent of the students taking the test admitted that they do not know what the effect of an increase in interest rates would be. Only a little more than half of the adults and less than a quarter of the students tested knew that a budget deficit occurs when the Federal Government's expenditures exceed its revenues for that year. Amid these disappointing results, the study found that 96 percent of Americans believe that basic economics should be taught in high school. Yet, few States require students to take an economics course in order to graduate, or have adopted guidelines for teaching economics in their schools, or, alarmingly, even require schools within their State to offer a course on economics to be made available.

This amendment aims to increase student knowledge of, and achievement in, finance and economics by strengthening our nation's teachers' understanding of, and ability to teach economics. It provides resources to incorporate economics into K through 12 curricula. It encourages economics-related research and development, dissemination of instructional materials, and replication of best practices and programs. And it also increases private and public support for economic education partnerships between schools and local businesses. The need for economic literacy should be no different from, or less important than, reading literacy, writing aptitude, or math and science comprehension.

I want to thank my colleague, Senator CORZINE, for joining me in this effort to improve our nation's financial literacy. I urge all of my colleagues to support our amendment and ensure that our nation's youth are sufficiently prepared for their financial futures.

The PRESIDING OFFICER. Is there further debate on the amendment?

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I think we are ready to accept the amendment. We know of no other speakers. I hope we can at this time.

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

The amendment (No. 524) was agreed to.

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

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 377 AND NO. 429 WITHDRAWN

Mr. CLELAND. Mr. President, I ask unanimous consent to withdraw amendments No. 377 and No. 429.

The PRESIDING OFFICER. Without objection, the amendments are withdrawn.

AMENDMENT NO. 430 TO AMENDMENT NO 358

Mr. CLELAND. Mr. President, I call up amendment No. 430 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative read as follows:

The Senator from Georgia [Mr. CLELAND] proposes an amendment numbered 430 to amendment No. 358.

Mr. CLELAND. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To add, for funding under the program of grants for State and local instructional activities for language minority students, other activities that provide enhanced instructional opportunities and related services for such students and their parents)

On page 480, line 12, strike the period at the end and insert a semicolon and the following:

''(6) other instructional services that are designed to assist immigrant students to achieve in elementary and secondary schools in the United States, such as literacy programs, programs of introduction to the educational system, and civics education; and

''(7) activities, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents of immigrant students by offering comprehensive community social services, such as English as a second language courses, health care, job training, child care, and transportation services.''.

Mr. CLELAND. Mr. President, let me first say that there was a printing error regarding amendment number 430 when it was printed in the May 9th CONGRESSIONAL RECORD. The amendment was correctly printed in its entirety in the May 14th RECORD.

Mr. President, this amendment addresses the explosion of immigrants coming to this country over the past decade. Information from the 2000 Census shows that the impact from this wave of immigration is transforming the nation. The Latino population, for example, is up 60 percent since 1990 and now, for the first time ever, it is roughly equal to the population of African Americans in the U.S. New York's population now tops 8 million, a record number which is a direct result of its rising numbers of Asians and Hispanics.

These changes are summed up in one astounding fact from the Census Bureau: recently arrived immigrants and refugees will account for 75 percent of the U.S. population growth over the next 50 years. And let me add that these changing demographics are impacting not just communities accustomed to large immigrant populations like New York, Los Angeles and Miami, but also non-traditional immigrant communities in states like Wisconsin, Iowa, Nebraska, Oklahoma, Georgia, Alabama, and the Carolinas.

Like our communities, our schools are feeling the impact of this new wave of immigration. A record number of children with diverse linguistic and cultural backgrounds are enrolling in America's classrooms. In Wayne County, MI, for example, 34 percent of the student population are Arabic-speaking and receive special help. The Waterloo, IA school system is being challenged to teach hundreds of Bosnian refugee children, who came to America without knowing our language, culture or customs. In Dalton, GA, public school enrollment of Hispanic students is now 51

percent, up from just 4 percent ten years ago. This is an incredible increase—from just 4 percent a decade ago to over half of the student body population today.

This surge in immigration is increasingly challenging U.S. schools and communities from Florida to Washington State. We need to provide resources to these communities to help ensure that these children—and their families—are served appropriately. We know from national studies that where quality educational programs are joined with community-based services, immigrants have an increased opportunity to become an integral part of their community and their children are better prepared to achieve success in school.

This amendment is based on legislation Senator Coverdell and I introduced in the last Congress. It would provide support to schools and communities experiencing an influx of recently arrived immigrant families. Specifically, it would expand the use of funds under the Emergency Immigrant Education set-aside to include activities which, No. 1, provide enhanced instructional opportunities to assist culturally and linguistically diverse children achieve success in America's schools; and which, No. 2, allow local educational agencies to partner with community-based organizations to provide the families of immigrant children access to comprehensive community services, including English as a second language courses, health care, child care, job training and transportation. This amendment is endorsed by the U.S. Conference of Mayors, the National Association for Bilingual Education, the Hispanic Education Coalition, the League of United Latin American Citizens, and the National Council of La Raza.

Mr. President, I ask unanimous consent to temporarily lay the amendment aside.

Mr. KENNEDY. Reserving the right to object, I would like to just say a quick word on that amendment. I think we are prepared actually to accept it if the Senator wants to press it. I would like to take just 1 minute on this amendment.

I thank the Senator for raising this issue.

Today there are approximately 800,000 migrant children in the nation. They are all going to become citizens of our country. By and large, they have placed an enormous burden on local communities.

Years ago, the Federal Government provided help and assistance to families when they resettled in a local community for up to 18 months. There were resources available to schools. All of that has been cut back. We are back to about 4 months now.

So basically, the Federal Government has abdicated its support for local communities. There are a number of people, for example, the Cambodians, who came to this country and were settled by religious groups in different parts of the country. We found—which was their choice—there were major groupings of Cambodians in Lowell, MA.

We have a higher Cambodian population in Lowell, MA, than in Phnom Penh. They placed an enormous initial burden on the school community because of the destruction by Pol Pot of all of the information, all of the books. They did not have any training. The burden fell on a blue-collar community to try to respond to the kinds of challenges which, for these children, were overwhelming. But they did it. And they deserve great credit for it.

Now, if you look at the various schools up in Lowell, half of the valedictorians from the high school will be the sons and daughters of these extraordinary, resourceful people. I think the Senator has put his finger on an important need.

Finally, last year, when we were considering the Elementary and Secondary Education Act, there was no additional assistance included in that legislation for migrant, homeless, or immigrant students. There is additional assistance in this legislation. I would not support this bill if it did not provide for these students because they number over 1.5 million children. It would have been a great mistake not to increase support for these students in this bill.

The Senator has recognized a very important need. He is presenting this so there will be local options. Communities will be able to use these resources.

I thank him for raising it. I am very hopeful we can accept the amendment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I join in the accolades by the Senator from Massachusetts and say that this amendment is an excellent amendment. Even in little old Vermont, we have schools with 20, 22 students who have English as their second language. There have been problems that we never imagined we would have. We believe this bill—all over this Nation—will be very helpful.

As far as I am concerned, we can accept the amendment to ensure its passage.

Mr. CLELAND. I thank the distinguished Senator from Vermont and the distinguished Senator from Massachusetts and ask that my amendment be adopted.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to amendment No. 430.

The amendment (No. 430) was agreed to.

Mr. CLELAND. Mr. President, I would now like to ask unanimous consent to call up amendment No. 449 for its immediate consideration and ask unanimous consent Senator JACK REED be added as a cosponsor.

Mr. JEFFORDS. Reserving the right to object, we have an order, I think in place, an amendment by Senator ENZI. I believe that it would be right to take that amendment up first.

The PRESIDING OFFICER. Objection is heard.

Under the previous order, the Senator from Wyoming is recognized.

AMENDMENT NO. 649 TO AMENDMENT NO. 358

(Purpose: To modify provisions relating to school construction)

Mr. ENZI. Mr. President, under the previous agreement, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. ENZI] for himself, Ms. SNOWE, Mr. HAGEL, and Mr. DEWINE, proposes an amendment numbered 649 to amendment No. 358.

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

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

(The text of the amendment is located in today's RECORD under ''Amendments Submitted and Proposed.'')

Mr. ENZI. Mr. President, I am pleased to be on the floor today to discuss an amendment that deals with the area of school construction that Senator HARKIN has been talking about. I bring forward a proposal along with Senator SNOWE, Senator HAGEL, and Senator DEWINE. I would like to take this opportunity to thank them for their hard work, as well as the hard work of their staffs.

I know that we can all agree that there are schools across the Nation that are in need of repairs and renovation. Just because we can agree on the problem, however, does not mean that we can agree on a solution Senator HARKIN's proposal to create a new Federal program to fund school construction is a good example. While I understand that a need exists in many of our Nation's schools, I do not believe there is a Federal responsibility to address that need, especially if States and local school districts have not made every effort to address the issue on their own. I also believe that it is extremely important that we do not ignore preexisting Federal school construction obligations in favor of new school construction programs.

It is for these reasons that I have drafted this amendment, which will target all Federal school construction funds toward existing obligations to fund the construction and renovation needs of schools on Indian reservations and schools impacted by Federal land holdings. This amendment would also

make construction and maintenance of high-poverty schools a priority and create a revolving loan fund that States could use to help schools make interest payments on school construction bonds.

I would also like to emphasize the importance of appropriately targeting limited resources where they are needed most. That is why my amendment requires that any grant funds available after existing Federal obligations are met should be highly targeted to the schools most in need. In addition to identifying the truly neediest schools, the local districts and States must demonstrate that they are already doing all they can to meet the needs of those schools.

I believe that a tier of schools does exist where traditional school construction financing is extremely difficult for a local community. The capacity of the local tax base, particularly in rural communities, is not as flexible or far-reaching as urban or suburban districts. In high poverty districts, the bonding capacity may fall dramatically short of the cost to renovate or construct a school. In those cases, the States should be doing more. And, in providing direct Federal support for school construction, we should never extend that reach beyond such schools.

Some of my colleagues have cited several studies that claim that our Nation's school construction needs range from $112 billion—according to the Government Accounting Office—to $125 billion—according to the National Center for Education Statistics. We all view these numbers as a national disgrace, but for very different reasons. My colleagues on the other side of the aisle would suggest that these numbers indicate that the Federal Government has failed to fulfill its duty to fund school construction. I, on the other hand, believe that these numbers suggest that State and local communities have abandoned their responsibilities and allowed our schools to fall into disrepair.

As a former member of both houses of the Wyoming State Legislature, I understand that school construction has always been the responsibility of State and local governments. I also understand how hard some States, such as Wyoming, are working to make sure that they are fulfilling their responsibility to equitably distribute school construction funds.

I have been troubled to see some of the data that indicates that States and local governments have the capacity to do more to fulfill their own construction needs. During the last session of Congress, members of the Congressional Research Service testified before the Health, Education, Labor and Pensions Committee, that I serve on, that between 1990 and 1998 State and local budget surpluses grew from $80.1 billion $148.7 billion. A December 2000 press release from the National Governors' Association revealed that States cut taxes and fees by $5.8 billion in fiscal year 2001. This is the seventh consecutive year States have reduced taxes and fees. That is from a National Governors' Association press release from December 12, 2000.

According to the American School & University's 24th Annual Construction Study, school districts allocated 9.4 percent of their net current expenditure for maintenance in 1997, a substantial drop from the 12.75 percent allocated 10 years earlier. You can see from this data that if the current level of expenditures on school construction by States and local governments are deemed to be inadequate it is not because of a lack of capacity to do more.

I also think it is important to inform my colleagues who try to assert that the Federal Government is doing nothing to deal with the issue of the declining quality of our Nation's schools that according to the Congressional Research Service the overall estimated cost or revenue loss for the total of tax-exempt bonds—that is taxes the Federal Government does not get—in 1999 was $25 billion. The most recent data for bonds that specifically support school construction comes from 1996, with an estimated cost/revenue loss at $3.7 billion. In other words, albeit indirect, there is clearly currently Federal support of school construction through the tax exemption we provide on construction bonds.

In addition to having very strong reservations about introducing a new Federal education responsibility in the face of calls to prioritize existing Federal obligations, I am very concerned about creating inequities among States. As I have said, I firmly believe that funding school construction is a State and local responsibility. To that end, there are some States that are making tough decisions and dedicating the resources needed to fulfil their obligation to children in public schools.

Wyoming is not alone in having experienced years of legislation and litigation in an effort to ensure that all children are provided an education in safe, appropriate classrooms. The State will soon dedicate significant new resources towards school construction. A lot of time and money has already been spent assessing every school in the State to determine which communities are the neediest. The State of Ohio has undertaken a similar effort.

For those States that are not as far along in prioritizing school construction, why should they get a better deal under a Federal grant program? The proponents of the Harkin amendment may argue that there is a provision requiring the funds to be a supplement to existing resources. However, if a State is not already dedicating meaningful resources, and doesn't have a plan or initiative which calls for additional resources, it looks to me like they would be eligible for funds under this new program. That is simply not fair. If they are not doing something, they get money. If they are, they do not. It is not an appropriate use of Federal tax dollars. And it forever lets the entities responsible for school construction off too easily. That bring me to my most important point. The neediest schools are not being targeted enough by States. They will not be targeted sufficiently under the proposal by the Senator from Iowa.

It is imperative that any additional Federal support we provide be strictly linked to the highest need schools. There will never be enough money to address the estimated $127 billion in construction needs, even if we did all agree that Federal funds should be expended. In fact, in 2000, almost $26 billion was spent on public K–12 construction, with nearly $27 billion in spending forecast for this year. A similar amount is also forecast to be spent each year through 2004.

All of this data is available through the National Clearinghouse for Educational Facilities, which Congress established after the General Accounting Office released a series of studies on school construction over the last few Congresses.

In addition to providing basic data on facilities financing, the clearinghouse is intended to serve as a resource for schools and public officials on how to properly assess their construction needs, how to develop a model school construction proposal, and how to meet the unique needs of their community. We should not be embarking on a path that either displaces this effort or discourages States and locales from meeting the school construction needs of their communities.

This is vitally important in rural communities. Those communities face hardships in meeting their construction needs as it is, but we cannot set them up with the false hope of erasing their need to pass bond initiatives or to pressure the State for more help. There are roughly 80,000 public schools in this country. Half are in rural areas or small towns.

As we consider the Enzi-Snowe-Hagel-DeWine amendment and the Harkin amendment as a whole, I should like to remind my colleagues that we do not serve any of our Nation's children by ignoring the commitments we have already made while making new promises that we can't keep. We owe our children more than that, and I hope as we move forward with the legislation we will keep that in mind.

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

The PRESIDING OFFICER. Who yields time? If no one yields time, time will be charged equally to both sides.

Mr. JEFFORDS. Mr. President, may I inquire of the Senator from Wyoming, are we through with his presentation?

Mr. ENZI. Mr. President, it is my understanding that other Senators will be down shortly to make a presentation—the Senator from Iowa and the Senator from Colorado.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. JEFFORDS. 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. JEFFORDS. Mr. President, I ask unanimous consent that the time be charged equally to both sides.

Mr. REID. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

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

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. HARKIN. 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. HARKIN. Mr. President, I listened as best I could to the presentation made by my friend from Wyoming on his amendment. Let's recap a little bit.

As I said yesterday, we have been trying for some time to get money for school construction and repair to help beleaguered schools around the country. We did that last year in an agreement. I ask my friend from Wyoming if he knows this. But in last year's appropriations bill, there was an agreement hammered out on a bipartisan basis and a bicameral basis. It was signed off on the House side. We worked with Congressman GOODLING, Congressman PORTER, Congressman OBEY; on the Senate side, Senator SPECTER and I, Senator JEFFORDS, and Senator KENNEDY were all involved in the negotiations—and the White House.

We came up with a program that provided $1.2 billion this year that would go out to States under broad guidelines to help them meet the needs of their poorest school districts in terms of meeting fire and safety code, renovation for technology, and 25 percent of the money was set aside to meet the needs of disabled students under IDEA.

I didn't know this until I just read the Enzi amendment, but the Enzi amendment wipes out that $1.2 billion. This is a list of all the States that are going to get this money 2 months from now of the $1.2 billion that was appropriated for this year. The Enzi amendment is not prospective. It takes the $1.2 billion this year and reneges on what the Senate, the House, and the White House signed off on last year.

That is eminently unfair. A lot of these school districts in the States already know the amount of money that they have applied for and that has been approved. The money hasn't gone out yet. It is going out the first of July. But they have applied for it, and they know what they are going to get. Now the Enzi amendment just wipes it out. You can see how much money some of the States will lose.

The Enzi amendment will take a lot of this money and put it in the Department of Defense. I don't know if that makes any sense at all. Then there are all these hurdles that a State has to jump through before it can get any of the renovation money. I thought we Democrats were the ones always being accused of tying the hands of the States and telling them exactly what they had to do. Read the Enzi amendment. There are more hoops and more barriers and more hurdles and more paperwork the States will have to confront than anything I have seen offered in the Senate in a long time.

For example, he says—just to illustrate how unfair the amendment will be—that before a school can qualify, 50 percent of the enrollment will have to come from families whose income does not exceed the poverty level. That is a public school. He says before a public school facility can get any of this construction or renovation money, 50 percent of the enrollment will have to be from families whose income does not exceed the poverty level.

I ask the Senator from Wyoming how is he going to determine that. There is no way to determine that. I ask the Senator from Wyoming to please tell us how he is going to determine if a public school has 50 percent of enrollment from families whose income is below the poverty level.

The only measure we have right now is from a school district and schools based upon free and reduced-priced lunches. That is based on 185 percent of poverty. It is based on school districts. I ask the Senator from Wyoming, how is a public school in your State, my State, Minnesota, Vermont, or any other State, going to show that 50 percent of its enrollment is from families whose income does not exceed the poverty level? As you say, ''as determined by annual census data published by the Department of Labor.'' The Department of Labor does not publish census data by schools.

So this is a very poorly drafted amendment. I don't know what the author was trying to get at. I say to my friend from Wyoming that you cannot in any way determine how you are going to have 50-percent poverty from a school.

That is the first hurdle that is impossible. Think of the paperwork. Think of what a school would have to go through to find out whether or not 50 percent of its enrollment are kids from families who do not exceed the poverty level.

First of all, I think that would be impossible. Second—and here is something that is unfair—Mr. ENZI says the other hoop is that the school has to be located in a district in which the district's bonded indebtedness basically has reached or exceeded 90 percent of the debt limitation imposed upon school districts pursuant to State law.

Well, what about a school district in a rural State in which there are a lot of elderly people who may not be able to bear the burden of property taxes, or they have property tax exemptions because of their age, and let's say they have 30 percent of their kids getting free and reduced-priced school lunches but their bonded indebtedness is only 15 percent. You are going to go out to that district with a heavily weighted population that is elderly, maybe rural, and you are going to say you have to raise your property taxes before you can qualify?

How unfair is that, I ask you. Again, what kind of paperwork, what kind of State requirements are going to have to be set up to do that?

So, again, I don't know what the Senator is trying to get at, but if he is trying to target it, it is not doing it. There is no way this can be done. The paperwork and the burden on the States in accounting for all this would be incredible.

Again, he also says the Federal share of the cost of any project shall not exceed 50 percent. Well, again, why don't you leave that up to the States? In my amendment, I didn't tie the hands of the States and say here is exactly what you have to do. The Enzi amendment basically says: State, here is A, B, C, D—exactly what you have to do—and you can't do anything else. There may be some projects of an emergency nature. We have had them in Iowa, such as meeting fire and safety codes—things that may need to be done right away. Maybe they can't come up with a 50-percent match right away. But the Enzi amendment says, tough luck; you don't get any help.

I understand there is a revolving loan fund also set up—a loan authority for loans to be made. Again, there are all kinds of hoops and paperwork requirements and findings that a State would have to face. The more I look at this amendment, the more I don't want to hear any more arguments from that side of the aisle about how Democrats are trying to tie the hands of States by specifying exactly what has to be done. If you want to learn about specifications, read the Enzi amendment.

It is in here that for revolving loans it says—listen to this: With respect to a fiscal year, any State, to receive assistance on the revolving fund loan in

this part of the bill, has to have four-tenths of a percent—in other words, they have to have less than four-tenths of a percent of the total amount available in the United States for all title I.

So for a State to qualify for this revolving loan fund, that State has to get less than four-tenths of a percent of the entire amount in the United States. So I ask, why was it four-tenths? Why wasn't it five-tenths? Why wasn't it three-tenths? Why wasn't it 5.5? Why was four-tenths a magic number? I would like to know the answer to that question. I don't know why.

Mr. KENNEDY. Will the Senator yield?

Mr. HARKIN. Yes, I will.

Mr. KENNEDY. We have only had this amendment for a brief period of time. However, in reviewing this amendment, I have noticed that on page 13 it refers to the set-aside of Federal funds. This is the only reference in the amendment to the authorization of funds. If the Senator has a copy——

Mr. HARKIN. I don't seem to have page 13 for some reason.

I have it now.

Mr. KENNEDY. It says ''set-aside of Federal funds.''

It reads:

IN GENERAL—Notwithstanding any other provisions of law. . .there shall be made available to carry out this section for each fiscal year, an amount equal to 20 percent of the total amount of Federal funds appropriated for such fiscal year for Federal programs to provide assistance for school construction, renovation, or repair.

The Harkin amendment, of course, expires this year. As such, the only funds that I am aware of will be the DOD and the BIA funds and impact aid.

Mr. HARKIN. Impact aid, yes.

Mr. KENNEDY. For school construction. We are talking about an amount that is less than $100 million. And here we have a proposal to authorize 20 percent of that amount. That totals approximately $20 million. Do we understand that? I respect my colleague from Wyoming, and he knows he is my friend, but it is a hoax to suggest that this is a program to help local schools. We are only talking about $20 million; $10 million for grants, and $10 million for loans. This is the amount that would be available under the restrictions that the Senator from Wyoming has outlined. We are calling this a construction program.

I ask my colleague and friend, does he believe that when Senators vote for the Enzi amendment, they will be able to claim that their vote is a vote for school construction? They will have voted against the Harkin amendment that helps local communities in the neediest areas of the nation, both rural and urban, repair and renovate crumbling schools. Instead, they will say, ''oh, no, we prefer the Enzi amendment that provides $20 million—$10 million in grants, and $10 million in loans.''

I ask the Senator from Iowa whether he reads this amendment the same way?

Mr. HARKIN. The Senator is correct. In fact, I will add one thing to that. What the Enzi amendment does this year is it takes away the $1.2 billion going out to States. That has already been appropriated. He wipes that out. Then on the revolving loan fund the Senator talked about, he says ''shall be made available to carry out this section for each fiscal year amounting to 20 percent of the total amount of the Federal budget.''

What all that means is that after this year we impact the money for impact aid and Indian schools. They are going to take 20 percent of that money and put it in the revolving loan fund. So here the Senator from Wyoming purports in his amendment that he wants to help Indian schools and he wants to help impact aid, but in the second part of the amendment he takes money out of those programs to put it into a revolving loan fund.

Mr. KENNEDY. I don't know whether the Senator from Wyoming can tell us whether we have interpreted the amendment correctly. I invite him to correct us if we are incorrect. As I understand it, this amendment would equal only 20 percent of the total amount of funds that will be appropriated for such fiscal year. We anticipate that next year, outside of the Bureau of Indian Affairs, impact aid and military schools, that such an amount is less than $1 million. And this amendment proposes 20 percent of that amount for school construction. Am I correct, I inquire of the Senator?

Mr. ENZI. Mr. President, answering on their time, of course, as I have said throughout this whole process on the authorization bill, this is an authorizing process, and we have an appropriations process that comes up later. The amount of dollars allocated would be allocated as part of the appropriations process. There is money that can be done on this.

We are getting into a brand new program. This isn't something that has been a continuing program. We are getting into something new. Since it is new, I was hoping we would handle that through the appropriations process. Whatever money is allocated in the process, 20 percent would go to that.

Mr. KENNEDY. I agree with the Senator that the appropriations process will determine the amount we will have for resources. If it is not authorizing, a point of order is made.

As I understand it, this amendment authorizes 20 percent of existing Federal funds. The only construction funds of which I am aware are funds made available through BIA, impact aid, and defense. If we are referring to 20 percent of those funds—that is what it says in here—equal to 20 percent, then 20 percent is the authorization level. That amount equals $20 million. That is the authorization. I understand further that half of that goes to loans and grants.

I withhold further comment. I think this is a pale, pale substitute for the Harkin amendment. At an appropriate time after the Senator from Iowa makes a comment about it, I would like to have 4 or 5 minutes to add my support for the Harkin amendment.

Mr. HARKIN. I thank the Senator. I still have the floor. I ask my friend from Wyoming, I just heard the Senator say this is the authorization process and he did not want to interfere with the appropriations process.

Again I ask the Senator, does not your amendment wipe out the appropriations we made last year? Does it not invade the appropriations process? We appropriated this money last year. If I am not mistaken, the Senator's amendment wipes that out. The Senator just said this was authorization, not appropriations, but if you read the amendment, it wipes out our appropriations.

Am I reading it wrong? I yield to the Senator for a response. It says ''notwithstanding any other provision of law.'' I ask the Senator, does not this invade the $1.2 billion we already appropriated? I will be glad to yield to the Senator.

Mr. ENZI. Mr. President, if I can use their time, under this bill, the $1.2 billion that was appropriated last year would come under the formula for this, which would become the current school foundation construction program. So, yes, the $1.2 billion the Senator from Iowa is talking about would be included in this particular amendment.

Mr. HARKIN. I appreciate the forthrightness of my friend from Wyoming. That is exactly what I have been saying. That is the way it is written. The $1.2 billion that will be going out to the States this summer will not be going out.

Mr. KENNEDY. Will the Senator yield?

Mr. HARKIN. Yes.

Mr. KENNEDY. It is my understanding that school districts all across this country that have relied on these funds, and have planned accordingly under the assumption that they would receive these funds, but will now not receive such funds. Is the Senator from Wyoming saying these funds will be snatched back from local communities all over the Nation that have budgeted for it, that have received assurances of it? Is the Senator proposing to grab that money back to re-allocate its sum through a new formula?

Is the Senator prepared to tell every school district planning to receive these funds in the next few weeks that their planning is for nought? Is that the purpose of the Senator's amendment? Because it seems that this would be the effect.

Mr. ENZI. Mr. President——

Mr. KENNEDY. I think Senator HARKIN has the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. I yield to the Senator from Wyoming for a response. I will be glad to yield.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. The purpose of this amendment is to place some constraints on Federal school construction so we are not opening up a brand new program that will fund any school that needs to be constructed or renovated in this country without any requirements. That is why the provision is included, for the 90-percent bonding capacity in a district to make sure the local district is participating to the level it can.

My colleagues will find that there are school districts across this country that are already perhaps at 200-percent bonding. They are doing a maximum effort. Ninety percent would be considered a maximum effort. It requires a match by the State. The other amendment does not require any participation by the State. There is some wording in there about supplanting some State funds, but it does not have any requirements.

The purpose of this amendment is to show there needs to be some constraint on how fast the Federal Government gets into a school funding program. We are not there yet. We are on our way there, and there needs to be some local recognition that they need to have some participation and States need to be a part of it. We cannot wipe out that obligation under a new program.

Mr. HARKIN. Again, I thank the Senator for his forthrightness. His answer is correct because that is what the Senator is doing.

I point out to the Senator that the American Society of Civil Engineers has said that we need about $121 billion just to repair and modernize the schools we have right now. We will need $187 billion over the next 10 years. This is a $1.6 billion authorization. We do not know how much we can appropriate. We appropriated $1.2 billion last year. I do not know how much we can appropriate this next year.

Certainly, we are not rushing headlong into repairing and modernizing schools at $1.2 billion. With the Senator's amendment, it is less than a snail's pace. We might get there in about 200 years. We cannot wait that long.

Let us be clear about the Enzi amendment. There are some fatal flaws there. No. 1, the Enzi amendment takes away money already going out to the States, make no mistake about it. If Senators want to vote to take money away from State school construction—I have the list right here. My colleagues can look at it. This is what their States are going to receive this year, and the Enzi amendment takes it away.

No. 2, the Senator is right; in my amendment, I do not handcuff the States. He is right. I do not prescribe every jot and tittle of exactly what they have to do. I trust them. We gave broad outlines. We said put this out under competitive grants to go to the lowest income, poorest districts that need the help the most. Then we reserve some funds for the highest poverty districts. That is it. We trust the States to make that decision.

We had $28 million in my State of Iowa. The State department of education put it out for competitive grants. I have not heard one complaint, not one because the State believes it went through a very fair process and the neediest school districts got that money.

No. 3, the Enzi amendment shifts money from education to the Department of Defense. Why would we want to do that?

No. 4, the paperwork burden on local school districts, I submit, under the Enzi amendment will be more than anything they have ever filled out for title I or for anything else. How are you going to determine that 50 percent of your kids are below the poverty level? There is no census data, and yet you have to do that before you qualify.

Next, it shifts the power from States and local governments to the Federal Government. I know the Senator does not intend to do that, but that is what really happens in this amendment. If you read the revolving loan fund part of the Senator's amendment, it takes money out of Indian schools in the future and puts it into the revolving fund. We do not need to be taking any more money out of Indian schools.

I sum up by saying the Enzi amendment guts our commitment to school modernization which we made last year. If my colleagues vote for it, they are voting to strip education funds from their States. I will leave this list up during the vote and Senators can check how much money is going out to their States.

There are poor school districts in every one of these States that need that money this year for fire and safety code violations. They need it this year.

If you do not trust the States, if you can say, ''Well, if we give money to the States, they will give it to the richest school districts,'' I do not think that is going to happen. I tend to trust the State departments of education.

Under our guidelines, we say it has to go to the poorest schools and put out in competitive grants. Make no mistake about it; if any one of my colleagues votes for the Enzi amendment, they are voting to strip this money.

With those fatal flaws, and with the fact we made an agreement last year—it was a bipartisan agreement; it was bicameral; it was hammered out with the White House; and we reached an agreement on how to do it and the money is going to be going out—I do not think we ought to stop that money from going out. It is $1.2 billion. We are not rushing headlong into something.

I bet my colleagues will see, when this money goes out to the States this year, they are going to have a lot of support from their States, thanking you for helping fix up the poorest schools they have.

I hope the Enzi amendment is not approved because we made this agreement last year, and we ought to stick by it for this year.

In closing I want to share some comments from the officials with the Keokuk, IA, school district. This district has received two $100,000 grants to remedy fire code violations.

The funds are being used to install fire alarms, replace doors with new fire-rated doors and make other repairs at an elementary school and at the high school so they meet fire and safety codes. The renovations are planned for this summer and next year.

In a letter from Board President Dr. Wilson Davis, Jr., Superintendent Jane Babcock and Business Manager Kate Baldwin wrote; ''Completion of these building renovations will bring both of these student attendance centers into full compliance with all fire-safety codes. The availability of these funds have made this district goal a reality.''

Without the modest Federal investment, students in these two schools would continue to attend classes in buildings that do not meet State and local fire codes. Permitting such situations to continue is simply unacceptable.

The schools in Keokuk are safer today because of a modest Federal investment. Our amendment will make it possible to make many more schools across the country safer for our children. So if you want safe schools for our kids, if you want them to attend modern, well-equipped schools, if you want schools that meet fire and safety codes, you should support this commonsense amendment.

I ask unanimous consent to print in the RECORD letters of support.

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

KEOKUK COMMUNITY SCHOOL DISTRICT,
Keokuk, IA, April 10, 2001.

Senator TOM HARKIN,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR HARKIN: The Koekuk Community School District is very excited to be selected to receive a federal grant of $100,000 for Fire (Life) Safety facility building renovations. Responding to specific neds as outlined on our annual building safety inspections, the district is focusing the funds to provide necessary egress compliance in eight classrooms and replacing interior and exterior doors with new, fire-rated doors. The

necessary building renovations will be during the summer of 2001 at one of our elementary sites and during 2002 at our high school site. Completion of these building renovations will bring both of these student attendance centers into full compliance with all fire-safety codes. The availability of these funds have made this district goal a reality.

This is the second year Keokuk Schools has received a $100,000 Fire (Life) Safety grant. Funds awarded last year were targeted at installing a new fire alarm system in our high school building. The district began installation during July 2000 and will have this project completed in June 2001.

The citizens of Keokuk are proud of our school. We sincerely appreciate the efforts you have made to provide additional funding to help meet the increasing costs of maintaining school facilities. Thank you for working for the students, parents, and citizens of Iowa.

Very truly yours,

WILSON DAVIS, Jr., MD.
President, Board of Directors.
JANE BABCOCK,
Superintendent.
KATE BALDWIN,
Business Manager.

NATIONAL EDUCATION ASSOCIATION,
Washington, DC, May 14, 2001.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: On behalf of the National Education Association's (NEA) 2.6 million members, we urge your support for an amendment to be offered this week by Senator HARKIN (D-IA) to the Better Education for Students and Teachers (BEST) Act (S. 1) that would restore the critical school repair program. Votes associated with this issue may be included in the NEA Legislative Report Card for the 107th Congress.

Too many of our nation's students attend schools in crumbling and unsafe facilities. According to the American Institute of Architects, one in every three public schools in America needs major repair. The American Society of Civil Engineers found school facilities to be in worse condition than any other part of our nation's infrastructure.

The problem is particularly acute in some high-poverty schools, where inadequate roofs, electrical systems, and plumbing place students and school employees at risk. Yet, many high-need schools and communities simply cannot meet the costs of these urgent repairs absent federal assistance.

Last year, Congress agreed on a bipartisan basis to provide grants for urgent repairs in high-need schools. In FY 2001, this important program will help repair some 3,500 schools across the country. The Harkin amendment would help ensure every student a safe learning environment by continuing this critical grant program.

We urge your support for the Harkin school repair program.

Sincerely,

MARY ELIZABETH TEASLEY,
Director of Government Relations.

REBUILD AMERICA'S SCHOOLS COALITION,
Washington, DC, May 14, 2001.

Hon. TOM HARKIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR HARKIN: The Rebuild America's School Coalition supports your amendment to S. 1, the Better Education for Students and Teachers (BEST) Act, to restore the emergency school repair program.

The need for school repairs exists in all communities across the county. According to the American Society of Civil Engineers recently released annual report card on America's infrastructure, the condition of our nation's public schools received the lowest rating.

Our coalition supported your bipartisan efforts in the last Congress to establish a new program to help schools make emergency school repairs. The emergency school repair program will provide $1.3 billion to states and school districts through competitive grants to make emergency school repairs and to fund IDEA and technology renovations. Your amendment will reauthorize this critically needed program for emergency school repairs.

Rebuild America's Schools is fighting for these and other programs in this Congress. Rebuild America's Schools is working with Congresswoman Nancy Johnson (R–CT) and Congressman Charles Rangel (D–NY) and other Members of Congress to pass the ''America's Better Classrooms Act.'' With a federal investment of $5 billion, this bill generates $25 billion in bonds to help school districts finance programs to build new schools and to modernize existing schools.

Communities struggling to find the resources to provide our nation's school children with safe and modern schools ask how can Congress consider more than $1 trillion in tax cuts without investing in safe school buildings.

Coalition members appreciate the leadership you have provided for this critical issue. We urge your colleagues to support your amendment for the school repair program.

Sincerely yours,

ROBERT P. CANAVAN.

COUNCIL OF THE GREAT CITY SCHOOLS,
Washington, DC, May 14, 2001.

Hon. TOM HARKIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR HARKIN: The Council of the Great City Schools, a coalition representing over fifty of the largest urban public school systems in the country, appreciates your work to improve our nation's school infrastructure, and to highlight school modernization as a Senate priority during reauthorization of ESEA. We support authorization of the School Renovation Program, and will work with you to ensure that the Harkin School Renovation Amendment is included in S. 1, the Better Education for Students and Teachers (BEST) Act.

Last year, a bipartisan Congress agreed that the federal government must not ignore the physical deterioration of our nation's school buildings, and appropriated $1.2 billion for emergency repair and renovation for FY 2001. The School Renovation Program provides these funds to States to assist school districts with infrastructure needs, and represented the most significant federal assistance for school construction in over a decade.

By authorizing a $1.6 billion School Renovation program in ESEA, your amendment will help to reverse school infrastructure deterioration in urban schools, where the country's oldest buildings have long suffered from overcrowding, as well as scarce funds for maintenance and repair. The School Renovation Program will also help crumbling schools nationwide, which received a grade of ''D'' from the American Society of Civil Engineers in 2001, citing a 75% inadequacy level in facilities across the country.

The Council of the Great City Schools appreciates your work to end the physical deterioration of our nation's schools. Preserving the bipartisan School Renovation Program is a decision that would help school districts continue to address the emergency repairs and renovation needs of aging and overcrowded schools. The Harkin Amendment assists districts with the support they need to improve the learning environment for all students, and has the full support of the Council of the Great City Schools.

Sincerely,

MICHAEL D. CASSERLY,
Executive Director.

BOARD OF EDUCATION OF THE CITY OF NEW YORK,
Washington, DC, May 13, 2001.

Hon. TOM HARKIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR HARKIN: On behalf of Chancellor Harold O. Levy and the New York City Public Schools system, I write to thank you for your commitment to improving our nation's school infrastructure. The Chancellor is very supportive of your current efforts to authorize the School Renovation Program as part of S. 1, the Better Education for Students and Teachers (BEST) Act.

As you know, the BEST Act repeals current Title XII of ESEA, the School Facilities Infrastructure Improvements Act. This step takes us backwards from last year's bipartisan agreement that provided funds for the School Renovation Program as part of PL 106–544, the Omnibus Consolidated Appropriations Act of 2000. Thanks to your leadership, this legislation provided approximately $1.2 billion to help communities make emergency school repairs and renovations. This urgently needed initiative will help local schools fix leaky roofs, correct faulty plumbing, heating, and electrical systems, and address other dangerous health and safety concerns in our schools, such as the presence of lead paint and asbestos in the classroom. It provided a solid framework for targeting limited federal resources to those districts most in need of assistance, as it reserves funds for high need school districts based on concentrations of poverty, fiscal capacity, safety, and condition of buildings. The agreement also reflected a reasonable and fair balance between competing priorities as it allows a portion of these funds to be used by states and localities for special education and technology upgrades related to school renovation.

Most importantly, last year's budget agreement recognized that New York City and other school systems around the nation cannot do it alone. Even though the City recently adopted a five-year, $7.1 billion capital plan for our schools—the largest school construction plan in the City's history—it is not sufficient to meet the needs of the system, which are conservatively estimated at $15 billion. Clearly,the infrastructure needs of public schools have outpaced the ability of local governments to meet these demands by themselves. The need for school repair and modernization funds has reached critical proportions and necessitates partnerships among local, state and federal governments.

ESEA reauthorization presents an excellent opportunity to enhance current law in this area. Specifically, New York City supports your amendment, authorizing $1.6 billion annually for grants and loans to high poverty school districts for emergency school repairs and renovations. It would also provide funds to enhance special education

services, and upgrade technology infrastructure.

Thank you for your consideration of Chancellor Levy's views on this important matter.

Sincerely,

KRISTOR W. COWAN,
Director, NYCBOE
Washington Office.

The PRESIDING OFFICER. The Senator from New York.

Mrs. CLINTON. Mr. President, I rise in support of the Harkin amendment on school construction, renovation, and repair. I am concerned by what I have heard from Senator HARKIN as to his analysis of the——

The PRESIDING OFFICER. The Senator should be advised the Democratic time has just expired.

Mr. HARKIN. Mr. President, I ask unanimous consent that we be given an additional 5 minutes to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator is granted 5 minutes.

Mrs. CLINTON. I thank the Chair. I thank my distinguished colleagues from Wyoming and Iowa.

I am concerned, as Senator HARKIN has pointed out, that dollars that are already committed to construction projects, to State planning for school repair and renovation, under the second-degree amendment, will be diverted to other worthy causes. I happen to agree with the Senator from Wyoming that the dollars we need as the Federal Government to spend to upgrade, repair, and construct BIA schools and DOD schools and Impact Aid schools is an obligation we should step up to and fulfill. But I do not think we should be robbing Peter to pay Paul, when we have so many schools that are in need of the kind of assistance that can be provided with Senator HARKIN's amendment.

What I hope is that as we debate the second-degree amendment, we look for ways to deal with the very real problem that the Senator from Wyoming has pointed out without upsetting and undermining the commitments that have already been made. These are commitments for this $1.2 billion that my State of New York is counting on, that the cities in my State are counting on. As the chart that Senator HARKIN has shown points out clearly, we have plans for that money. About $105 million of it has been allocated to New York. We have a backlog of many hundreds of millions of dollars more of repair and renovation.

I hope that the Senator from Wyoming's amendment as currently written will not pass, but that we take the good ideas the Senator from Wyoming has brought to the floor with respect to the BIA schools and other schools that are particularly part of the Federal responsibility and look for additional ways to provide the funds they need.

Let me also reiterate something I have said on this floor before, and then I will yield for final comments to our Democratic leader on this issue, Senator HARKIN. This bill does not remove State or local responsibility for school construction, repair, and renovation. What it does is provide necessary funds where we as a nation have gotten so far behind in providing decent facilities for our teachers and students. It is a partnership. I thought the whole idea behind this reauthorization was that we were going to have a partnership. The Federal Government was going to step in with the funds it provides and assist the States and localities in providing the best possible education for our children; that we were going to marry accountability and resources. I do not think the $105 million currently in line to come to New York to help us with our backlog of construction, repair, and renovation is in any way an interference with State or local control over education. It is a recognition that we as a nation have fallen woefully behind.

I am reminded of how many of the schools that children in New York attend—some were built 100 years ago, many were built 50 or 60 years ago. We have not invested in our children to provide the kind of resources they need.

I stood on the floor and told true stories about what happens in some of our schools. The Senator from Iowa may have heard me talk about a teacher standing in a classroom in Mechanicville, NY, who had a piece of concrete fall on her head. I showed pictures of classrooms that were so overcrowded there was literally no place for the children to sit.

We have schools where we have 100 different languages being spoken, where we are in hallways and bathrooms, where we have not a single square foot of space left and where the condition of what is there is deteriorating.

This bill that Senator HARKIN is promoting, to me, is the right kind of partnership. We are not interfering. We are not forcing any money on anybody. This is a voluntary program. It adds to, it does not take away from, the resources our States and localities are using. But it recognizes the fact that States that have made a commitment to using these dollars would, under Senator ENZI's amendment, lose money.

New York will lose at least $22 million off the top because 20 percent of the funds would first be diverted to smaller states, but in all likelihood New York would never see any of the $105 million already set aside for Emergency School Renovation and Repair. We have a million children in the New York City school district. We have the oldest school buildings in America in Buffalo, NY. We want to do the best job we can for our children, as every other State represented here does. All we need is a little bit of help. I urge we vote for Senator HARKIN's amendment.

Mr. CAMPBELL. Mr. President, first I would like to thank Senator ENZI for offering an amendment to S.1 concerning the existing obligations the Federal Government has to Bureau of Indian Affairs', DOD and Impact aid school systems. Through numerous treaties, statutes, and court decisions, the Federal Government has assumed a trust responsibility to provide a quality education to Indian children.

This duty includes providing school facilities that have such basic amenities as 4 walls, heat and healthy air to breathe. Adequate facilities and such essential necessities are not being provided to many Indian children attending Bureau of Indian Affairs, BIA, funded schools.

Unlike communities that have a tax base to fund school construction, military reservations and Indian reservations are dependent on Federal resources. Nearly 4,500 facilities serve the Bureau's education program, consisting of over 20 million square feet of space, including dormitories, employee housing, and other buildings providing education opportunities to more than 50,000 students. These facilities serve more than 330 Federally recognized Indian tribes located in 23 States through Self-Determination contracts, compacts and education grants.

We are not dealing here with ''the unknown.'' The GAO and other entities have produced countless studies and surveys showing us that half of the school facilities in the inventory have exceeded their useful lives of 30 years, and more than 20 percent are over 50 years old. Numerous deficiencies in the areas of health, safety, access for disabled students, classroom size, ability to integrate computer and telecommunications technology, and administrative space have been reported by the Bureau.

As a former teacher myself, I am appalled when I visit reservations and see first hand the many schools with leaking roofs, peeling paint, overcrowded classrooms, and inadequate heating and cooling systems. The studies have shown that such deficiencies have adverse effects on student learning. By not providing secure educational facilities, we are paralyzing these children and putting them at a disadvantage that they may never overcome.

The Federal Government has responded to the problem in piecemeal fashion, often using temporary solutions instead of working on a permanent plan of action. For instance, in fiscal year 2001 President Clinton's budget requested $2 million for ''portables'' or trailer classrooms that have been used since 1993. To date, the BIA has purchased 472 portables and 20 percent of the BIA's total education buildings are now portable classrooms. The request states these trailers are

needed due to overcrowding and unhealthy and unsafe buildings. It states that portables are used to replace buildings or parts of buildings that have ''poor air quality'' that result in what the BIA calls ''sick building syndrome.''

New funds for Indian school construction is one of the major focuses of the President Bush's fiscal year 2002 budget request with $292.5 million slated for such purposes. Of the overall education construction budget, $127.8 million has been requested for the construction of six schools: Wingate Elementary, NM; Polacca Day School, AZ; Holbrook Dormitory, AZ; Santa Fe Indian School, NM; Ojibwa Indian School, ND; and Paschal Sherman School, WA.

As of January 2001, the repair and rehabilitation, and renovation backlog for Indian education facilities and quarters stood at $1.1 billion and is even greater today.

I understand the underlying notion of the Harkin amendment, but I think this body should affirm our existing obligations to this Nation's DOD, Indian, and Impact Aid schools before we undertake even greater obligations.

Ms. SNOWE. Mr. President, I rise today in support of the Enzi/Snowe school construction amendment. I want to thank my colleague from Wyoming, Senator ENZI for working with me to provide some much federal assistance to states to address serious school construction need. And I appreciate his interest in including a part of my bill, the ''Building, Renovating, Improving, and Constructing Kids' Schools, BRICKS, Act'' in this amendment.

The amendment before us would provide funding for Impact Aid schools, provide a direct grant to states to provide for the construction needs of their poorest schools and creates a revolving loan fund for school construction.

The condition of many of our Nation's existing public schools is abysmal even as the need for additional schools and classroom space grows. Specifically, according to reports issued by the General Accounting Office, GAO, in 1995 and 1996, fully one-third of all public schools needing extensive repair or replacement.

As further evidence of this problem, an issue brief prepared by the National Center for Education Statistics, NCES, in 1999 stated that the average public school in America is 42 years old, with school buildings beginning rapid deterioration after 40 years. In addition, the NCES brief found that 29 percent of all public schools are in the ''oldest condition,'' which means that they were built prior to 1970 and have either never been renovated or were renovated prior to 1980.

Not only are our nation's schools in need of repair and renovation, but there is a growing demand for additional schools and classrooms due to an ongoing surge in student enrollment. Specifically, according to the NCES, at least 2,400 new public schools will need to be built by the year 2003 to accommodate our nation's burgeoning school rolls, which will grow from a record 52.7 million children today to 54.3 million by 2008.

Needless to say, the cost of addressing our nation's need for school renovations and construction is enormous. In fact, according to the General Accounting Office, GAO, it will cost $112 billion just to bring our nation's schools into good overall condition, and a recent report by the NEA identified $322 billion in unmet school modernization needs. Nowhere is this cost better understood than in my home state of Maine, where a 1996 study by the Maine Department of Education and the State Board of Education determined that the cost of addressing the state's school building and construction needs stood at $637 million.

We simply cannot allow our Nation's schools to fall into utter disrepair and obsolescence with children sitting in classrooms that have leaky ceilings or rotting walls. We cannot ignore the need for new schools as the record number of children enrolled in K–12 schools continues to grow.

Accordingly, because the cost of repairing and building these facilities may prove to be more than many state and local governments can bear in a short period of time, I believe the Federal Government can and should assist Maine and other State and local governments in addressing this growing national crisis.

Admittedly, not all members support strong Federal intervention in what has been historically a state and local responsibility. In fact, many argue with merit that the best form of federal assistance for school construction or other local educational needs would be for the federal government to fulfill its commitment to fund 40 percent of the cost of special education. This long-standing commitment was made when the Individuals with Disabilities Education, IDEA, Act was signed into law more than 20 years ago, but the Federal Government has fallen woefully short in upholding its end of the bargain, only recently increasing its share above 10 percent.

Needless to say, I strongly agree with those who argue that the Federal Government's failure to fulfill this mandate represents nothing less than a raid on the pocketbook of every state and local government. That is why I am a cosponsor of legislation introduced by Senators HAGEL and JEFFORDS to fully fund IDEA, and I support ongoing efforts to achieve the 40 percent federal commitment in the near future.

Yet, even as we work to fulfill this long-standing commitment and thereby free-up local resources to address local needs, I believe the Federal Government can and should provide some assistance to state and local governments in addressing their school construction needs without infringing on local control.

And that is why our amendment is narrowly drawn. First, our legislation will ensure that we meet the federal commitment to Impact Aid schools, which provide education to communities serving our military families and those where the Federal Government owns a substantial share of the property, thereby depriving the community of local revenue. The amendment also provides a direct grant to states to assist in building or rehabilitating the lowest income schools.

In addition, there is a provision based on my school construction bill, BRICKS, that would set aside 20 percent of the Federal money appropriated for school construction for a Federal revolving loan fund for states that meet the Title I small State minimum allocation. These 14 States, which receive a de minimus amount of money under the Title I program, would be eligible for funding that could be used to fund their state revolving loan funds, pay interest owed on construction bonds and for other state authorized school construction activities.

Of importance, these loan monies, which will be distributed on an annual basis using the Title I distribution formula, will become available to each state at the request of a Governor. While the Federal loans can only be used to support bond issues that will supplement, and not supplant, the amount of school construction that would have occurred in the absence of the loans.

And to encourage the Federal Government to meet its funding commitment for IDEA, and to compensate states for the fact that every dollar in foregone IDEA funding is a dollar less that they have for school construction or other local needs, our amendment would impose no interest on BRICKS loans during the first five years provided the 40 percent funding commitment is not met.

Thereafter, the interest rate is pegged to the federal share of IDEA: zero in any year that the federal government fails to fund at least 20 percent of the cost of IDEA; 2.5 percent, the long-term projected inflation rate, in years that the Federal share falls between 20 and 30 percent; 3.5 percent in years the Federal share is 30 to 40 percent; and 4.5 percent in years the full 40 percent share is achieved.

Combined, these provisions will minimize the cost of these loans to the states, and maximize the utilization of these loans for school construction, renovation, and repair.

This afternoon the choice we have on school construction is philosophical. We can provide assistance to states to

address the needs of their poorest schools, which is what the Enzi/Snowe amendment does. My colleague Senator HARKIN's approach seeks to provide a piece of the proverbial pie to all schools. But the size of the problem and the piece of the pie, I think they would be so thinly cut that a mere mouthful would be all that was offered. Better to consolidate our efforts on the very neediest so that the Federal assistance will make a difference.

By providing assistance to states to address their most pressing school construction needs, I believe our amendment provides important assistance to help address a national problem. Our children need a safe, clean and healthy environment in which to learn.

I urge that my colleagues support the Enzi/Snowe amendment legislation that will make a tangible difference in the condition of America's schools without turning it into a partisan or ideological battle that is better suited to sound bites than actual solutions.

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

Mr. ENZI. Mr. President, I yield up to 10 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 10 minutes.

Mr. VOINOVICH. Mr. President, I rise today to make it very clear to my colleagues that I do not oppose constructing new schools. In fact, I firmly believe that more schools should be built, replaced, repaired, and renovated in the United States of America. I suspect there are few people in this country who have done as much as I have to make that happen.

Earlier this month, I was in Cleveland, OH, to campaign for a $380 million local school construction bond and levy initiative. That money would be used to leverage $500 million from the State of Ohio.

Last week, the voters of Cleveland passed that bond and levy by a margin of 3 to 2. They voted to tax themselves in order to help build, replace, and repair over 100 schools throughout the Cleveland School District.

The citizens of Cleveland know that school construction is a State and local responsibility.

But I am concerned about the Federal Government telling State and local officials they have to spend Federal resources on school construction instead of spending it on education priorities they have determined. Localities should have the freedom to invest their dollars in the greatest needs, whether it is teachers, computers, or textbooks, and not be locked in.

We also need to consider the fairness factor. Many of our States have committed themselves in a very major way to school construction programs. I am concerned that as the Federal Government becomes more involved in school construction, the less inclined the States will be to invest their own funds in school construction. There will be an incredible temptation for States to simply sit back and let the Federal Government take care of things. That is something we see too much of in this body.

All we would be doing in passing the Harkin amendment or any amendment is giving those States that refuse to step up to the plate and provide for their schoolchildren, a free pass from meeting their obligations. In my State, we have stepped up to the plate. Under Ohio's Classroom Facilities Assistance Program we have appropriated more than $2.7 billion to repair and rebuild our schools. By the end of this month, 23 schools will have been built or renovated by our program, and by the end of the year, 50 schools will be completed by the program.

For example, in Canton, OH, the State is paying $129 million out of a $176 million schools project. In the Springfield City schools, the State is paying $135 million out of a $165 million project. In Youngstown, the State is picking up $130 million out of $163 million.

In other words, the lower the wealth in the district, the less they have to pay for rebuilding their schools. We are going to get the job done in Ohio.

In fact, a GAO report pointed out that in terms of investing in school construction, our State ranks ninth in the Nation in percentage terms and the eighth greatest in dollar amount.

I think it is important for my colleagues to understand that last year, the National Governors' Association Center for Best Practices looked into the prevalence of State involvement in school construction. Here is what they had to report:

> The Center discovered Governors are focusing more attention on school construction and modernization than ever before.

The report goes on to cite several examples: 11 States subsidize, reimburse, or match local funding for construction projects; 10 States have an established formula for determining the amount of State funding each school district will receive; six States have established a new agency to oversee school construction with the State; five States provide low-interest loans for low-income school districts to help support their school construction efforts; and four States require the Governor and State legislature to approve school construction projects prior to State funding being made available.

The States are getting it done, which prompts me to ask my colleagues on the other side of the aisle, why should the taxpayers of Wyoming, Florida, or New Hampshire have to pay to build schools in Ohio? And, conversely, why should the taxpayers of Ohio, who are meeting their responsibility, pay for those who have not yet done so? What kind of a message are we sending to these people? They have done the right thing, but we are saying: Tough luck, we are going to take your tax money, the tax money we should spend on true Federal responsibilities, and totally ignore them so we can do something that is politically popular. That is just wrong.

Mark my words, once the Federal Government gets involved in providing direct grants to build schools, there will be pressure like you would not believe to ramp-up the funding.

We just heard from the Senator from New York saying they have already committed schools for the money that has been made available to New York State. I tell you this, they are lining up in New York and every other place. They are letting their Governors and their legislatures and their local officials off the hook. The passage of the amendment of the Senator from Iowa will do more to discourage States from stepping up to the plate and doing what they are supposed to be doing than anything I can think of today.

As chairman of the National Governors' Association, we worked very hard to make a real difference in this area.

I started on this effort back in 1991 when I became Governor of the State of Ohio, and we are getting it done. But there is one more thing we need to remember: When we spend Federal money on things like this, we give up what you could have purchased with the money for other Federal responsibilities. Economists call that concept ''opportunity cost.'' When the Senate thinks about spending money on one thing, we need to recognize we are giving up the ability to use money for other worthy causes. When figuring opportunity costs, we need to remember the fact that we have a number of unmet Federal needs, needs that are a Federal responsibility, and which we should address as part of our full and balanced approach to the Federal budget.

I am going to be talking more about that in this Chamber with my colleagues later on this year. I have asked the General Accounting Office to do a study on unmet infrastructure needs in our Nation—needs that are the responsibility of the Federal Government, not State government, not local government, but the Federal Government.

That GAO study is going to include highways, mass transit, airports, drinking water supply, wastewater treatment, public buildings, and water resources projects.

I believe the GAO's final report will give us a better sense of exactly how formidable our unmet needs really are.

We cannot do everything for everyone. Before we start down the road to spend billions upon billions of dollars, we need to remember that school construction, like the vast majority of

education programs, is a responsibility best left to our State and local officials. They are the ones who are on the front lines. They are the ones who know best the needs of their respective communities in their States.

I think it is time for this body to stop acting like a national school board. We are not a national school board. Many States elect their school board members. Many States elect their superintendents. They are the ones who are charged with the responsibility under the Constitution. Under the 10th amendment, that is a responsibility of local and State government.

Let them do the job they are elected to do. And let us allocate our resources in those areas where we do have the Federal responsibility.

Mr. President, I yield the floor.

Mr. HARKIN. Do we have time left? Zero? OK.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, while I am awaiting the arrival of the Senator from Arkansas, I will take a couple more minutes on this amendment.

What we are doing today, through one of the three amendments—or maybe all of the three amendments—is setting up a new school renovation and construction program. The question is, Do you want to just give the money to the States or do you believe there ought to be some constrictions on the money?

Under the amendment I have offered, there is a first priority. That first priority is that the Federal Government shall first meet its existing obligation to fund the construction and renovation needs of Indian schools and federally impacted schools before any other construction needs are addressed. That is an area that we have underfunded in the past. It is an obligation we already have. That obligation stands at $2 billion.

There is a second priority; that is, once we have assured the funding of the Indian schools and the federally impacted schools, which is already a Federal obligation, then we would have two mechanisms for funding schools, both of which would require that they be targeted toward the neediest districts in the States. Those would be determined by the States, but they have to be the neediest schools in the States.

There are two ways of funding that. One of them is Senator SNOWE's ''bricks'' approach, which is a revolving loan fund that is set up to pay the interest on the school bonds that are done to build the schools. The other one is the proposal that I have put forth that targets the 10 percent for the neediest schools and requires that there be a 90-percent effort at the local level.

We keep talking about the local level. There are no provisions for funding to get to the local level for an obligation. A needy area has very little capability to raise money through bonds. States have requirements. Bonding companies have requirements on how much money they will allow a district to bond. Some of those districts have already reached their entire capacity.

As I mentioned before, some have exceeded their capacity. How does that happen? If the value of the property in the district goes down, and they already have existing obligations, then they exceed the capacity they are allowed. There is no penalty for exceeding the capacity. The bonds are not as valuable and they won't sell with any kind of premium. They will probably sell with a discount, but it is a mechanism that is out there for local school districts to provide funding for their schools. And one of the things I have been concerned about through the whole process is how we make sure there is money available for the neediest schools, for those districts that do not have a very high bonding capacity but still to make sure they do some local effort.

There is a tremendous difference in the kind of a school that is built if you get to use somebody else's money as opposed to your own money. So we need to make sure there is still that local obligation involved.

The other part of it is that States have always had an obligation to do this. In fact, the Federal Government, outside the two areas I mentioned, which are the Indian schools and the Federally impacted schools, has not had a role in school construction and renovation. We have made that a requirement of the States.

As a result, in order to make sure there is still some State participation, there is a 50-percent match requirement. I do not think we ought to pass any bill out of this Chamber that does not assure we have the local participation and State participation before we do a brand new Federal spending program that assures we are going to build schools for all of the school districts in the United States.

I can see the cash register ringing up out there as the wish list for new schools goes up. I can tell you that in Wyoming, we have been working under an equalization process so that the rich school districts, those districts that have a higher property valuation, and other resources, help to pay for the schools in poorer areas of the State.

That is always under some court review to make sure that there is some equalization. There is a rating system for the school. There are some requirements on how big of a school, the fact that it has to go to classrooms, that it cannot go to athletic facilities. Athletic facilities have to be provided by outside sources in that district—100 percent by the district. So they have gone through a lot of difficulty to arrive at a formula.

We are talking about launching a new Federal program with no constraints. Once you do it with no constraints, it is pretty hard to go back and say: Whoops, we bit off a bigger chunk than we can ever afford. After everybody in the country is figuring that their school can be replaced by Federal dollars, how do we back off of that kind of a position?

I am suggesting that if we get into this kind of a position at all, we be sure that we nail down some of the requirements. Something that I did not even address is, what size school do you build? If they are going to have 16 students, do you allow them to build for 1,000 students on the possibility that it might be a growth area? No, you cannot do that either. You cannot afford unlimited schools.

I heard someone say that the amendment of the Senator from Iowa does not force money on anybody. That certainly is true; It does not force money on anybody. It passes it out by the bushel basket, with no constraints whatsoever. Can you imagine some school district saying: No, no, we would rather take care of the problem ourselves; don't give us any money? No. What they are all going to say is: You started a program. You said you would fix schools. It is underfunded. It is not funded.

Whatever you want to say, there will never be enough funds to take care of the kinds of schools that everybody will be able to envision. Architects will be staying up late dreaming of new ways they can build logos for schools, let alone the schools, because there are no constraints in the Harkin bill.

This amendment puts in some modest constraints, constraints that say they have to have 90 percent bonding capacity in their area; they have to be making a local effort. They just have to have the local folks, even though it is not much, participating in their own program. Then the States have to make sure that 50 percent of it comes either from the local districts or the State, in any combination the State chooses, before any Federal dollars kick in.

We have the other solution that provides a revolving fund for States. That would provide the money to cover construction bonds. It is another alternative, another way that we can do the process.

I hope people will look at this amendment as being one that is a logical way to start the process. I ask that my colleagues consider the amendment carefully, and then support the amendment that I have offered.

Another amendment that takes another approach that can have an impact on schools is one that the Senator from Arkansas is proposing. So at this point, I yield the floor, and I yield the remainder of my time to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas.

AMENDMENT NO. 550

Mr. HUTCHINSON. Mr. President, I thank the Senator from Wyoming for yielding time. I will only take a minute to briefly explain why I ask my colleagues to support the amendment I have offered.

There are, frankly, three amendments that deal with the issue of school construction. I believe Senator HARKIN and Senator ENZI are sincere. They have worked very hard. They understand there is a severe problem out there. In fact, there is one area of agreement that we all have, and that is that there is a serious need in this country for resources for school construction.

There is a different approach. There are three votes. There are three amendments. There is only one that does not create a new Federal program addressing school construction. So while there are merits and demerits to the various approaches, the other two amendments create a new program—both create new programs—for school construction. I believe that is wrong. There is only one amendment that preserves the prerogative of State and local governments to control the school construction issue.

So my amendment offers a helping hand through the Tax Code for local school districts, low-income, poor school districts to better be able to address the school construction needs they have. This is an approach that passed 20–0 out of the Finance Committee and has been supported previously in this body. I believe it is the right approach and expresses our concern about this issue and gives help to the local governing bodies who need the assistance but preserves that very important prerogative of the local school districts to control school construction issues.

So this preserves the whole principle of this bill; that is, local flexibility and local control, and does not take us down the road of a new Federal program involving us in a brand new area of building schools across this country.

So I ask my colleagues to support my amendment. I believe it is consistent with what we are trying to do in this bill with greater flexibility and greater local control.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to amendment No. 649 offered by the Senator from Wyoming.

Mr. ENZI. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

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

The PRESIDING OFFICER. Without objection, it is ordered.

The question is on agreeing to amendment No. 649. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Missouri (Mrs. CARNAHAN) is absent attending a funeral.

I further announce that, if present and voting, the Senator from Missouri (Mrs. CARNAHAN) would vote ''no.''

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

The result was announced—yeas 37, nays 62, as follows:

[Rollcall Vote No. 107 Leg.]

YEAS—37

Allard	Dorgan	McConnell
Baucus	Enzi	Murkowski
Bond	Frist	Nickles
Burns	Gramm	Santorum
Campbell	Grassley	Sessions
Chafee	Gregg	Shelby
Cochran	Hagel	Smith (NH)
Collins	Hutchison	Snowe
Conrad	Inhofe	Stevens
Craig	Jeffords	Thomas
Crapo	Lott	Thurmond
DeWine	Lugar	
Domenici	McCain	

NAYS—62

Akaka	Ensign	Mikulski
Allen	Feingold	Miller
Bayh	Feinstein	Murray
Bennett	Fitzgerald	Nelson (FL)
Biden	Graham	Nelson (NE)
Bingaman	Harkin	Reed
Boxer	Hatch	Reid
Breaux	Helms	Roberts
Brownback	Hollings	Rockefeller
Bunning	Hutchinson	Sarbanes
Byrd	Inouye	Schumer
Cantwell	Johnson	Smith (OR)
Carper	Kennedy	Specter
Cleland	Kerry	Stabenow
Clinton	Kohl	Thompson
Corzine	Kyl	Torricelli
Daschle	Landrieu	Voinovich
Dayton	Leahy	Warner
Dodd	Levin	Wellstone
Durbin	Lieberman	Wyden
Edwards	Lincoln	

NOT VOTING—1

Carnahan

The amendment (No. 649) was rejected.

Mr. KENNEDY. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. KENNEDY. How long did that vote take, Mr. President?

May we have order, Mr. President.

The PRESIDING OFFICER. There will be order in the Senate.

The question is on the Harkin amendment.

The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the next votes in the series be limited to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. The Senator from Massachusetts asked how long the last vote took. Did he get an answer to his question?

The PRESIDING OFFICER. Thirty-two minutes.

Is there objection to the request?

Mr. BYRD. Mr. President, what is the request?

The PRESIDING OFFICER. That the next vote be a 10-minute vote.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. BYRD. Mr. President, I do not know how serious this request is. I would like to know first. I will reserve an objection. I know the Senator wants to have a 10-minute vote. I know that.

Mr. JEFFORDS. Yes.

Mr. BYRD. I know he is serious.

Mr. JEFFORDS. Right.

Mr. BYRD. But just how much do we mean this in the Chamber? I am not making little of the Senator's request. I would like to see a 10-minute vote.

May I ask this question of the leader. I ask unanimous consent that I may speak for 1 minute on this reservation.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BYRD. May I ask the distinguished majority leader a question. There is a request before the Senate to limit this next vote to 10 minutes, and the only way that can happen is if the majority leader steps in at the end of the 10 minutes and closes this vote. Having been the majority leader, I do not think it is unfair for me to ask the majority leader if he intends to enforce this request if it is agreed to, and only the leader can enforce it.

Mr. LOTT. Mr. President, if Senator BYRD will yield, Senator BYRD has made this point before, and I certainly understand how he feels, and others, as a matter of fact, about the need to cut these votes off in a reasonable period of time.

I would be perfectly happy, and I am sure the managers would be happy, to see us limit these to 10 or, I believe, 10 minutes plus 5 minutes over the time, which has been allowed, for a total of 15 minutes. I will be glad to do that.

What happens, of course, is Senator DASCHLE and I will receive a call from a Senator who is on the way. We had last week a mistake where the Senator from West Virginia had not been recorded when, in fact, he had voted, and

we, thinking he had not voted said: No, wait until he gets here. We know he wants to be recorded.

We make a mistake by bending over backwards too much trying to accommodate all 100 Senators. But the Senator's point is well taken. Since we are all here and listening attentively, this vote will be cut off in the prescribed time, as was suggested by the Senator from Vermont, if in fact that request is honored.

Mr. BYRD. Mr. President, I remove my reservation.

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

Mr. JEFFORDS. Mr. President, I ask unanimous consent that following the sequenced votes and any cleared amendments, the Senate then resume consideration of the Dayton amendment No. 622 and the Voinovich amendment No. 443. I further ask unanimous consent that there then be a total of 30 minutes equally divided for closing remarks with respect to both amendments.

Further, I ask unanimous consent that following that time, the Senate proceed to a vote in relation to amendment No. 622 to be followed by a vote in relation to amendment No. 443, with no amendments in order to the amendments prior to the vote. I ask unanimous consent that there be 2 minutes equally divided prior to the second vote.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, I inquire of the Senator from Vermont, about what time, then, would the next two votes occur? Would that be roughly in 1 hour—1 hour 10 minutes, excuse me?

Mr. JEFFORDS. The elapsed time would be about an hour.

Mr. KYL. I thank the Senator.

The PRESIDING OFFICER. Is there objection?

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

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. I regret I was sitting immediately behind the distinguished Senator and I did not understand his request. Would he mind repeating the request.

Mr. JEFFORDS. I ask unanimous consent that following the sequenced votes and any cleared amendments, the Senate then resume consideration of the Dayton amendment No. 622 and the Voinovich amendment No. 443. I further ask consent that there then be a total of 30 minutes equally divided for closing remarks with respect to both amendments.

Further, I ask consent that following that time, the Senate proceed to a vote in relation to amendment No. 622, to be followed by a vote in relation to amendment No. 443, with no amendment being in order to amendments prior to the vote. I ask that there be 2 minutes equally divided prior to the second vote.

The PRESIDING OFFICER. Is there objection?

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

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I would like to speak for 30 minutes on the matter of reconciliation. Is it expected in the morning we will have an opportunity to speak before that bill is taken up?

Mr. LOTT. Mr. President, let me say if the Senator will yield, I would like to have a chance to talk to the managers of the legislation about the possibility of yielding some time tonight or we will work with you to make sure you have time in the morning. We know you want to speak on this matter, and we will work with you to find a time that is agreeable with you to do so, either after these votes or in the morning. If you will allow us to talk to the managers and get with you, we will find a way you can do that.

Mr. BYRD. Mr. President, I do not want to speak to an empty Chamber on the matter of reconciliation. So I would like to speak immediately after the next two votes, which I understand are already scheduled. Am I correct?

Mr. KENNEDY. The Senator is correct.

The PRESIDING OFFICER. There are two votes that are scheduled at this point.

Mr. BYRD. I would like to speak immediately after those votes.

Mr. LOTT. Mr. President, I am not sure; does Senator BYRD still have the floor?

Mr. BYRD. I do not have the floor. I was reserving the right to object.

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

Mr. LOTT. If the Senator from Vermont will yield, as we try to get the unanimous consent agreement worked out, I believe we have requests that would allow us to have this sequence and then have two votes in about an hour. I think maybe then there would be a time where Senators will be in the Chamber and perhaps we could do it after the two votes that are supposed to occur in an hour. Would that be agreeable to Senator BYRD?

Mr. BYRD. Mr. President, will the Senator from Vermont yield?

Mr. JEFFORDS. I yield.

Mr. BYRD. As I understand it, two votes are locked in already.

Mr. LOTT. That is correct.

Mr. BYRD. I would like to speak following those two votes.

Mr. LOTT. Mr. President, I know the Senator would like to have an opportunity to speak when there would be the maximum opportunity to have the arguments heard, but I do not think Senators are going to stay after these two stacked votes. We were hoping we could stay on the education issue and get through this agreement that has been worked out, the final two. Then while we are working on the next amendment we thought it would be a good time for Senator BYRD to make his statement.

Mr. BYRD. Mr. President, I object to the request.

Mr. LOTT. Mr. President, I believe we have two votes that are already ordered and we can go to the vote.

The PRESIDING OFFICER. The question is on the amendment.

Mr. BYRD. Mr. President, may we have an explanation of the amendment?

Mr. KENNEDY. We ask for 2 minutes for the proponent, the author of the amendment to be able to address the Senate prior to the vote. I ask for 2 minutes.

The PRESIDING OFFICER. Is there objection to the author of the amendment explaining it for 2 minutes? One minute?

Mr. BYRD. Mr. President, I object. If it is only going to be 1 minute, I object. I want an explanation on this. We will have it or we will have a quorum call and that will take far longer than an explanation would require. I want to know what this amendment is about.

Mr. KENNEDY. Could I renew my request he be given 2 minutes?

That is too short a time?

The PRESIDING OFFICER. Is there an objection?

Mr. BYRD. Let's make that 5 minutes.

Mr. KENNEDY. It is 5 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. THOMAS. Yes. Objection.

The PRESIDING OFFICER. Is there objection?

Mr. THOMAS. Yes.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue.

The assistant legislative clerk continued the call of the roll.

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

Mr. BYRD. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The assistant legislative clerk continued the call of the roll.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. Mr. President, I thank the managers of this legislation and all those who have been involved in continuing to try to move it forward. It is not easy to accommodate the wishes of all Senators in terms of time for final debate before amendments or those who would like to speak on other issues, but we try very hard to accommodate all of those wishes.

We have come up with an agreement that I think will allow us to make progress on the education bill, move to the reconciliation bill, and make progress there. So to put it in layman's language, we have two votes on amendments back to back that are already ordered. What we would do then would be to go to the debate on the next amendments. Those two votes would occur in the morning, beginning at 9 o'clock, preceded by 3 minutes of time before each vote. Then at 9:30 or so, as the votes are completed, we would go to reconciliation, and Senator BYRD would be recognized for up to 30 minutes as the first speaker on reconciliation. So that is how it would work out.

Mr. President, I ask unanimous consent that following the votes that are ordered, and any cleared amendments, the Senate then resume consideration of the Dayton amendment No. 622 and the Voinovich amendment No. 443. I further ask consent that there then be a total of 20 minutes, equally divided, for closing remarks with respect to both amendments. Further, I ask consent that following that time, the Senate proceed to a period of morning business. I ask consent that these votes occur beginning at 9 a.m., with 3 minutes prior to each vote for explanation.

I further ask consent that Senator BYRD be recognized immediately following the two stacked votes for up to 30 minutes immediately following the reporting of the bill by the clerk.

The PRESIDING OFFICER. Is there objection?

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

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. I do not expect to object, but I want to be clear on two things. No. 1, when we have a quorum call here, we should be able to hear the clerk call the names. No. 2, the 30 minutes that are reserved for me to speak——

Mr. REID. Twenty minutes.

Mr. BYRD. No. I did not say 20 minutes.

Mr. LOTT. For Senator BYRD?

Mr. REID. I am talking about the two votes.

Mr. BYRD. I am not talking about the two votes. My 30 minutes I do not want taken out of the 20 hours tomorrow. I wanted to make it today. I wanted to make it today between the votes so that it would not——

Mr. LOTT. If the Senator will yield, I think we could probably spend more time working through this. Let's make that accommodation. We will have two votes in the morning, but Senator BYRD will speak for 30 minutes. Then we will go to the reconciliation bill, which would be at approximately 10 o'clock or 10 after, whatever it would be.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS. Reserving the right to object, it is our understanding that the remarks by the Senator from West Virginia would not come out of the reconciliation.

Mr. LOTT. Because of his objection, perhaps others, it would not count against that time. But we are going to have to use about 12 hours or more tomorrow. So I was thinking that since it was relevant to that issue those 30 minutes could count against the 12 or 14 hours we need to use tomorrow. But if there is objection to that, it is more important we get the agreement, hear what he has to say, and get started with the reconciliation bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VOTE ON AMENDMENT NO. 525

The PRESIDING OFFICER. The question is on agreeing to the Harkin amendment No. 525.

The yeas and nays have not been ordered.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Missouri (Mrs. CARNAHAN) is absent attending a funeral.

I further announce that, if present and voting, the Senator from Missouri (Mrs. CARNAHAN) would vote ''aye.''

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

The result was announced—yeas 49, nays 50, as follows:

[Rollcall Vote No. 108 Leg.]

YEAS—49

Akaka	Dorgan	Lincoln
Baucus	Durbin	Mikulski
Bayh	Edwards	Murray
Biden	Feingold	Nelson (FL)
Bingaman	Feinstein	Nelson (NE)
Boxer	Graham	Reed
Breaux	Harkin	Reid
Byrd	Hollings	Rockefeller
Cantwell	Inouye	Sarbanes
Carper	Johnson	Schumer
Cleland	Kennedy	Specter
Clinton	Kerry	Stabenow
Conrad	Kohl	Torricelli
Corzine	Landrieu	Wellstone
Daschle	Leahy	Wyden
Dayton	Levin	
Dodd	Lieberman	

NAYS—50

Allard	Bennett	Brownback
Allen	Bond	Bunning
Burns	Gregg	Nickles
Campbell	Hagel	Roberts
Chafee	Hatch	Santorum
Cochran	Helms	Sessions
Collins	Hutchinson	Shelby
Craig	Hutchison	Smith (NH)
Crapo	Inhofe	Smith (OR)
DeWine	Jeffords	Snowe
Domenici	Kyl	Stevens
Ensign	Lott	Thomas
Enzi	Lugar	Thompson
Fitzgerald	McCain	Thurmond
Frist	McConnell	Voinovich
Gramm	Miller	Warner
Grassley	Murkowski	

NOT VOTING—1

Carnahan

The amendment (No. 525) was rejected.

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

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

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 550

The PRESIDING OFFICER. The question now is on agreeing to the Hutchinson amendment No. 550. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Missouri (Mrs. CARNAHAN) is absent attending a funeral.

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

The result was announced—yeas 83, nays 16, as follows:

[Rollcall Vote No. 109 Leg.]

YEAS—83

Akaka	Edwards	Murkowski
Allard	Ensign	Murray
Allen	Enzi	Nelson (FL)
Bayh	Feinstein	Nelson (NE)
Bennett	Fitzgerald	Nickles
Biden	Frist	Reed
Bingaman	Graham	Reid
Bond	Gramm	Roberts
Boxer	Gregg	Rockefeller
Breaux	Hagel	Santorum
Brownback	Harkin	Sarbanes
Bunning	Hatch	Schumer
Burns	Helms	Sessions
Campbell	Hutchinson	Shelby
Cantwell	Hutchison	Smith (NH)
Carper	Inhofe	Smith (OR)
Cleland	Kennedy	Specter
Cochran	Kerry	Stabenow
Collins	Kohl	Stevens
Corzine	Landrieu	Thomas
Craig	Leahy	Thompson
Crapo	Levin	Thurmond
Daschle	Lieberman	Torricelli
Dayton	Lincoln	Voinovich
DeWine	Lott	Warner
Dodd	Lugar	Wellstone
Domenici	McConnell	Wyden
Dorgan	Miller	

NAYS—16

Baucus	Feingold	Kyl
Byrd	Grassley	McCain
Chafee	Hollings	Mikulski
Clinton	Inouye	Snowe
Conrad	Jeffords	
Durbin	Johnson	

NOT VOTING—1

Carnahan

The amendment (No. 550) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, I advise my friend from Vermont, the manager of this bill, the Senator from California, Mrs. FEINSTEIN, wishes to offer an amendment. She will do that in just a few minutes. She says she will not take more than 5 minutes in presenting the amendment. So I ask unanimous consent the pending amendment be set aside to allow Senator FEINSTEIN to offer her amendment.

Mr. JEFFORDS. No objection. I look forward to learning about it.

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

The Senator from California.

AMENDMENT NO. 369, AS MODIFIED

Mrs. FEINSTEIN. Mr. President, I call up amendment No. 369. I ask unanimous consent to resubmit the amendment with modifications.

The PRESIDING OFFICER. Is there objection to the modifications?

Without objection, it is so ordered. The clerk will please report.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN] proposes an amendment numbered 369, as modified.

Mrs. FEINSTEIN. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To specify the purposes for which funds provided under subpart 1 of part A of title I may be used)

On page 137, between lines 3 and 4, insert the following:

SEC. ___. LIMITATIONS ON FUNDS.

Subpart 1 of part A of title I (20 U.S.C. 6311 et seq.) is amended by inserting after section 1120B (20 U.S.C. 6323) the following:

"SEC. 1120C. LIMITATIONS ON FUNDS.

''(a) IN GENERAL.—Notwithstanding any other provision of this Act, a local educational agency shall use funds received under this subpart only to provide academic instruction and services directly related to the instruction of students in preschool through grade 12 to assist eligible children to improve their academic achievement and to meet achievement standards established by the State.

''(b) PERMISSIBLE AND PROHIBITED ACTIVITIES.—In this section, the term 'academic instruction'—

''(1) includes—

''(A) the implementation of instructional interventions and corrective actions to improve student achievement;

''(B) the extension of academic instruction beyond the normal school day and year, including during summer school;

''(C) the employment of teachers and other instructional personnel, including providing teachers and instructional personnel with employee benefits;

''(D) professional development for instructional personnel;

''(E) the provision of instructional services to pre-kindergarten children to prepare such children for the transition to kindergarten;

''(F) the purchase of instructional resources, such as books, materials, computers, other instructional equipment, and wiring to support instructional equipment;

''(G) the development and administration of curricula, educational materials, and assessments; and

''(H) the transportation of students to assist the students in improving academic achievement; and

''(2) does not include—

''(A) the purchase or lease of privately owned facilities;

''(B) the purchase or provision of facilities maintenance, gardening, landscaping, or janitorial services, or the payment of utility costs;

''(C) the construction of facilities;

''(D) the acquisition of real property;

''(E) the payment of costs for food and refreshments;

''(F) the payment of travel and attendance costs at conferences or other meetings other than travel and attendance necessary for professional development; or

''(G) the purchase or lease of vehicles.''.

''(3) the chief administrative officer may make exceptions to the prohibitions that are reasonable and necessary to carry out the purposes of the program.''.

Mrs. FEINSTEIN. Mr. President, this amendment directs that Title I funds be used only for academic instruction. It is true that for the most part title I funds are used for academic instruction. It is also true, though, that money often goes for other purposes, and this amendment would clarify the purposes for which Title I funds can be used by school districts.

The amendment states that the funds be used to improve academic achievement, to help students meet State achievement standards. Permitted uses would include corrective actions to improve student achievement, extending academic instruction beyond the normal school day and school year, including summer school, employing teachers and instructional personnel, providing instructional services to pre-kindergarten children to help them transition to kindergarten, purchasing instructional resources, conducting or obtaining professional development, and developing curriculum, for example.

What is explicitly not permitted is the purchasing or leasing of facilities or vehicles with Title I funds, purchasing or providing facilities maintenance, janitorial, gardening, or landscaping services, paying for utilities, constructing facilities, acquiring real properties, buying food or refreshments, or travel to and attendances at conferences except for travel and attendance necessary for professional development.

The purpose of this amendment is to take these critical funds and see that they go where they should go, which is toward the core curriculum and the teaching of and learning by youngsters. I believe the amendment will be accepted.

Current law on Title I is much too vague.

It says,

A State or local educational agency shall use funds received under this part only to supplement the amount of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of pupils participating in programs assisted under this part, and not to supplant such funds.

Basically, it says that Title I funds are to be used for the ''education of pupils.'' That is just too nebulous.

The U.S. Department of Education has given states a guidance document that explains how Title I funds can be used. Permitted uses are for the following: instructional practices; counseling; mentoring; developing curricula; salaries; employee benefits; renting privately-owned facilities; janitorial services; utilities; mobile vans; training and professional development; equipment; interest on lease purchase agreements; travel and conferences; food and refreshments; insurance for vehicles; and parent involvement activities.

Under this guidance document, only two uses are specifically prohibited: construction or acquisition of real property; and payment to parents to attend a meeting or training session or to reimburse a parent for salary lost due to attendance at ''parental involvement'' meeting.

I believe we should give the Department, states and districts clearer guidance in law. My reason for introducing this amendment is this: Our students are not learning; our schools are failing our children. We must use our limited federal dollars for the fundamental purpose of education: to help students learn.

A January 2001 study by Education Weekly, titled ''Quality Counts 2001: A Better Balance,'' brought more bad news about California's students. Here's what the report found:

In fourth grade reading, 20 percent of students are proficient and 52 percent are below the basic standard.

In eighth grade reading, 22 percent of students are proficient and 36 percent are below the basic standard.

Comparing California to other states, in how well fourth grade students read, California ranks 36 out of 39 states. In eighth grade reading, California ranks 32 out of 36 states.

Nationally, the news is similarly distressing:

U.S. eighth graders are out-performed by their counterparts in math and science from Japan, Korea, Hong Kong and Singapore, Australia, and Canada.

American twelfth graders performed in mathematics better than student in only two countries, Cyprus and South Africa.

In writing, 75 percent of U.S. school children cannot compose a well-organized, coherent essay, according to the National Assessment for Education Progress in September 1999.

We have to put a stop to this bad news. Fortunately, the bill before us

takes some strong steps and with this amendment, it will take even more.

While it is difficult to ascertain how Title I funds are always being used, we do know of a few examples that raise questions in my mind:

In Alabama, according to the Citizens' Commission on Civil Rights, ''dipped into Title I to pay the electric bill and for janitorial services.''

While most of Title I's $8 billion appear to be spent on instruction, the Los Angeles Times, in a March 12, 2000 editorial, said, ''About half that amount is wasted on unskilled though well-meaning teacher aides, who are often more babysitter than instructor.''

Title I has been used ''to pay for everything from playground supervisors and field trips to more time for nurses and counselors,'' according to the San Diego Union-Tribune, March 16, 2000.

California school officials have told my staff that Title I has been used for pay for clerical assistants in school administrative offices, payroll staff, truant officers, schoolyard duty personnel, school bus loading assistants, ''curriculum coordinators,'' ''compliance,'' attending conferences, and home visits.

By offering this amendment, I am not suggesting that Title I funds are being wasted across the board.

In fact, an August 2000 report by the Department of Education says, ''Most—77 percent—of Title I funds were used for instructional resources,'' for example, to hire teachers and to provide instructional materials. That is good.

But that report also says, that 12 percent of funds or $835 million in 1998, were used for ''program administration.'' Since this report does not provide more specificity, it is difficult to tell exactly what these funds were used for, but I do think we have to question whether we want $835 million spent on administration of this program.

Another report, a draft by the Citizen Commission on Civil Rights, found that in the Fresco, California, school districts, ''15 percent [of Title I funds remains in the district office.'' It goes on to say that funds are also used for ''supplies, two case workers, Saturday schools, and breakfast and lunch programs for about 800 homeless students.'' This is just one example and while these uses probably most certainly contribute to a child's education, it is my view that Title I cannot do everything.

That is why I am trying to better focus Title I funds on academic instruction, teaching the fundamentals and helping disadvantaged children achieve.

Federal funding is only seven percent of total funding for elementary and secondary education and Title I is even a smaller percentage of total support for public schools. We must get the most that we can educationally for our limited dollars. It is time to better direct Title I funds to the true goal of education: to help students learn. This is one step toward that goals.

I urge my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. JEFFORDS. Mr. President, I have no request for time on the amendment.

I ask unanimous consent the amendment be set aside.

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

MORNING BUSINESS

Mr. JEFFORDS. Mr. President, I ask unanimous consent there now be a period for morning business with Senators permitted to speak for 10 minutes each.

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

Mr. JEFFORDS. Mr. President, I make a point of order that there is not a quorum present.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. DORGAN. Mr. President, I ask consent to speak in morning business for 15 minutes.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 15 minutes.

ENERGY POLICY

Mr. DORGAN. Mr. President, tomorrow I believe Vice President CHENEY will be releasing details of an energy plan he has worked on for some long while. All of us anxiously await release of that plan, so we can begin discussing what kind of an energy policy this country needs.

I think it is the case that with respect to both Republican and Democratic administrations, for many years this country has not had a satisfactory energy plan. We have become more and more reliant on foreign sources of energy. We seem not to have a consistent plan that tracks over a long period of time relating to production and conservation and renewables.

So I think it is quite clear we need a new plan. We need a new strategy, one that works for this country. We have Americans today who discover, when they drive up to the gasoline pumps, that the price of gas has increased dramatically. In some parts of the country, people are now paying over $2 a gallon for gasoline. In other parts of the country, the price of gasoline, they say, will probably move to $3 a gallon at some point. Lord only knows what the new projections will be.

Those who are trying to heat their homes with natural gas, or family farmers who are going into the field with anhydrous ammonia fertilizer, 80 percent of which is natural gas, are discovering the price of natural gas has spiked and skyrocketed. In many parts of the country, the price of natural gas is double what it used to be, and in some cases is much more than that.

If you happen to live in California at the moment, you discover that the price of electricity has dramatically increased. We know that 2 years ago, the price of power in California cost consumers $7 billion. Two years later, it is $70 billion in California, which is nearly a tenfold increase. Those price increases have spread to other parts of the west, as well.

We know that in California the use of natural gas to produce power in electric generating plants, in a deregulated wholesale market, has created, in my judgment, a broken market, one in which unregulated sellers sell into a regulated market in California, and in 24 hours the price of an MCF of natural gas can double, triple, or quadruple—in just a 24-hour period. And all of it is non-transparent. No one can see what the pricing is, who made the money, how much money was made. That is what is happening in California today.

I have been very critical of the Federal Energy Regulatory Commission that is supposed to be regulating some of these activities, but instead has done its best imitation of a potted plant for a couple years. They have essentially done nothing because they apparently view markets as some sort of sacrosanct device which will be fair to all.

In fact, the market in California is broken. The market for power in California does not work. This is a failed experiment in deregulation. Any lesson we should take from this for the rest of the country—and, I would say, for my home State of North Dakota, is: let us not follow this example of deregulation. They call it restructuring. That is just a fancy name of saying deregulation.

In North Dakota, we have been deregulated with airlines, deregulated with railroads, and now they talk about the deregulation of electricity. Every time we have been deregulated, we have been hurt badly. The California experience of deregulation and restructuring ought to send shivers down the backs of the rest of the people in this country who have not yet had this experience.

My point is, we have an energy situation that is in chaos in this country: it is at the gasoline pumps in the eastern part of the country, and all the rest of the country; it is in electricity prices in California; natural gas prices for farmers who are about to go into the

field; and for people trying to heat their homes.

What do we do about all that? First, I happen to think we ought to investigate pricing policies. When you have concentration of power in the hands of a few—I would say, in the oil industry, with the kinds of mergers we have had in recent years—we have larger and larger enterprises that have the capability, that have the economic power and the muscle to impose high prices and to manipulate supply. I do not allege they do it in all cases. I do allege the possibility exists. And we would do the public and this country some good by shining light on pricing policies in many of these energy streams. I suggest we do that by creating a select committee—a joint House and Senate committee—to investigate energy prices.

Let me be quick to say, there also are other reasons for the spike in some energy prices. When the price of oil went to $10 a barrel, frankly, there was very little incentive for the energy industry to look for oil and natural gas. I understand that. I accept that.

Then the price of oil spiked to $35 a barrel, and we began to see more drilling rigs; more people are looking for oil. We will have more supply coming on line. I accept the fact that there is an imbalance in supply and demand. That is not permanent. That is temporary. I also accept the fact we would be better off as a country not having that kind of roller coaster ride on energy prices.

We would be much better, in my judgment, having a more stable pricing structure that would provide incentives for people to search for coal, oil and natural gas, not just sometimes, but all of the time.

So I accept that as part of the reason for some of the pricing disparities that exist in this country. But I do not accept that that represents the entire answer for what is happening in this country.

I believe there is evidence of price manipulation and supply manipulation, and I think this Congress, which seems to be willing to investigate almost anything in the last 10 years or so, would do the American public a service by creating a select committee of the House and the Senate to investigate energy prices. If there is nothing there, we will not find anything. If we find something, we will do the American public a service by shining light on it, and finding it, and stopping it, with respect to price manipulation.

Having said all that, let me say that we welcome the submission by Vice President CHENEY tomorrow. It is time—high past the time—that this Congress begin deliberating on a new energy policy.

What should that policy be? In my judgment, that policy needs to have incentives and the kinds of mechanisms that will encourage production. Yes, we need more production; no question about it. We need to find more coal, more oil, and more natural gas. So production is a part of it.

In fact, there is a substantial amount of production opportunity around this country. There are 32 trillion cubic feet of natural gas up in Alaska that we know is there. It is leased. That could be brought down here, if we could only build a pipeline. So in terms of production, we need pipelines. And, we also need facilities to transmit electricity.

There are a whole series of infrastructure issues, in addition to the production incentives, that ought to be in a good, sound energy plan. But let me say, with respect to the news report about energy policy that we are likely to get tomorrow, when they say production is the overwhelming urge in this new energy plan, production is an important part of it, but it is not the only part of it. A balanced energy plan that is good for this country will include production. There is no question about that. But a balanced energy plan will especially also include conservation.

This country needs to be more conservation-minded. We can conserve much more energy than we do, if we have the kind of leadership that we ought to have, and if we have the incentives for conservation that we ought to put in place.

In addition to conservation, we need efficiency. There is no reason that we ought not require more efficiency in appliances and a range of other activities in this country. We know from experience that requiring greater efficiency works, that the manufacturers can develop products to be more efficient and produce these products for our consumers in this country. Efficiency must be a part of a balanced energy plan.

Then, finally, a balanced energy plan must—and I emphasize must—include renewable sources of energy. I know the oil companies have never liked some of them. The oil industry has never liked the production of ethanol. What is ethanol? Taking a kernel of corn, extracting a drop of alcohol from that kernel of corn, and using that alcohol to extend our energy supply makes great sense to me. It is renewable. You can produce that corn over and over again. Once you take the drop of alcohol from the kernel of corn, you have protein feed stock left that you can use to feed animals. What a terrific bargain for this country: Extend your energy supply by using a renewable source of energy and have the protein from the feed stock left for animals.

But the oil companies have never much liked ethanol, and I understand why. Because it is a competitor, albeit a small competitor, but it ought to be a much bigger competitor. We ought to develop renewable resources. Ethanol is one renewable source. Another is biomass; still another is wind power.

It may surprise some to know that the Department of Energy says the wind power capital of the world is North Dakota. We do not have any wind devices in North Dakota to collect this power and distribute it. The new wind energy turbines are very efficient. They are wonderful devices that can take the wind and create from that wind, and from the spinning of the propeller into a turbine, electricity.

North Dakota, they say, is the ''Saudi Arabia'' of wind. Some listening to me from time to time on the floor of the Senate might understand I contribute to that. But if North Dakota is the ''Saudi Arabia'' of wind—and the Department of Energy says it is—then we ought to, not just in North Dakota, but around the country, use this new wind energy, which itself is renewable.

We have a substantial amount of new wind energy activity in Iowa, in Minnesota, and, of course, there has been a substantial amount in California. But the new turbines for wind energy are highly efficient. We owe it to this country to use these new renewable sources of energy to extend our country's energy supply.

So the point I am trying to make tonight is this: If we get an energy policy from the administration tomorrow that says, ''Look, this is a simple solution, all we have to do is go find more oil and natural gas, and maybe crank up another nuclear plant or two,'' I say that is an answer that would have come 20 years ago or 40 years ago or 60 years ago. We need to do a lot of things, and a lot of things well, in order to resolve this country's energy problems.

Let me just digress for a moment to say, one of the interesting things about this country, and about energy, is this: Almost everything in the world has changed in the last century—almost everything. You name an area, and you will find a significant change—except, we still use gasoline in automobile engines.

I was a very young boy when I got my first car. My father actually found it in an elevator out on an abandoned farm. He knew who owned the abandoned farm, and he said: ''Why don't you write to him in Milwaukee and see if you can buy this car?'' I was a young boy.

My dad said: ''It is a 1924 Model T Ford. You can buy it and restore it. What a great project for a young fellow;'' and I did.

I wrote to the guy in Milwaukee. He wrote back and said: ''Gosh, I would love to let you have that car. It's sitting there in this little elevator on the farm that is abandoned. Send me $25.''

I sent him $25, and he sent me the owners manual that he saved all those years and the key that he had saved all

those years, as well. I pulled the Model T Ford into my father's service station. I worked on it for a year and restored the little old Model T Ford. It was a 1924 antique automobile.

Do you know something? You provided energy for that car—that 1924 car—exactly the same way you provide energy for a car produced in 2001. You stick a gas hose in the tank, and pump a little gas in. Nothing has changed. Nothing has changed in all of these intervening years. Isn't that interesting? Almost everything else has changed, but we still stick a gas pump in a gas tank of a car—80 years ago, or today, you pump the same gasoline. Quite remarkable.

We can do better in this country. I am not suggesting we wean ourselves off gasoline in a short period of time, but there is a car sitting out in front of this Capitol from time to time, owned by our friend from Utah, Senator BENNETT, that runs on both gasoline and electricity. It is one of the new hybrid cars. I think that is kind of interesting. I would like to see a whole fleet of them in this country. I would like to see that kind of technology. Perhaps this is just the first step toward the fuel cell, and taking the hydrogen out of water and using it as a fuel, as some say will happen with the new fuel cells.

The point is this, we can do a lot of things. This country has the technological capability to do a lot of wonderful things. But here we are, sitting on the edge of this spin in this energy crisis, with the price of natural gas doubling, the price of gasoline $2 at the pump and going north, and the price of electricity in California going through the roof, and blackouts occurring at a time when California is only at about two-thirds of its ultimate power needs for the hot weather.

We have a mess on our hands. In order to get out of this mess, all of us, Republicans and Democrats, need to figure out how we construct a strategy on energy that is balanced—that includes production, conservation, efficiency, and renewables. A good energy policy that has all of those elements, that represents the best of all of the ideas brought to the table in this Chamber, will serve this country well.

Feuding and fussing with an energy strategy, then coming up with the same tired old strategy we have had in the past, just simply street-corner chanting ''production, production, production''—thinking that somehow that will solve this country's problem, is, in my judgment, a road to nowhere.

I am anxious to see, and interested in seeing, what the Vice President has produced. Most of us in this Chamber should be ready and willing to begin working immediately with the Vice President, the administration, and all others, to both construct and demand a balanced energy policy for this country.

The American consumers have long deserved it and have never received it. Americans don't deserve to be held hostage by foreign energy supplies over which we have little control. They don't deserve to be held hostage with respect to electric costs we can't control and, therefore, have rolling blackouts in one of our largest States. They don't deserve to have been held hostage by gas pump prices over which they have no control and very little understanding.

Tomorrow will be an interesting day. I hope it is the first step on a journey to begin constructing between Republicans and Democrats an energy policy that will really serve this country well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

(The remarks of Ms. COLLINS and Mr. WARNER pertaining to the introduction of S. 904 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

DOUBTS ABOUT THE DEATH PENALTY

Mr. FEINGOLD. Mr. President, I rise to speak on the disclosure late last week that the Government had failed to share thousands of pages of evidence with defense attorneys in the case of Timothy McVeigh.

Let me first say that my thoughts and prayers are with the victims and families who lost loved ones as a result of this horrific, cowardly act. My heart goes out to them. For them, this cannot help but be a very difficult time.

Sadly, their ordeal has only been aggravated by the national spectacle surrounding McVeigh's planned execution and now this latest revelation of the mishandling of his case. This latest unforeseen turn must only add to their anger, their pain, and their grief.

There is no question that McVeigh should be punished severely for this heinous crime. On that, there can be no disagreement.

But the FBI's belated release of these thousands of documents highlights the fact that the Federal Government's administration of the death penalty, even in the most highly scrutinized of cases, is fallible.

At his press conference Friday, President Bush said:

> Any time we're preparing to carry out the death penalty, we have a solemn obligation to make sure that the case has been handled in full accordance with all the guarantees of our Constitution. The very foundations of our democracy depend on our ability to assure our citizens that in all criminal cases, and especially in the death penalty, defendants have been treated fairly.

I agree with President Bush.

But if this kind of gross failure can occur in a case managed by the most competent, professional law enforcement agency of which we know, doubts must arise with regard to the Government's ability in every capital case ''to assure . . . that defendants have been treated fairly.''

And if this kind of dereliction occurs in a case vigilantly observed under the television klieg lights, doubts must arise that this Nation has made sure that other capital defendants' cases have ''been handled in full accordance with all the guarantees of our Constitution.''

And if this kind of deficiency can take place when dedicated and well-trained counsel have labored and diligently applied themselves to ensure fairness for this defendant, doubts must arise that this Nation is in all death penalty cases delivering the justice on which ''[t]he very foundations of our democracy depend.''

To honor ''the guarantees of our Constitution,'' we must ensure the fairness of the entire process by which the Government applies the death penalty—from arraignment, to trial, to sentencing.

And to ensure that ''defendants have been treated fairly,'' we must ensure equity in treatment for all defendants, regardless of where in the Nation they live or what the color of their skin.

In these respects, the case of Timothy McVeigh does not present the Bush administration its most difficult test. For the McVeigh case lacks the questions of innocence, regional disparity, and discrimination that haunt so much of death row.

After McVeigh's, the next scheduled Federal execution is that of Juan Raul Garza. Because of questions raised about regional and racial disparities in the Federal death penalty system, his execution was stayed until June 19. When he stayed the execution, President Clinton instructed the Justice Department to conduct a study to determine the causes of those regional and racial disparities.

Observers of justice in America will await how the Justice Department and the President review these questions. Until these questions are resolved, and until we are certain of the fairness of the process, the Government should not execute Juan Raul Garza. These questions may provide the weightiest test of Attorney General Ashcroft and President Bush in the weeks to come.

TAX CREDITS FOR HYBRID VEHICLES

Mr. BIDEN. Mr. President, tomorrow the administration will unveil its energy plan. From the early reports we have been given, I am concerned that the proposals are too heavily weighted on the production side and fail to adequately address the need for conservation. One bright note that I have found is a general support for hybrid vehicles, the topic that I wish to address briefly today.

Specifically, I want to voice my support for legislation creating a hybrid vehicle tax credit. A hybrid vehicle combines an electric motor and battery pack with an internal combustion engine. The engine and the electric motor work in tandem, with either system providing primary or secondary power depending on driving conditions. For example, when stopped at a light, the vehicle shifts from an internal combustion engine to electric power and then back again upon acceleration. In addition, the batteries are re-charged during operation, eliminating the need for an external charger. This is new technology and the result of years of hard work.

I would like to see my colleagues join me in passing legislation to create a tax credit that would encourage consumers to purchase hybrid vehicles. I have known for years that this technology would become available and I have been looking for the right opportunity to draft legislation that would help put hybrid vehicles on our roads. I think that there are two components that must be addressed in a tax credit bill. To begin, I firmly believe that we must reward the integration of the technology into the vehicle with a base credit. In addition, however, I feel strongly that an important goal that must be achieved through legislation is to reward a vehicle that significantly decreases the amount of fuel consumed. I have proposed a plan that provides both a base credit of up to $2000 for the use of the technology, as well as a bonus credit, up to $1000, calculated based upon the lifetime fuel savings of the vehicle.

I think that this approach is a sound one. Placing the emphasis on gallons saved speaks directly to the importance of conservation and with our country facing an energy crisis is critical. And I also know that the biggest improvements in the reduction of fuel consumption will come from getting larger volumes of hybrid vehicles into the hands of consumers.

But in crafting this legislation, there are certain realities that we must accept. Today, there is a significant portion of the population that wants to drive a larger vehicle. This is America and people are entitled to personal choice. It is for this reason that I applaud the efforts of car manufacturers who have chosen to place hybrid technology in larger vehicles and SUV's. For example, DaimlerChrysler has committed to hybridizing the popular Dodge Durango with the vehicle scheduled to come on like in 2003 and this will bring a 20 percent improvement in fuel consumption.

I am also aware that others have advocated different approaches to crafting legislation that creates a tax credit for hybrid vehicles. My colleague Senator HATCH has introduced a bill, S. 760, that would provide a tax credit for hybrid vehicles as well as other advanced motor vehicle technologies. While his bill provides a base credit, up to $1,000, for the inclusion of hybrid technology, the bonus credit in this bill, up to $3,000, is calculated depending upon the fuel economy performance of the vehicle.

In addition to the Hatch bill and the administration's general statements, members of the automobile industry as well as environmentalists are also engaged in discussions to draft language that will create an incentive for consumers to purchase a hybrid vehicle. In the next few weeks, we need to have a thorough discussion among members of the automobile industry and environmentalists so that we can reach consensus on the language of this important legislation and move forward to passage of a bill. There is not just one approach that solves the problem and I am prepared to listen to all views. I hope that the other stakeholders are also ready to work for a compromise. While we may differ on our approach to drafting the legislation, I am sure that we can all agree that the goal should be passage of legislation that creates a tax credit for hybrid vehicles and provides the necessary encouragement to bring this important technology into the marketplace.

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 last month. 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 heinous crime that occurred December 12, 1999 in Washington County, PA. Three men who went to an adult bookstore to rob a gay man now face charges of kidnapping, robbery, aggravated assault, murder, tampering with evidence, and one count of conspiring to commit those crimes in the disappearance of Ira Swearingen, 49, a medical consultant from Stout, NV. The gruesome details of the abduction, beating, and murder of Swearingen were revealed in court. After being abducted, Swearingen was stuffed inside the trunk of his rental car, during which time, one of the perpetrators said ''Did ya hear it? I broke his jaw.'' Another perpetrator heard gurgling of blood and heard the victim screaming. They yelled ''Shut up faggot! Shutup, pickle.'' Later, the victim was driven to an isolated area, forced to strip and marched into the woods as he pleaded for his life at which point, one perpetrator testified, he shot the victim between the eyes at close range.

I believe the 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, Tuesday, May 15, 2001, the Federal debt stood at $5,651,674,551,618.32, five trillion, six hundred fifty-one billion, six hundred seventy-four million, five hundred fifty-one thousand, six hundred eighteen dollars and thirty-two cents.

One year ago, May 15, 2000, the Federal debt stood at $5,665,245,000,000, five trillion, six hundred sixty-five billion, two hundred forty-five million.

Five years ago, May 15, 1996, the Federal debt stood at $5,115,694,000,000, five trillion, one hundred fifteen billion, six hundred ninety-four million.

Ten years ago, May 15, 1991, the Federal debt stood at $3,460,389,000,000, three trillion, four hundred sixty billion, three hundred eighty-nine million.

Fifteen years ago, May 15, 1986, the Federal debt stood at $2,030,072,000,000, two trillion, thirty billion, seventy-two million, which reflects a debt increase of more than $3.5 trillion, $3,621,602,551,618.32, three trillion, six hundred twenty-one billion, six hundred two million, five hundred fifty-one thousand, six hundred eighteen dollars and thirty-two cents during the past 15 years.

ADDITIONAL STATEMENTS

TRIBUTE TO S. ROBERT LEVINE

• Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to S. Robert Levine of Stratham, NH for being honored as a significant contributor to New Hampshire's growth and development.

Robert co-founded Cabletron Systems, Inc., in 1983, expanding the computer networking company into a $1.5 billion corporation employing more than 6,000 people in 110 offices throughout the world. He was the recipient of the ''Entrepreneur of the Year'' award by Inc. Magazine in 1991, and was included among the Nation's wealthiest people on the ''Forbes 400'' list for several years.

Robert also has operated his own business, Robert Associates, in Natick, MA, selling cable products. He earned a B.S. in Business Management from the University of Miami, FL.

Robert Levine has been a generous supporter whose personal gifts include millions of dollars for police departments, schools and hospitals. One of his largest gifts funds cancer research at a teaching hospital in Worcester, MA.

Robert Levine has served the people of the State of New Hampshire with dedication and generosity. His contributions to the business and charitable communities of our State have been exemplary. I commend him for his philanthropy to our State and country. It is an honor and a privilege to represent him in the United States Senate.●

IN RECOGNITION OF NEIGHBOR DAY

● Mr. REED. Mr. President, I rise today to acknowledge the endeavors of the citizens and Town Council of Westerly, RI, in establishing and promoting Neighbor Day. Neighbor Day is an opportunity to learn more about others in our communities. It is also a celebration of friendship, civility, peace and cooperation. Since 1993, when a dispute between two teenagers left one youth dead and another charged with murder, Westerly has celebrated Neighbor Day in an effort to prevent similar tragedies at home and throughout the world.

Westerly's tradition has been adopted throughout my state. The Rhode Island General Assembly in 1999 designated the Sunday before Memorial Day as Neighbor Day for annual statewide observance. It is the hope of the citizens of Westerly that Neighbor Day will gain nationwide and worldwide recognition, and that its ideals—community, tolerance, and nonviolence—will one day become a reality for all.

I hope my colleagues will join with me in recognizing Westerly's achievement in encouraging friendship and respect among all people.

I ask that following this statement the resolution of the Rhode Island General Assembly, declaring statewide recognition of Neighbor Day, be printed in the RECORD.

SENATE RESOLUTION DECLARING MAY 19, 1996 TO BE NEIGHBOR DAY IN RHODE ISLAND

Whereas, Go out of your way to get in touch with your neighbors. Ring doorbells and say ''Hello.'' These are but some of the things we each can do to learn more about the people in our communities; and

Whereas, In 1993, Westerly became the first town in the Ocean State to declare the Sunday before Memorial Day to be Neighbor Day, and the State of Rhode Island swiftly followed its splendid example. Hopefully national and international recognition of this special day will make its ideals a reality for all; and

Whereas, While respect and justice for all is often upon our lips, it will take a strong personal commitment by each and every one of us to actualize this dream; now, therefore, be it

Resolved, That this Senate of the State of Rhode Island and Providence Plantations hereby declares May 19, 1996 to be Neighbor Day in Rhode Island. It is so important that all Rhode Islanders learn that the most important moral obligation we all share is to ''Love Thy Neighbor''; and be it further

Resolved, That the Secretary of State be and he hereby is authorized and directed to transmit a duly certified copy of this resolution to Mary Jane DiMaio, MJD Enterprises.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, 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 sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 3:17 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. 586. An act to amend the Internal Revenue Code of 1986 to provide that the exclusion from gross income for foster care payments shall also apply to payments by qualified placement agencies, and for other purposes.

H.R. 1696. An act to expedite the construction of the World War II memorial in the District of Columbia.

H.R. 1727. An act to amend the Taxpayer Relief Act of 1997 to provide for consistent treatment of survivor benefits for public safety officers killed in the line of duty.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 428) concerning the participation of Taiwan in the World Health Organization.

The message further announced that pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431), as amended by Public Law 106–55, the Speaker reappoints the following member on the part of the House of Representatives to the Commission on International Religious Freedom for a term of 2 years: Ms. Nina Shea of Washington, DC.

The message also announced that pursuant to section 4 of the Congressional Award Act (2 U.S.C. 803), the Majority Leader appoints the following Member of the House of Representatives to the Congressional Award Board: Ms. JACKSON-LEE of Texas.

At 4:21 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 bill, in which it requests the concurrence of the Senate:

H.R. 1836. An act to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1836. An act to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002.

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–1860. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the annual report relative to the Department's enforcement activities under statute during calendar year 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–1861. A communication from the Acting Assistant Secretary of Defense, Command, Control, Communications, and Intelligence, transmitting, pursuant to law, the Chief Information Officer Annual Information Assurance Report for Fiscal Year 2000; to the Committee on Armed Services.

EC–1862. 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 Interim Approval Requirements'' (FRL6980–6) received on May 10, 2001; to the Committee on Environment and Public Works.

EC–1863. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Disaster Assistance; Public Assistance Program Community Disaster Loan Program'' (RIN3067–AD20) received on May 14, 2001; to the Committee on Environment and Public Works.

EC–1864. A communication from the Acting Assistant Secretary of the Office of Health Standards Programs, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Occupational Exposure to Cotton Dust—Amendment; Partial Exemption for Batch-Kier Washed Cotton'' (RIN1218–AB90) received on May 14, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–1865. A communication from the Director of Regulation Policy and Management, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Secondary Direct Food Additives Permitted in Food for Human Consumption'' (Doc. No. 00F–1487) received on May 14, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–1866. A communication from the General Counsel of the Office of Management and Budget, transmitting, pursuant to law, the report of a vacancy, nomination, and a change in the previously submitted report information for the position of Administrator of the Office of Federal Procurement Policy, Office of Management and Budget; to the Committee on Governmental Affairs.

EC–1867. A communication from the Deputy Director of the Institute of Museum and Library Services, transmitting, pursuant to law, the Annual Program Performance Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1868. A communication from the Chairman of the United States International Trade Commission, transmitting, the report of the Office of Inspector General for the period October 1 through March 31, 2001; to the Committee on Governmental Affairs.

EC–1869. A communication from the Attorney-Advisor of the Common Carrier Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the Local Competition Provisions in the Telecommunications Act of 1996; Intercarrier Compensation for ISP-Bound Traffic, CC Doc. Nos. 96–98, 98–68, Order on Remand and Report and Order'' (FCC 01–131) received on May 9, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1870. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Reexamination of the Comparative Standards for Noncommercial Educational Applicants'' (Doc. No. 95–31) received on May 9, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1871. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Memorandum Opinion and Order on Reconsideration, Establishment of Class A Television Service'' (Doc. No. 00–10) received on May 9, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1872. A communication from the Special Assistant to the Bureau Chief, 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; Aberdeen, Elma and Montesano, Washington'' (Doc. No. 00–13) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1873. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations; Lubbock, TX'' (Doc. No. 01–17) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1874. A communication from the Special Assistant to the Bureau Chief, 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; Brighton and Stowe, Vermont'' (Doc. No. 00–134) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1875. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations; Eugene, OR'' (Doc. No. 01–16) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1876. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations; Albuquerque, NM'' (Doc. No. 01–28) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1877. A communication from the Special Assistant to the Bureau Chief, 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; Wickenburg, Bagdad and Aguila, AZ'' (Doc. No. 00–166) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1878. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class D and Class E Airspace; Oxford, CT'' ((RIN2120–AA66)(2001–0084)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1879. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Ogallala, NE; Correction'' ((RIN2120–AA66)(2001–0082)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1880. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Grant, NE'' ((RIN2120–AA66)(2001–0083)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1881. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establish Class E Airspace; Culpeper, VA'' ((RIN2120–AA66)(2001–0080)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1882. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revocation of Class E Airspace; Gage, OK'' ((RIN2120–AA66)(2001–0081)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1883. 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: Airbus Model A340 Series Airplanes Equipped with CFM International CFM56–5C Engines'' ((RIN2120–AA64)(2001–0210)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1884. 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 DC 8 Series Airplanes'' ((RIN2120–AA64)(2001–0209)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1885. 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 DC 8 Series Airplanes'' ((RIN2120–AA64) (2001–0208)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1886. 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 DC 8 Series Airplanes'' ((RIN2120–AA64) (2001–0207)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1887. 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 DC 8 Series Airplanes'' ((RIN2120–AA64) (2001–0206)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1888. 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: Boeing Model 707 and 720 Series Airplanes'' ((RIN2120–AA64) (2001–0203)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1889. 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: Boeing Model 777–200 Series Airplanes'' ((RIN2120–AA64) (2001–0204)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1890. 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: Gulfstream Model G 1159, G 1159A, G 1159B, G IV, and G V Series Airplanes'' ((RIN2120–AA64) (2001–0205)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1891. 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: P and W PW4000 Series Turbofan Engines'' ((RIN2120–AA64) (2001–0199)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1892. 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: Dornier Model 328–300 Series Airplanes Equipped with Motive Flow Check Valves Having Part Number 106–6007–01'' ((RIN2120–AA64) (2001–0200)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1893. 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: Airbus Model A330 and A340 Series Airplanes'' ((RIN2120–AA64) (2001–0201)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1894. 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: Sikorsky Aircraft Model S–76A Helicopters'' ((RIN2120–AA64) (2001–0202)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1895. 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: MD Helicopters Inc Model MD–900 Helicopters'' ((RIN2120–AA64) (2001–0198)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1896. 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: Airbus Model A300 B4–620, A310–203, A310–221, and A310–222 Series Airplanes'' ((RIN2120–AA64) (2001–0197)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1897. 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: Boeing Model 757–200 and –300 Series Airplanes'' ((RIN2120–AA64) (2001–0194)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1898. 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: Raytheon Aircraft Company Beech Models 35–C33A, E33A, E33C, F33A, F33C, S35, V35, V35A, V35B, 36 and A36 Airplanes'' ((RIN2120–AA64) (2001–0196)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1899. 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: JanAero Devices 14D11 and 23D04 Series Fuel Regulator and Shutoff Valves'' ((RIN2120–AA64) (2001–0195)) received on May 10, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1900. A communication from the Acting Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Domestic Fisheries Division, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States ; Final 2001 Specifications for the Atlantic Bluefish Fishery; Regulatory Amendment'' (RIN0648–AM47) received on May 14, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1901. A communication from the Secretary of the Interior, transmitting, pursuant to law, the reports of the service on the Marine Mammal Protection Act of 1972; to the Committee on Commerce, Science, and Transportation.

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–53. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to prayer in public schools; to the Committee on the Judiciary.

SENATE RESOLUTION NO. 54

Whereas, The United States of America was founded by men and women with varied religious beliefs and ideals; and

Whereas, The First Amendment to the United States Constitution states that ''Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof . . .,'' which means that the government is prohibited from establishing a state religion. However, no barriers shall be erected against the practice of any religion; and

Whereas, The establishment clause of the First Amendment was not drafted to protect Americans from religion. Rather, its purpose was clearly to protect Americans from governmental mandates with respect to religion; and

Whereas, The Michigan Senate strongly believes that reaffirming a right to voluntary, individual, unorganized, and nonmandated prayer in public schools is an important element of religious choice guaranteed by the Constitution, and will reaffirm those religious rights and beliefs upon which the nation was founded: Now, therefore, be it

Resolved by the Senate, That the members of this legislative body memorialize the Congress of the United States to strongly support voluntary, individual, unorganized, and nonmandatory prayer in the public schools of this nation; and be it further

Resolved, That a copy 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.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on Finance, without amendment:

S. 896: An original bill to provide for reconciliation pursuant to section 103 of the concurrent resolution on the budget for fiscal year 2002 (H. Con. Res. 83).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of the committee were submitted:

By Mr. MURKOWSKI for the Committee on Energy and Natural Resources.

Bruce Marshall Carnes, of Virginia, to be Chief Financial Officer, Department of Energy.

David Garman, of Virginia, to be an Assistant Secretary of Energy (Energy Efficiency and Renewable Energy).

Francis S. Blake, of Connecticut, to be Deputy Secretary of Energy.

Robert Gordon Card, of Colorado, to be Under Secretary of Energy.

(The above nominations were reported with the recommendation that they be confirmed subject to the nominees' 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. REID (for himself and Mr. MCCAIN):

S. 893. A bill to establish the National Boxing Commission, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HELMS (for himself, Mr. LIEBERMAN, Mr. SANTORUM, Mr. GRAHAM, Mr. TORRICELLI, Mr. ENSIGN, Mr. ALLEN, Mr. CRAIG, Mr. NELSON of Florida, Mr. SHELBY, Mr. SMITH of New Hampshire, Mr. SMITH of Oregon, and Mr. REID):

S. 894. A bill to authorize increased support to the democratic opposition and other oppressed people of Cuba to help them regain their freedom and prepare themselves for a democratic future, and for other purposes; to the Committee on Foreign Relations.

By Mr. KERRY (for himself and Mr. FRIST):

S. 895. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for research related to developing vaccines against widespread diseases and ensure that such vaccines are affordable and widely distributed; to the Committee on Finance.

By Mr. GRASSLEY:

S. 896. An original bill to provide for reconciliation pursuant to section 103 of the concurrent resolution on the budget for fiscal year 2002 (H. Con. Res. 83); from the Committee on Finance; placed on the calendar.

By Mr. BAUCUS (for himself, Mr. JEFFORDS, Mr. ALLARD, Mr. LEAHY, and Mr. LEVIN):

S. 897. A bill to amend title 39, United States Code, to provide that the procedures relating to the closing or consolidation of a post office be extended to the relocation or construction of a post office, and for other purposes; to the Committee on Governmental Affairs.

By Mr. HATCH (for himself, Mr. DOMENICI, and Mr. DASCHLE):

S. 898. A bill to make technical amendments to the Radiation Exposure Compensation Act (42 U.S.C. 2210 note), provide compensation to certain claimants under such Act, and for other purposes; to the Committee on the Judiciary.

By Mr. BIDEN (for himself, Mr. HATCH, and Mr. ALLEN):

S. 899. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to increase the amount paid to families of public safety officers killed in the line of duty; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Mr. DORGAN, Mr. SCHUMER, Mrs. BOXER, and Ms. STABENOW):

S. 900. A bill to establish a Consumer Energy Commission to assess and provide recommendations regarding recent energy price spikes from the perspective of consumers; to the Committee on Energy and Natural Resources.

By Mrs. BOXER:

S. 901. A bill to amend the Outer Continental Shelf Lands Act to direct the Secretary of the Interior to cease mineral leasing activity on the outer Continental Shelf seaward of a coastal State that has declared a moratorium on mineral exploration, development, or production activity in State water; to the Committee on Energy and Natural Resources.

By Mr. THURMOND (for himself, Mr. HATCH, Mr. SESSIONS, and Mr. SMITH of New Hampshire):

S. 902. A bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes; to the Committee on the Judiciary.

By Mr. ALLARD:

S. 903. A bill to amend the Cache La Poudre River Corridor Act to make technical

amendments; to the Committee on Energy and Natural Resources.

By Ms. COLLINS (for herself, Mr. WARNER, Ms. LANDRIEU, Mr. COCHRAN, Mr. ALLEN, and Mr. HATCH):

S. 904. A bill to amend the Internal Revenue Code of 1986 to provide an above-the-line deduction for qualified professional development expenses of elementary and secondary school teachers and to allow a credit against income tax to elementary and secondary school teachers who provide classroom materials; to the Committee on Finance.

By Mr. HARKIN (for himself, Mr. KERRY, Mr. DASCHLE, Mr. KENNEDY, Mr. REID, Mr. JOHNSON, and Mr. LEVIN):

S. 905. A bill to provide incentives for school construction, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM (for himself, Mr. BAYH, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. CARPER, Mr. CLELAND, Mrs. CLINTON, Mr. CRAIG, Mr. CRAPO, Mr. DEWINE, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRASSLEY, Mr. HAGEL, Mr. HATCH, Mr. HOLLINGS, Mr. INHOFE, Mr. INOUYE, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. MCCAIN, Ms. MIKULSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. REID, Mr. ROCKEFELLER, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SMITH of Oregon, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. THOMAS, Mr. THURMOND, Mr. TORRICELLI, Mr. VOINOVICH, Mr. WARNER, Mr. WELLSTONE, and Mr. WYDEN):

S. Res. 90. A resolution designating June 3, 2001, as ''National Child's Day''; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 88

At the request of Mr. ROCKEFELLER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 88, a bill to amend the Internal Revenue Code of 1986 to provide an incentive to ensure that all Americans gain timely and equitable access to the Internet over current and future generations of broadband capability.

S. 171

At the request of Mr. DORGAN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 171, a bill to repeal certain travel provisions with respect to Cuba and certain trade sanctions with respect to Cuba, Iran, Libya, North Korea, and Sudan, and for other purposes.

S. 201

At the request of Mr. WARNER, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 201, a bill to require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws, and for other purposes.

S. 284

At the request of Mr. MCCAIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 284, a bill to amend the Internal Revenue Code of 1986 to provide incentives to expand health care coverage for individuals.

S. 452

At the request of Mr. MURKOWSKI, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 452, a bill to amend title XVIII of the Social Security Act to ensure that the Secretary of Health and Human Services provides appropriate guidance to physicians, providers of services, and ambulance providers that are attempting to properly submit claims under the medicare program to ensure that the Secretary does not target inadvertent billing errors.

S. 468

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 468, a bill to designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the ''James C. Corman Federal Building.''

S. 580

At the request of Mr. HUTCHINSON, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 580, a bill to expedite the construction of the World War II memorial in the District of Columbia.

S. 582

At the request of Mr. GRAHAM, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 582, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option to cover certain legal immigrants under the medicaid and State children's health insurance program.

S. 592

At the request of Mr. SANTORUM, the names of the Senator from New Hampshire (Mr. SMITH,) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 592, a bill to amend the Internal Revenue Code of 1986 to create Individual Development Accounts, and for other purposes.

S. 697

At the request of Mr. BAUCUS, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 697, a bill to modernize the financing of the railroad retirement system and to provide enhanced benefits to employees and beneficiaries.

S. 706

At the request of Mr. KERRY, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 706, a bill to amend the Social Security Act to establish programs to alleviate the nursing profession shortage, and for other purposes.

S. 742

At the request of Mr. GRASSLEY, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Hawaii (Mr. INOUYE), the Senator from New Hampshire (Mr. SMITH), the Senator from Missouri (Mr. BOND), and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of S. 742, a bill to provide for pension reform, and for other purposes.

S. 749

At the request of Mr. FITZGERALD, the names of the Senator from Florida (Mr. NELSON) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 749, a bill to provide that no Federal income tax shall be imposed on amounts received by victims of the Nazi regime or their heirs or estates, and for other purposes.

S. 782

At the request of Mr. INOUYE, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 782, a bill to amend title III of the Americans with Disabilities Act of 1990 to require, as a precondition to commencing a civil action with respect to a place of public accommodation or a commercial facility, that an opportunity be provided to correct alleged violations, and for other purposes.

S. 790

At the request of Mr. BROWNBACK, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 790, a bill to amend title 18, United States Code, to prohibit human cloning.

S. 795

At the request of Mr. THOMPSON, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 795, a bill to amend the Internal Revenue Code of 1986 to permit the consolidation of life insurance companies with other companies.

S. 805

At the request of Mr. WELLSTONE, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor 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, facioscapulohumeral, myotonic, oculopharyngeal, distal, and emery-dreifuss muscular dystrophies.

S. 823

At the request of Mr. GRAHAM, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 823, a bill to assure access under group health plans and health insurance coverage to covered emergency medical services.

S. 824

At the request of Mr. GRAHAM, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from West Virginia (Mr . ROCKEFELLER) were added as cosponsors of S. 824, a bill to establish an informatics grant program for hospitals and skilled nursing facilities.

S. 828

At the request of Mr. LIEBERMAN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 828, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for certain energy-efficient property.

S. 839

At the request of Mrs. HUTCHISON, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 839, a bill to amend title XVIII of the Social Security Act to increase the amount of payment for inpatient hospital services under the medicare program and to freeze the reduction in payments to hospitals for indirect costs of medical education.

S. 866

At the request of Mr. REID, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 866, a bill to amend the Public Health Service Act to provide for a national media campaign to reduce and prevent underage drinking in the United States.

S. 881

At the request of Mr. HATCH, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 881, a bill to amend the Taxpayer Relief Act of 1997 to provide for consistent treatment of survivor benefits for public safety officers killed in the line of duty.

S. RES. 71

At the request of Mr. BINGAMAN, his name was added as a cosponsor of S. Res. 71, a resolution expressing the sense of the Senate regarding the need to preserve six day mail delivery.

S. CON. RES. 3

At the request of Mr. FEINGOLD, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. Con. Res. 3, a concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the U.S.S. *Wisconsin* and all those who served aboard her.

S. CON. RES. 9

At the request of Mr. HARKIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Con. Res. 9, a concurrent resolution condemning the violence in East Timor and urging the establishment of an international war crimes tribunal for prosecuting crimes against humanity that occurred during that conflict.

AMENDMENT NO. 425

At the request of Mr. SCHUMER, his name was added as a cosponsor of amendment No. 425.

At the request of Ms. MIKULSKI, her name was added as a cosponsor of amendment No. 425, supra.

At the request of Ms. COLLINS, her name was added as a cosponsor of amendment No. 425, supra.

At the request of Mr. REED, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of amendment No. 425, supra.

AMENDMENT NO. 524

At the request of Mr. CORZINE, his name was added as a cosponsor of amendment No. 524.

AMENDMENT NO. 563

At the request of Mr. ENSIGN, his name was added as a cosponsor of amendment No. 563.

At the request of Mr. DODD, his name was added as a cosponsor of amendment No. 563, supra.

AMENDMENT NO. 648

At the request of Mr. HELMS, the names of the Senator from New Hampshire (Mr. SMITH), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of amendment No. 648.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HELMS (for himself, Mr. LIEBERMAN, Mr. SANTORUM, Mr. GRAHAM, Mr. TORRICELLI, Mr. ENSIGN, Mr. ALLEN, Mr. CRAIG, Mr. NELSON of Florida, Mr. SHELBY, Mr. SMITH of New Hampshire, Mr. SMITH of Oregon, and Mr. REID.)

S. 894. A bill to authorize increased support to the democratic opposition and other oppressed people of Cuba to help them regain their freedom and prepare themselves for a democratic future, and for other purposes; to the Committee on Foreign Relations.

Mr. HELMS. Mr. President, it is an honor to be joined today by Senator LIEBERMAN and eight other distinguished Senators in the sponsorship of the Cuban Solidarity Act which is intended to be a blueprint for a more vigorous U.S. policy to liberate the now enslaved island of Cuba.

This measure, S. 894, is the companion to House bill No. 1271 sponsored by Representative LINCOLN DIAZ-BALART and 95 other Members of the House of Representatives.

Whether one supports the current embargo on the Castro regime or not, we should all agree that we can and must do more to help those struggling for freedom today in Cuba. That is the aim of the Cuban Solidarity Act, and that is why I ask Senators on both sides of the embargo issue to consider supporting this bill on its merits.

The embargo is not a policy, it is merely a policy tool, and the U.S. policy should be to put an end to Fidel Castro's stranglehold on the Cuban people and end his brutal dictatorship—and the sooner the better.

The Cuban Solidarity Act will authorize $100 million in U.S. assistance to the Cuban people over 4 years. It also will mandate a proactive U.S. policy to support the internal opposition to Castro in Cuba. This strategy, by the way, is modeled after the decisive U.S. support for the Polish Solidarity movement back in the 1980s.

With the enactment of the legislation, the U.S. Government will move beyond merely isolating the Fidel Castro regime. Indeed, we can undermine Castro's isolation and oppression of the Cuban people by finding bold, proactive, and creative programs to help those who are working for change on the island of Cuba. This can be achieved by giving the President a mandate to increase all forms of U.S. support for prodemocracy and human rights activists in Cuba.

This support may include food, medicines, office supplies, books, educational materials, telephones, FAX machines, or other material or financial support. And recipients may include political prisoners or their families, persecuted dissidents, labor rights activists, economists, journalists, and others working for peaceful change.

Such support will encourage independent libraries, independent agricultural cooperatives, so-called microenterprises run by self-employed Cubans, or U.S.-based exchange and scholarship programs. In addition, this measure will support nongovernmental charitable programs, such as senior citizen centers, free clinics, or soup kitchens.

For Senators who are not fans of foreign aid—and I am among them—I am obliged nevertheless to acknowledge that the investment the United States made in the liberation of Eastern Europe has yielded immeasurable benefits. That is precisely what we propose to do with and to Cuba. Our businesses and our farmers stand to benefit once the Cuban people can begin to reconstruct their economy. This, of course, cannot happen until the Cuban people can shed themselves of the Marxist regime now in power in Cuba that is bankrupt in every sense of the word.

While the pending bill neither tightens nor loosens the embargo on the Cuban regime—that is to say, the Fidel Castro regime—it will allow President Bush to license private donations from Americans to independent Cuban groups and to independent self-employed Cubans. The President can license the importation into the United States of goods made by independent, self-employed Cubans. These potential beneficiaries and activities have in common the intent and purpose to promote freedom and independence from

the ruthless Fidel Castro regime that now uses hunger and fear to keep the people of Cuba under control.

Critics of this bill may contend that this high-profile support will give Castro an excuse to harass and jail dissidents for receiving foreign support. But the sad truth is that Fidel Castro is already tormenting his own people, systematically and relentlessly.

Furthermore, if courageous Cuban dissidents choose to stand up for their God-given rights and look to us for moral or material support, certainly we should not turn our backs on them. Let Castro do his worst. Let us do our best. Let others waste their energy trying to engage the wornout, cruel dictator, Fidel Castro. The United States will be engaging the other 11 million souls on the island of Cuba who have suffered persecution for too long already.

President Bush already has broad authority to initiate many of the programs prescribed by this bill, and I anticipate that he may do so. He should begin by instructing all relevant U.S. agencies to increase support to democratic opposition groups on the island of Cuba.

For example, the U.S. Agency for International Development has been providing support to U.S. groups promoting democracy and human rights in Cuba. Under the Clinton administration, this program amounted to little more than ''window dressing.'' Hardly anything was done about it. Under President Bush, it must have more personnel, more money, and more room to maneuver around the Fidel Castro regime.

Now other steps are prescribed by this proposed legislation, and they are steps that President Bush can take this day, right now. For example, the proposed act also urges multilateral diplomacy calling on the Cuban Government to respect human rights, free political prisoners, legalize political parties, allow independent trade unions, and submit to internationally monitored free elections, none of which Fidel Castro has permitted since he took over the island of Cuba.

The pending legislation urges the ''freedom broadcasting'' stations, known as Radio and Television Marti and the Voice of America, to take steps to overcome Castro's jamming of the power of those stations so that their excellent programming will be available throughout the island.

The act also urges the President of the United States to instruct the Attorney General to bring to justice those Cubans involved in the February 1996 shoot-down of four innocent pilots on a humanitarian mission over international waters.

Pending indictments also tell us that Castro and his cronies are up to their noses in cocaine smuggling. It is high time for Fidel Castro to be held accountable for that crime and his many other crimes.

The act also mandates an international campaign to remind the world every day of Castro's abuse of human rights, workers' rights, the independent press, and religious freedom of the Cuban people.

The act also requires an indepth review of all of Fidel Castro's threats to U.S. security posed by his espionage and his relentless quest for unconventional weaponry.

This coming Sunday, May 20, will mark Cuba's independence day. Few Americans know that the United States played a pivotal role in helping Cubans win their independence from Spain back in 1902. Today, our Nation is called upon to keep faith with those Cuban mothers who want to raise their children with the best values, and with Cuban fathers who want to see their families thrive and prosper, and for little Cuban children who deserve a better future than they now have.

The Cuban Solidarity Act is a blueprint for a principled, proactive policy aimed at liberating Cuba. We will be keeping faith with the Cuban people.

I thank the Chair and yield the floor.

By Mr. KERRY (for himself and Mr. FRIST):

S. 895. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for research related to developing vaccines against widespread diseases and ensure that such vaccines are affordable and widely distributed; to the Committee on Finance.

Mr. KERRY. Mr. President, last month at the African Summit on AIDS in Nigeria, the Secretary General of the U.N., Kofi Annan, called upon the international community to establish a new multibillion-dollar global fund to combat AIDS and other infectious diseases, such as tuberculosis and malaria. He estimates that $7 billion to $10 billion annually will be needed to fight the global pandemic of HIV/AIDS on all fronts—prevention, care, and treatment. This call reflects the magnitude of the challenge before all of us.

The AIDS crisis has never been so devastating or so urgent as it is today. In less than two decades, AIDS has become a global epidemic, endangering the lives of millions of people, the majority of them in developing countries. It has proved more devastating than wars. In 1998, in Africa, 200,000 people died in armed conflict, but in the same time, 2.2 million people died from AIDS.

It is destroying the economies of many developing countries at a critical juncture, unacceptable as that level of death would be at any time, and it is reversing half a century of developmental gains.

Even more importantly, AIDS has emerged as an international security threat with the ability to destroy communities, whole generations, and even nations. Just recently, the Bush administration continued what the Clinton administration had done, which is recognizing it as a security threat to the United States of America.

The statistics are chilling. Over 36.1 million people are living with HIV/AIDS around the world. According to the United Nations, every 60 seconds, 11 people contract HIV due mostly to unprotected sex, but also to intravenous drugs. At the end of the day today, 14,500 more men, women, and children will be infected with HIV. Over 13 million children have been orphaned by AIDS.

Africa is hardest hit by this epidemic today. Eight African countries are struggling under the weight of a disease that has infected 15 percent of their adult populations. Three African countries—South Africa, Botswana, and Zimbabwe—are threatened with negative population growth in the next few years, and if a cure is not found, that will happen.

I know it is difficult for any of us to imagine the enormity of the human suffering that goes along with these statistics, but it is important that we as policymakers do not shy away from understanding the terrible impact AIDS is having on a global basis.

In South Africa, which is at the epicenter of this global epidemic, 25 percent of adults, one in every nine South Africans, are now living with HIV. U.N. officials estimate that if the epidemic continues to spread at its current pace, close to one-half of the country's 15-year-olds will die of AIDS-related illnesses in the coming years—one-half of all the 15-year-olds. This represents an entire generation of South Africans.

While Africa is bearing the brunt of the epidemic today, there are strong signs that Asia will soon fall under the same inconceivable burden. Infection rates are climbing in Asia with countries such as India on the brink of a large-scale expansion of the epidemic. Currently, almost 4 million people in India are infected—second only to South Africa in total number of infections.

In a country with one-sixth the world's population, the AIDS pandemic in India is of particular concern to us. According to the International AIDS Vaccine Initiative, it is making clear inroads into the general population. As with many countries affected by HIV/AIDS, many of the high-risk groups, such as commercial sex workers, intravenous drug users, truckers, and migrant workers, all of whom have high infection rates, end up spreading HIV at alarming rates as globalization and the market economies continue to put pressure on the movement of migrant populations of workers.

Prevention efforts in India face many of the same obstacles as in many developing countries. These include high illiteracy rates, widespread poverty,

very poor infrastructure, the low status of women, and taboos on talking about issues of sexuality.

In East Asia, more than 2.4 million people are already infected with the HIV virus, and an estimated 150,000 children have been orphaned. While China does not yet have the same infections as India, Chinese researchers estimate that the number of HIV-infected people could jump to 10 million in a few years.

Countries of the former Soviet Union and Eastern Europe are also vulnerable, with Russia experiencing the highest increase in infection rates in the world last year. The Russian Federation had more new HIV infections in 2000 than in all the previous years of the epidemic combined, totaling 700,000 infections in the year 2000, up from 170,000 in 1997.

Latin America and the Caribbean are also heading down the same path. In fact, some of the Caribbean island states have worse epidemics than any country outside of sub-Saharan Africa. Five percent of the adults in Haiti are living with AIDS.

Even these alarming statistics do not give a full picture of the scope of the HIV/AIDS threat. In fact, for many people in the developing world, AIDS is simply another burden on top of many others, such as poverty, armed conflict, and incomplete infrastructure.

By eating away at the social capital of many of these countries, AIDS is decimating the most productive members of society who are needed to solve many of the other problems in their nations.

In addition to the challenges posed by AIDS, malaria and tuberculosis are also exacting a tremendous toll on the developing world. In 1999, there were an estimated 8.4 million new tuberculosis cases, and 10.2 million new cases are expected in 2005 if present trends continue. Malaria also poses an increasing threat as well, killing at least 1 million people each year, about 3,000 people a day.

The spread of each of these infectious diseases is made worse by health systems' failure, population movement, deteriorating sanitation, and insufficient prevention and treatment efforts.

A human crisis of this proportion demands that we respond with urgency and thoughtfulness. We must continue to support robust prevention, treatment and care programs. But we must also recognize that vaccines are the most effective weapons in the arsenal of modern medicine to stop the threat of AIDS and other infectious diseases. Pharmaceutical companies, however, are reluctant to invest in research for vaccines to prevent HIV/AIDS and other infectious diseases because they fear they will not recover the expense of their research.

The bill that I am introducing today, along with my colleague Senator FRIST, is designed to address this problem by providing incentives for pharmaceutical and biotech research companies to accelerate their efforts to develop vaccines and microbicides to prevent AIDS, TB, malaria, and other deadly infectious diseases. It does this in three ways.

First, it provides a 30 percent tax credit each year on qualified research expenses to develop microbicides for HIV and vaccines for HIV, TB, malaria, and other infectious diseases that kill more than 1 million people annually. This is an expansion of the existing R&D tax and can be applied to clinical trials outside of the United States, since the majority of those infected with these diseases are beyond our borders.

Second, it provides a refundable tax credit to small biotechnology companies based on the amount of qualified research that they do in a given year. Biotech firms are among the most innovative when it comes to research. Increased research efforts by these firms could be instrumental to the effort to develop effective vaccines, particularly for HIV/AIDS.

Third, the bill provides a 100 percent tax credit on contracts and other arrangements for research and development of these vaccines and microbicides. This credit, which is an increase over the 65 percent credit now in the tax code, is designed to serve as an incentive to larger pharmaceutical companies to work hand in hand with the smaller biotech companies to pick up the pace of vaccine development.

Over the last year a number of pharmaceutical companies have taken steps to help in the treatment of those infected with AIDS by providing life-extending therapies to the developing world at reduced costs. These drugs are critically important but the war against AIDS cannot be won unless we develop vaccines against the HIV virus and related infectious diseases. The pharmaceutical and biotech companies hold the key.

Once vaccines are developed, it is imperative that they be widely distributed. The bill that I am introducing today with Senator FRIST also addresses the distribution side of the equation. It provides a 100 percent tax credit to companies on the sales of new vaccines and microbicides as long as those sales are made to a qualified international health organization or foreign government for distribution in developing countries. It also directs the Secretary of the Treasury to establish a fund in the Treasury for the purchase and distribution of eligible vaccines to developing countries. Finally, it urges continued U.S. government support for the Global Alliance for Vaccines and Immunizations, GAVI, and the Global Fund for Children's Vaccines.

Mr. President, many steps need to be taken in the war against AIDS and other infectious diseases. This bill focuses on only one area but a critically important one: vaccine development and distribution. If the public and private sectors work together with energy and commitment, I believe we can develop the vaccines and once developed, we will win the war.

It is easy for people in a country as rich as we are, as safe as we are, as blessed as we are to lose sight of what is happening on the rest of the planet. There are even some in this country who are quick to simply say: Well, it's their fault; it's the result of their sexual practices; it's the result of their values; it's the result of their culture.

It may well be that it is possible for people to cast a finger and to point blame, but this is a crisis of human proportions that affects all of us. It affects all of us because of the potential destabilization of whole nations with which we do business and on whom we must rely in a whole series of relationships.

It is also critical for us to understand the implications of this because in the world today there are no boundaries. This is a disease, and a disease has all the capacity to be carried across boundaries and become as important to us in this nation as it should have been already simply by virtue of the number of people in our country who are infected and who may potentially carry the disease elsewhere.

Yes, we must continue to support prevention; yes, we must continue to support treatment; and, yes, we must continue to support care programs. But I do not believe any of us can feel secure in the notion that there will be enough money, enough delivery systems, or that we will ever have the capacity to provide the kind of care, treatment, and prevention that will deal with the numbers about which we are talking in a global pandemic of this nature.

The most important tool, the most important weapon in the arsenal against this we have not even begun to use because we have not discovered it yet, and that is a vaccine. A vaccine can replace all of the need for infrastructure, except for the delivery of the vaccine, the need for care, the extraordinary burden on health care systems, and the incapacity of systems to deal with the sheer numbers we are facing.

There is a reason we do not have a vaccine. It is because there is no marketplace. All of these countries are poor, and the drug companies, by and large, have an incentive to provide the drugs that most rapidly remunerates them. We have Prozac, Viagra, and a host of other drugs that are quickly and easily put in the marketplace.

We need to create an incentive in the Tax Code to encourage research and development for the creation of an AIDS vaccine. Many of us are confident that if the United States were to create the

kind of energy in our research and development technology, in our education sector, we have the ability to provide the ultimate vaccine against this.

Senator FRIST, a colleague of enormous respect in this institution, as a physician is unparalleled in his understanding of the difficulties of this issue.

I am proud that he is a cosponsor with me of this legislation. We are hoping our colleagues will join us next week when the tax bill comes to the floor in reconciliation. We have an opportunity to provide the small amount of money necessary through this tax structure to be able to create the vaccine that can help deal with this crisis.

Many steps are needed in the war against AIDS and other infectious diseases. This bill focuses on only one area, but it is a critically important one, vaccine development and distribution. If the public and private sectors work together with the energy and commitment that we produced for so many other things in this country, we can make a global contribution of historic proportions. I think we should strive to do nothing less than that.

I yield the floor.

Mr. FRIST. Mr. President, I am pleased to support of S. 895, the Vaccines for the New Millennium Act of 2001. In an age where antibiotics are taken for granted, we often forget that one fourth of all deaths worldwide, over 13 million people annually, are the result of infectious disease. In the next hour alone, 1,500 will die from an infectious disease such as AIDS, malaria, TB or pneumonia, over half those who die will be under the age of 5 years old.

The developing world suffers a disproportionate burden of infectious disease deaths, which destroy lives and perpetuate poverty and sickness, undermining gains in economic growth, education and life expectancy. Vaccines, the most cost-effective weapons in the fight against infectious diseases, have eradicated smallpox, nearly eliminated polio from the planet, and dramatically lowered measles rates.

Yet vaccines are not reaching all those who need them. The expanded use of currently available vaccines, such as those for tetanus, measles and hepatitis could save up to 4 million children every year. The U.S. heavily invests in immunization programs, providing over $100 million each year for polio eradication efforts and millions more to support other global vaccination programs. Recently, we joined the Gates Foundation and other governments to fund the Global Alliance for Vaccines and Immunization to help purchase and deliver the latest vaccines to the poorest countries.

But despite these programs, effective vaccines do not yet exist for malaria, TB, or AIDS, diseases that together kill nearly 6 million people each year. Unfortunately, research and development for diseases such as these, lag far behind the need. Of the $60 billion investment in health research by the public and private sectors, only 10 percent is allocated to the health needs of developing countries.

The National Institutes of Health is the global leader in searching for new vaccines for these diseases, but the job of NIH is science, not development and distribution of commodities such as vaccines. We must encourage increased attention by the private sector if vaccines for AIDS, Malaria and TB are to become a reality.

Research and development by both pharmaceutical and biotech companies have provided dramatic and lifesaving technologies and drugs that benefit millions here and abroad. Their efforts are the lynchpin that ensures recent advances in science reach the widest number of people. But companies are faced with a conundrum, how do they justify the hundreds of millions of dollars necessary to develop and license a vaccine, such as for TB, when the markets for those vaccines are primarily in the world's poorest countries, countries spending less than $10–20 per person on health care per year?

The Vaccines for the New Millennium Act of 2001, is an attempt to provide market incentives for both the large pharmaceutical industry and smaller biotech companies to accelerate development of vaccines for AIDS, malaria and TB, diseases that disproportionately affect developing countries.

The bill will provide incentives at multiple levels in the vaccine development process. It: provides a 30 percent tax credit for research and development expenditures for vaccines for malaria, TB, and AIDS; provides a refundable tax credit to biotech companies that are doing innovative research but are not yet making a profit; provides a 100 percent credit on sale of vaccines for these three diseases to poor countries. Over 10 years, this provision alone could provide as much as $1 billion in additional funding for pharmaceutical companies that develop vaccines for AIDS, malaria, and TB; authorizes a purchase fund for these three vaccines to be established after they become available to the market; and provides the same package of benefits to research and development of microbicides for HIV/AIDS—medications that would enable women to protect themselves from infection with the virus.

It is the objective of this bill to energize the public/private partnership that has helped the U.S. pharmaceutical industry become the world leader in innovation. By promoting increased R&D for diseases affecting the poorest countries, we will all benefit. There is a clear humanitarian and moral call to do what we can to provide safe and effective vaccines to save lives. But beyond this obligation, we cannot forget that infectious diseases do not respect borders. Until TB, malaria, and AIDS are eliminated, we all face the threat from diseases that should be rapidly relegated to the waste bin of history.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

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

VACCINES FOR THE NEW MILLENNIUM ACT OF 2001—SUMMARY

This bill has two purposes: to provide incentives to pharmaceutical and private sector biotech companies to accelerate research and development of vaccines and microbicides to prevent deadly infectious diseases such as HIV/AIDS, tuberculosis, and malaria, which kill some 5–6 million people annually; and to increase international access to vaccines and microbicides, once developed.

Incentives to Accelerated Research

1—INCREASED TAX CREDIT FOR VACCINE RESEARCH AND DEVELOPMENT

Provides a 30 percent tax credit on qualified research expenses to develop microbicides for HIV and vaccines for malaria, TB, HIV and other diseases that kill 1 million people or more annually. This is an expansion of the existing 20 percent Research and Development tax credit.

Mandates that a company file a research plan with the Secretary of the Treasury on these priority vaccines or microbicides before claiming the tax credit.

Allows the tax credit to be applied to the costs of clinical trials outside of the United States, because of the prevalence of malaria, TB, and HIV in developing countries. However, pre-clinical research must be conducted in the United States in order to claim the tax credit.

2—REFUNDABLE TAX CREDIT FOR SMALL, BIOTECH COMPANIES

Provides a refundable tax credit to small biotech companies based on the amount of qualified research that they a company does in a given year. This credit is designed to stimulate increased research among firms that often do the most innovative research.

Mandates that any firm receiving this credit put an equivalent amount of funds into research and development within 2 years of having received the credit. Such expenditures cannot be claimed under the tax credit for qualified vaccine research and development. Requires the Secretary of the Treasury to promulgate regulations to recapture the credit if a company fails to make these expenditures.

3—TAX CREDIT FOR RESEARCH CONTRACTED OUT

Provides a 100 percent tax credit on contracts and other arrangements for research and development on these priority vaccines and microbicides. This credit, an increase from the existing 65 percent, is designed as an incentive for larger firms to contract with smaller, vaccine research companies.

International Access to Vaccines and Microbicides

1—TAX CREDIT ON SALES OF VACCINES AND MICROBICIDES

Provides a 100 percent tax credit on the value of sales of new vaccines and microbicides for malaria, TB, and HIV and any other disease killing more than 1 million people annually. Sales must be made to a

qualified international health organization or foreign government for use in developing countries.

Limits the annual credit on such sales to $100 million through the years 2002–2006 and 125 million through the years 2007–2010.

2—ESTABLISHMENT OF LIFESAVING VACCINE PURCHASE FUND

Mandates the Secretary of the Treasury to establish a purchase fund in the Department of the Treasury at the time that an eligible vaccine is ready for purchase.

Authorizes the Secretary to use the fund to purchase vaccines and distribute those vaccines in developing countries.

3—OTHER MECHANISMS TO INCREASE ACCESS TO VACCINES

Requires a company that develops a vaccine or microbicide using the research and development credit to certify to the Secretary of the Treasury that it will establish a plan to maximize distribution of the vaccine or microbicide to developing countries. Such plan would not waive any rights to pricing, patent ownership or release of proprietary information.

Urges continued U.S. Government support for the Global Alliance for Vaccines and Immunizations, GAVI, and the Global Fund for Children's Vaccines.

By Mr. BAUCUS (for himself, Mr. JEFFORDS, Mr. ALLARD, Mr. LEAHY, and Mr. LEVIN):

S. 897. A bill to amend title 39, United States Code, to provide that the procedures relating to the closing or consolidation of a post office be extended to the relocation or construction of a post office, and for other purposes; to the Committee on Government Affairs.

Mr. BAUCUS. Mr. President, today I am pleased to re-introduce an important, common sense, community-based bill with my friend, Mr. JEFFORDS. That bill is the Post Office Community Partnership Act of 2001.

It is not by mistake that we offer this bill during National Historic Preservation Week. This week, sponsored by the National Trust for Historic Preservation, highlights the need to support the diversity and history of our communities and work to revitalize them.

A few years ago, we discovered that post offices throughout the country were not paying attention to local ideas and local needs before closing, relocating, consolidating, or constructing new facilities. I know of several examples in my home state of Montana. Post offices in Livingston and Red Lodge, for example, proposed changes that would have severely altered the downtown fabric of those communities. These small, rural towns have a Main Street by name and by function. It's on Main Street that people stop by the post office on the way to the bank or the grocery store. It's where they enjoy the chance to not only get all their ''in town'' chores done, but also interact with each other.

It's small town ''Main Streets'' all over the country that are threatened when post offices close or relocate. At a time when many rural communities are struggling, the closure or relocation of a Main Street post office is the sounding of a death knell.

Communities like Livingston and Red Lodge define our rural landscapes. They have been built around a cluster of essential services that ensure their vitality. Communities are unnecessarily hurt when cornerstone institutions, like post offices, close or relocate. People not only lose a gathering place, they lose an important element of their community.

There are certainly instances where closures, relocations, consolidations, and new construction are good choices for a community. This bill doesn't change that. What it does, is address those instances where people and communities have suffered because the Postal Service has made a decision without consulting with community members.

While the Postal Service has made some internal changes in the past couple of years to include more public involvement, I fear that new pressures on delivery service will tempt the Postal Service to focus on ways to meet their business needs, while belying the role they play in communities.

Today, Senator JEFFORDS and I are re-introducing legislation to ensure public participation in local post office decisions relating to closing, consolidation, relocation, or new construction. This bill isn't about imposing new mandates on the Postal Service. It's about honoring the role that the Postal Service plays in our towns and communities. It's about protecting a partnership that communities and the Postal Service have nurtured throughout the history of this country.

Indeed, partnership is what this bill is all about. Specifically, our bill outlines a process for community notification and involvement. It makes sure that a community's voice is heard. It requires the Postal Service to post notification of proposed facility changes. It specifies that local government officials be notified of the proposed changes at the same time as persons serviced by the local post office. And it requires the Postal Service to follow local public participation processes if they are more stringent than their own.

These common-sense provisions will ensure that communities continue to partner with the Postal Service and that both the Postal Service and our communities will continue to enjoy a mutually beneficial relationship.

I urge my colleagues to support Senator JEFFORDS and me in passing this important legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 897

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 ''Post Office Community Partnership Act of 2001''.

SEC. 2. PROCEDURES RELATING TO THE PROPOSED CLOSING, CONSOLIDATION, RELOCATION, OR CONSTRUCTION OF A POST OFFICE.

(a) APPLICABILITY.—Section 404(b) of title 39, United States Code, is amended—

(1) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively;

(2) by striking ''(b)(1)'' and inserting ''(2)''; and

(3) by inserting before paragraph (2) (as so redesignated) the following:

''(b)(1) This subsection shall apply in the case of any proposed closing, consolidation, relocation, or construction of a post office.''.

(b) ADVANCE NOTICE.—Paragraph (2) of such section 404(b) (as so redesignated) is amended to read as follows:

''(2)(A) The Postal Service, before making a determination under subsection (a)(3) as to the necessity for a proposed action described in paragraph (1), shall, in order to ensure that the persons, including local government officials, who are (or would be) served by the post office involved will have an opportunity to present their views, provide adequate notice of its intention to take such action with respect to such post office at least 60 days before—

''(i) in the case of the proposed construction of a post office, the date of the determination under subsection (a)(3); or

''(ii) in the case of an action other than the proposed construction of a post office, the proposed date of such action.

''(B) The requirements of this paragraph shall not be considered met unless the notice—

''(i) has, by the deadline specified in subparagraph (A)—

''(I) been hand delivered or delivered by mail to the persons required under subparagraph (A); and

''(II) been published once a week for at least 4 weeks in 1 or more newspapers regularly issued and of general circulation within the zip code areas which are (or would be) served by the post office involved; and

''(ii) includes a description of the action proposed to be taken with respect to the post office involved, a summary of the reasons for the proposed action, and the date on which such action is proposed to be taken (or, if the construction of a post office is involved, the proposed timetable therefor).''.

(c) CONSIDERATIONS.—Paragraph (3) of such section 404(b) (as so redesignated) is amended—

(1) in the matter before subparagraph (A), by striking ''to close or consolidate'' and inserting ''to take a proposed action with respect to'';

(2) by striking ''such closing or consolidation'' each place it appears and inserting ''such action'';

(3) in subparagraph (A)(i), by striking the semicolon and inserting '', taking into account (I) the extent to which the post office is part of a core downtown business area (if at all), and (II) the nature and the extent of any opposition within the community to the proposed action;'';

(4) in subparagraph (A)(ii), by striking ''Service employed at such office;'' and inserting ''Service;'';

(5) in subparagraph (A)(iv), by inserting ''quantified long-term'' before ''economic''; and

(6) in subparagraph (A), by striking ''and'' at the end of clause (iv), by redesignating clause (v) as clause (viii), and by inserting after clause (iv) the following:

''(v) any views or concerns expressed by any officials or other representatives of local government, including whether the proposed action is reasonable in light of local population projections;

''(vi) consistency with the size, scale, design, and general character of the surrounding community;

''(vii) whether all reasonable alternatives to such action have been explored; and''.

(d) NOTICE OF DETERMINATION.—Paragraph (4) of such section 404(b) (as so redesignated) is amended—

(1) by striking ''to close or consolidate'' and inserting ''to take a proposed action (described in paragraph (1)) with respect to'';

(2) by striking ''paragraph (2)'' and inserting ''paragraph (3)''; and

(3) by striking ''office.'' and inserting ''office (including by posting a copy of such determination in the post office or each post office serving the persons who will be affected by such action) and shall be transmitted to appropriate local officials.''.

(e) ADDITIONAL REQUIREMENTS.—Such section 404(b) is amended by adding at the end the following:

''(7) In any case in which a community has promulgated any procedures to address the relocation, closing, consolidation, or construction of buildings in the community, and the public participation requirements of those procedures are more stringent than those provided in this subsection, the Postal Service shall apply those procedures to the relocation, closing, consolidation, or construction of a post office in that community in lieu of applying the procedures established in this subsection.

''(8) In making a determination to relocate, close, consolidate, or construct any post office, the Postal Service shall comply with any applicable zoning, planning, or land use laws (including design guidelines, building codes, and all other provisions of law) to the same extent and in the same manner as if the Postal Service were not an establishment of the Government of the United States.

''(9) Nothing in this subsection shall be construed to apply to a temporary customer service facility to be used by the Postal Service for a period of less than 60 days.

''(10)(A) In this paragraph the term 'emergency' means any occurrence that forces an immediate relocation from an existing facility, including natural disasters, fire, health and safety factors, and lease terminations.

''(B) If the Postmaster General determines that there exists an emergency affecting a particular post office, the Postmaster General may suspend the application of this subsection, with respect to such post office, for a period of not to exceed 180 days.

''(C) The Postmaster General may exercise the suspension authority under this paragraph with respect to a post office once for each discrete emergency affecting such post office.

''(11) The relocation, closing, consolidation, or construction of any post office shall be conducted in accordance with applicable provisions of the National Historic Preservation Act (16 U.S.C. 470 et seq.).''.

(f) TECHNICAL AND CONFORMING AMENDMENTS.—Such section 404(b) is amended—

(1) in paragraph (5) (as so redesignated) by striking ''take no action to close or consolidate'' and inserting ''take no action described in paragraph (1) with respect to''; and

(2) in paragraph (6) (as so redesignated)—

(A) by striking ''to close or consolidate'' and inserting ''to take any action described in paragraph (1) with respect to''; and

(B) by striking ''paragraph (3)'' and inserting ''paragraph (4)''.

Mr. JEFFORDS. Mr. President, I rise today to join my colleague Senator BAUCUS in reintroducing the ''Post Office Community Partnership Act of 2001.''

This bill is similar to the one we introduced in the 105th and 106th Congress that so many of our colleagues supported in the past. It is my hope that this year the bill will become law. We are also coordinating our efforts with Representative BLUMENAUER of Oregon who will introduce a companion bill in the House of Representatives this week.

This bill will allow local communities to have a voice in determining the future of their local Post Office. In many towns across Vermont, the post office functions as the social and economic cornerstone of the local downtown area. Not only does the post office provide a daily service to residents, it is an enduring neighborhood institution. The post office is an enduring neighborhood institution where residents catch up with their neighbors, or get the latest news. As a consequence many small towns across America are hurt by decisions to close, relocate or consolidate postal facilities. Our bill will increase local community input when the Postal Service determines that a facility will be constructed, consolidated, relocated, or closed.

This bill also addresses larger smart growth concerns. Right now, the U.S. Postal Service is exempt from local zoning and building laws. This creates situations where the new facilities do not fit in with the size or scale of the local community. Many new facilities are relocated to the outer fringes of downtowns which encourages sprawl. Transplanting local facilities out of downtown locations has a potentially devastating impact on the character of many towns. This bill will help preserve the small town way of life by preventing sprawl and encouraging the reuse of historic structures. The Post Office Community Partnership Act will help communities have a say in the future of their local post offices.

There have been a number of incidents in Vermont where a post office has moved out of the traditional town center and local officials have had little or no say in the decision. In Perkinsville, VT the post office moved from the general store to a site miles from the downtown. The same thing happened in Fairfax, when the post office moved from a historic building downtown to a strip mall.

A prime example is Westminster, one of the oldest towns in Vermont. This town of 3,200 people was shocked to learn that the Postal Service was replacing their old facility with a building more than four times as large with 33 parking spaces. There were several reasons the community and local government officials were outraged at the decision. First, the Postal Services's standard ''design number 30'' does not fit in with Westminster's size, scale, zoning, or historic character. The Postal Service has been unwilling to modify their standard designs to meet community needs. Moreover the neighboring town recently built a new post office with more than 1200 PO boxes that are still vacant. The Post Office Community Partnership Act will allow the Postal Service and the local community to work together from the beginning of the planning process toward common sense solutions that benefit everyone.

This legislation is necessary to ensure that local communities will always have a voice in the Postal Service's decision making process. As towns struggle to grow and plan for their development, the Postal Service has all too often been an unwilling partner. In Vermont and across the U.S., many communities are attempting to carefully plan their future development, to protect and preserve their open space, prevent unregulated sprawl, and conserve natural resources. Yet they are not getting any assistance, and are often hindered by Postal Service decisions. This bill will close some of the loopholes that allow the Postal Service to operate outside the regulations that localities place on other businesses and government agencies.

This legislation will strengthen the ties between the Postal Service and local governments, help preserve our downtowns, prevent sprawl, and promote sensible, managed growth. I urge my colleagues to join Senator BAUCUS and me in support of this legislation.

Mr. LEAHY. Mr. President, I am pleased to be an original co-sponsor of the Post Office Community Partnership Act. Too often the Postal Service's designs for new offices fail to conform with local land use laws and these new cookie-cutter structures are replacing what were once the heart and soul of our towns. This legislation will ensure that the Postal Service does a better job of listening to local communities, respecting zoning regulations, and preserving Vermont's distinctive character.

In Vermont and across the country, Post Offices are community linchpins, serving more than just generic mailing stations. It is the Post Office where people go to meet their neighbors and talk about the latest news. The Postmaster is sometimes the only national representative in a community, and they often provide advice and guidance about important issues. The Post Office is inextricably linked with daily

life. Remove it, and the special character of the place is lost.

As the Post Office has experienced financial difficulties in recent years, the prospect of Post Office closures has loomed larger. Unfortunately, inadequate processes are in place to ensure that the U.S. Postal Service will consult with local communities in the event of a closure, relocation, or consolidation. This legislation will ensure that the service notifies communities far in advance of any action, and ensure that concerned citizens have a role in decisions.

With such provisions in place and other much-need reforms, the U.S. Postal Service will work through its difficulties. The service will continue to grow, expanding access and making much-needed modernizations to its older facilities.

Too often, though, new post offices look like they do not belong in the heart of a traditional town center. Local zoning ordinances are ignored, and the Post Office contributes to unsightly sprawl. While there are many success stories, there are few detailed guidelines to avoid repetitions of the failures. That is why this legislation also includes provisions to ensure the U.S. Postal Service will follow local land use laws.

Successful mail service is a subtle balance between efficiency and contributing to the community. I think this important legislation will help the U.S. Postal Service find that balance well into the future. I commend Senator JEFFORDS for introducing this legislation, and I urge its swift consideration and passage, as it will help preserve the important role of our Post Offices in our way of life.

By Mr. HATCH (for himself, Mr. DOMENICI, and Mr. DASCHLE):

S. 898. A bill to make technical amendments to the Radiation Exposure Compensation Act (42 U.S.C. 2210 note), provide compensation to certain claimants under such act, and for other purposes; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, today I am introducing bipartisan legislation that will provide important and necessary technical changes to the Radiation Exposure Compensation Act of 1990, RECA, as amended.

I am delighted that my good friend and esteemed Chairman of the Budget Committee, Senator DOMENICI, is joining me as the primary cosponsor. PETE and I have been working on RECA since its enactment in 1990 and his leadership has been invaluable over the years in making this program a reality.

I want to give special thanks to Senator DASCHLE for joining us as an original cosponsor on this important legislation. His support of this program has been critical to its success.

I also want to thank Congressman CHRIS CANNON who is introducing the companion bill in the House.

The compensation fund established under the original RECA Act of 1990 provides a level of financial support to thousands of individuals, both workers and civilians, who were not informed about the health hazards associated with radiation exposure. Many of these individuals worked in uranium mines, many drove the trucks which transported uranium ore, and many happened to live downwind from a nuclear test site. These individuals, especially the downwinders, became ill due to their radiation exposure.

As my colleagues will recall, last year Congress passed the Radiation Exposure Compensation Amendments of 2000, S. 1515. This law, P.L. 106–245, included new eligibility standards so that individuals who were injured as a result of working in the government's nuclear weapon's program would receive some compensation for their radiation-related illness.

The RECA Amendments of 2000 made important changes to the original 1990 Act by updating the list of compensable illnesses, primarily cancers, eligible for consideration as well as increasing the number of individuals and states eligible for compensation based on the latest scientific and medical information gathered over the past decade.

It has become painfully clear that there remain several important problems with the program which needs immediate or corrective attention by the Congress.

First and foremost is the fact that the RECA Trust Fund is depleted. This is a situation we cannot allow to continue.

I must say that I am outraged by the lack of funding for RECA. If Social Security recipients suddenly did not receive their checks, can you imagine the outcry that would fall on the Congress? A government IOU is a second injustice for families who have already suffered once too much.

The fact of the matter is that funding for RECA must be permanently appropriated. Otherwise, we continue to run the risk of annual appropriation shortfalls during the appropriations process.

Because the trust fund is depleted, RECA claimants are now receiving ''IOU'' letters from the Federal Government in lieu of a check. I am informed by the Justice Department, which oversees the RECA program, that approximately 180 claims cannot be paid because the trust fund is depleted. Morever, I understand this number is likely to increase to as many as 2,000 claims.

This situation is simply unacceptable. I have met with RECA claimants in my state. It does not take long to see the pain and suffering they have endured over the years. Pain and suffering, I might add, that has taken a toll not only on their lives but on the lives of their families, as well.

Most of these individuals are now retired; they live on modest incomes, and fear their declining health will only exacerbate their limited family finances.

Many of these individuals have already died as a result of their injuries sustained while working for the government's nuclear production program. They have paid the highest price for service to their country—their lives.

I recently received a copy of a letter from one of my constituents, Miss Rita Torres, who wrote to President Bush regarding her father, Mr. Jose O. Torres, who suffered from cancer as a result of working in a uranium mine.

Mr. Torres was diagnosed with lung cancer two years ago. It metastasized to his liver. He had to use oxygen constantly because part of one of his lungs had been removed.

Seven months ago Mr. Torres received a letter from the Department of Justice informing him he had been approved for compensation under the RECA program.

According to Mr. Torres, ''When I received my approval, it was a happy day. I have exhausted all my means and have been waiting for some relief from my government since the approval letter arrived seven months ago. Once I was a strong man, glad to work hard all day long. But I am no match for the pain, it has brought me to tears, it has brought my wife to tears as she struggles to make me comfortable, it has brought my children to tears to see their parents suffer so. I have no access to money. I have no influential friends. I am a simple person who has understood that when you gave your word, it meant something. But all the promises to the people have been forgotten. To be near the end [of my life] with no relief from the government has saddened me very much.''

Mr. Torres never received his check from the federal government. He received an IOU instead.

Several weeks ago, on March 21 at 2:30 p.m., Mr. Jose Torres passed away. He was 73.

We cannot forget these brave Americans. When Congress passed the original RECA legislation in 1990 and the subsequent RECA 2000 amendments last year, we made a promise to them.

Mr. Torres, like thousands of other individuals in the 1940s, 50s and 60s, worked in some of the most horrendous conditions imaginable all the while not knowing that they were exposed to dangerous levels of radiation.

The legislation I am introducing today will provide for a permanent, indefinite appropriation to the RECA Trust Fund. Both the President's budget and the budget resolution contain a provision proposing to fund RECA on a permanent basis.

The bill we are introducing today provides the necessary authority for Congress to follow-through and appropriate a full and permanent allocation to the trust fund.

Let me also take a moment to comment briefly about another key provision in the bill which I believe deals with a matter of fairness for the RECA community.

The legislation we are introducing today ensures that all individuals exposed to radiation as a result of the government's nuclear weapons production program are accorded the same level of benefits.

Last fall, Congress passed the Department of Defense Authorization Act of 2000, P.L. 106–398, creating a new ''Energy Employees Occupational Illness Compensation Program.'' This new program, which I supported, establishes a compensation fund for Department of Energy, DOE, employees and contract employees who were injured due to exposure to radioactive materials while working at DOE nuclear facilities and weapons testing sites.

Under the Energy program, individuals whose claims are approved will receive a monetary amount of $150,000 plus prospective medical benefits. These benefits are considerably more generous than those provided under RECA.

During the DOD conference last fall, Senator DOMENICI and I worked to provide an increase in benefits for the RECA claimants to provide them with an additional $50,000 plus prospective medical benefits.

It seems blatantly unfair for the federal government to provide a richer level of benefits to its own employees than for innocent civilians who happened to live downwind from a test site, or who worked in one of the mining operations.

Although the final agreement did extend additional benefits to the RECA workers, the conferees decided not to include the downwinders or on site participants.

The bill we are introducing today corrects this injustice and ensures that all individuals exposed to radioactive materials, as part of the government's program, are treated the same with respect to the level of benefits provided.

The third and final key provision of this legislation provides necessary technical changes to the 2000 Act which, essentially, were recommended by the Department of Justice. The 2000 Act inadvertently eliminated some claimants previously eligible for compensation, and made it more difficult for other claimants to prove eligibility.

For example, in amending the list of downwinder areas, RECA 2000 inadvertently eliminated individuals in a portion of Mohave County in Arizona who were previously eligible under the original RECA program. As a consequence, claimants who reside in this portion of Mohave County are no longer eligible for compensation. The technical amendment would again include this area in the definition of downwinder areas.

The proposed legislation we are introducing today will also improve the efficiency of the RECA program. Moreover, this bill will ensure fairness in the administration of RECA.

I am particularly mindful of concerns regarding the inclusion of additional cancers or counties to be included in the Act as well as the standards for length of radiation exposure necessary to qualify for the program. I know there has been some confusion over the length of radiation exposure requirements for certain cancers.

In this regard, I have included in the bill Section 5 which specifically directs the National Research Council to report to Congress annually with recommendations to include additional cancers, or counties, in the program. Moreover, the NRC is directed to examine whether the requirements for exposure to radiation should be reduced. This section will provide Congress the needed epidemiological data to assist us in resolving these issues.

It is critical that Congress pass this legislation as soon as possible. And, to that end, I intend to schedule this bill for an executive business meeting in the Judiciary Committee as soon as possible.

This bill has strong bipartisan support. I urge my colleagues to support this measure so that the Federal Government can keep its commitment to those eligible claimants for whom RECA was enacted.

I ask unanimous consent 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. 898

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RADIATION EXPOSURE COMPENSATION TECHNICAL AMENDMENTS.

(a) IN GENERAL.—The Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended—

(1) in section 4(b)(1)(C), by inserting '', and that part of Arizona that is north of the Grand Canyon'' after ''Gila'';

(2) in section 4(b)(2)—

(A) by striking ''lung cancer (other than in situ lung cancer that is discovered during or after a post-mortem exam),''; and

(B) by striking ''or liver (except if cirrhosis or hepatitis B is indicated).'' and inserting ''liver (except if cirrhosis or hepatitis B is indicated), or lung.'';

(3) in section 5(a)(1)(A)(ii)(I), by inserting ''or worked for at least 1 year during the period described under clause (i)'' after ''months of radiation'';

(4) in section 5(a)(2)(A), by striking ''an Atomic Energy Commission'' and inserting ''a'';

(5) in section 5(b)(5), by striking ''or lung cancer'';

(6) in section 5(c)(1)(B)(i), by striking ''or lung cancer'';

(7) in section 5(c)(2)(B)(i), by striking ''or lung cancer'';

(8) in section 6(e)—

(A) by striking ''The'' and inserting ''Except as otherwise authorized by law, the''; and

(B) by inserting '', mill, or while employed in the transport of uranium ore or vanadium-uranium ore from such mine or mill'' after ''radiation in a uranium mine'';

(9) in section 6(i), by striking the second sentence;

(10) in section 6(j), by adding at the end the following: ''Not later than 180 days after the date of enactment of the Radiation Exposure Compensation Act Amendments of 2000, the Attorney General shall issue revised regulations to carry out this Act.'';

(11) in section 6, by adding at the end the following:

''(m) SUBSTANTIATION BY AFFIDAVITS.—

''(1) IN GENERAL.—The Attorney General shall take such action as may be necessary to ensure that the procedures established by the Attorney General under this section provide that a substantiation may be made by an individual filing a claim under those procedures by means of an affidavit described under paragraph (2), in addition to any other material that may be used to substantiate—

''(A) employment history for purposes of determining working level months; or

''(B) the residence of an individual filing a claim under section 4.

''(2) AFFIDAVITS.—An affidavit referred to under paragraph (1) is an affidavit that—

''(A) meets such requirements as the Attorney General may establish; and

''(B) is made by a person other than the individual filing the claim that attests to the employment history or residence of the claimant.'';

(12) in section 7, by amending subsection (b) to read as follows:

''(b) CHOICE OF REMEDIES.—No individual may receive more than 1 payment under this Act.''; and

(13) by adding at the end the following:

''SEC. 14. GAO REPORTS.

''(a) IN GENERAL.—Not later than 18 months after the date of enactment of the Radiation Exposure Compensation Act Amendments of 2000, and every 18 months thereafter, the General Accounting Office shall submit a report to Congress containing a detailed accounting of the administration of this Act by the Department of Justice.

''(b) CONTENTS.—Each report submitted under this section shall include an analysis of—

''(1) claims, awards, and administrative costs under this Act; and

''(2) the budget of the Department of Justice relating to this Act.''.

(b) CONFORMING AMENDMENTS.—Section 3 of the Radiation Exposure Compensation Act Amendments of 2000 (Public Law 106–245) is amended by striking subsections (e) and (i).

SEC. 2. COMPENSATION FOR CERTAIN CLAIMANTS UNDER THE RADIATION EXPOSURE COMPENSATION ACT.

(a) IN GENERAL.—Section 3630 of the Energy Employees Occupational Illness Compensation Program Act of 2000, as enacted into law by Public Law 106–398, is amended to read as follows:

''SEC. 3630. SEPARATE TREATMENT OF CERTAIN CLAIMANTS UNDER THE RADIATION EXPOSURE COMPENSATION ACT.

''(a) COMPENSATION PROVIDED.—An individual who receives, or has received, a payment under section 4 or 5 of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) for a claim made under that Act (in

this section referred to as a 'covered individual'), or the survivor of that covered individual if the individual is deceased, shall receive compensation under this section in the amount of $50,000.

''(b) MEDICAL BENEFITS.—A covered individual shall receive medical benefits under section 3629 for the illness for which that individual received a payment under section 4 or 5 of that Act.

''(c) COORDINATION WITH RECA.—The compensation and benefits provided in subsections (a) and (b) are separate from any compensation or benefits provided under that Act.

''(d) PAYMENT FROM COMPENSATION FUND.—The compensation provided under this section, when authorized or approved by the President, shall be paid from the compensation fund established under section 3612.

''(e) SURVIVORS.—(1) Subject to the provisions of this section, if a covered individual dies before the effective date specified in subsection (g), whether or not the death is a result of the illness specified in subsection (b), a survivor of that individual may, on behalf of that survivor and any other survivors of that individual, receive the compensation provided for under this section.

''(2) The right to receive compensation under this section shall be afforded to survivors in the same order of precedence as that set forth in section 8109 of title 5, United States Code.

''(f) PROCEDURES REQUIRED.—The President shall establish procedures to identify and notify each covered individual, or the survivor of that covered individual if that individual is deceased, of the availability of compensation and benefits under this section.

''(g) EFFECTIVE DATE.—This section shall take effect on July 31, 2001, unless Congress provides otherwise in an Act enacted before that date.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—(1) The table of sections for the Energy Employees Occupational Illness Compensation Program Act of 2000 is amended by striking the item relating to section 3630 and inserting the following:

''Sec. 3630. Separate treatment of certain claimants under the Radiation Exposure Compensation Act.''.

(2) Section 3641 of the Energy Employees Occupational Illness Compensation Program Act of 2000, as enacted into law by Public Law 106–398, is amended—

(A) by striking ''covered uranium employee'' and inserting ''covered individual''; and

(B) by adding at the end the following: ''Nothing in this section shall be construed to offset any payment of compensation under section 3630 and any payment under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note).''.

SEC. 3. ATTORNEY FEES.

Section 3648(b)(2) of the Energy Employees Occupational Illness Compensation Program Act of 2000, as enacted into law by Public Law 106–398, is amended to read as follows:

''(2) 10 percent with respect to—

''(A) any claim with respect to which a representative has made a contract for services before the date of enactment of this Act; or

''(B) a resubmission of a denied claim.''.

SEC. 4. RADIATION EXPOSURE COMPENSATION.

Section 3(e) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended—

(1) in the subsection heading by striking the first 2 words and inserting ''INDEFINITE''; and

(2) by striking ''authorized to be''.

SEC. 5. REPORTS BY THE NATIONAL RESEARCH COUNCIL.

(a) CONTRACT FOR REPORTS.—Not later than 60 days after the date of enactment of this Act, the Attorney General of the United States shall enter into a contract with the National Research Council to submit reports in accordance with subsection (b).

(c) REPORTS.—Not later than December 31, 2002, and not later than December 31 of each year thereafter through 2010, the National Research Council shall submit a report, in accordance with the contract entered into under subsection (a), to Congress that—

(1) reviews the most recent scientific information relating to radiation exposure and related cancers; and

(2) makes any recommendation to—

(A) reduce the length of radiation exposure requirements; or

(B) include types of cancer or classes of individuals to be covered by the Radiation Exposure Compensation Act (42 U.S.C. 2210 note).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) $600,000 for fiscal year 2001; and

(2) such sums as may be necessary for fiscal years 2001 through 2011.

Mr. DOMENICI. Mr. President, I rise today, with Senator HATCH, to introduce the Radiation Exposure Compensation Technical Amendments and Refinement Act. These technical amendments are needed because the RECA amendments we passed in 2000 inadvertently eliminated some claimants previously eligible for compensation and made it more difficult for other claimants to prove eligibility.

These technical amendments are very important, but perhaps more importantly this bill provides mandatory funding for the now-bankrupt RECA Trust Fund. For over a year now, eligible claimants have been receiving nothing more than a five-line IOU from the Justice Department. This is an injustice I never imagined when I authored the Radiation Exposure Compensation Act in 1990—an injustice that can and must be rectified through this bill.

RECA was designed to compensate our nation's uranium mine workers who became afflicted with debilitating and too often deadly radiation-related diseases. These men helped build our nuclear arsenal—the arsenal that is, at least in part, responsible for ending the cold war. We must not let their sacrifice go unanswered.

These miners and their families lived under tough conditions. Some lived in one-room houses located as close as 200 feet from the mine shafts. Their children played near the mines and their families drank underground water that exposed them to radiation. These miners faced long, uncomfortable days many feet underground.

Many of those uranium miners from New Mexico who endured these conditions were Native Americans from the Najavo Nation. To this group of victims, our government owes a special duty of care based on a longstanding trust relationship formed by treaties and agreements.

Mr. President, the Najavos and all the uranium miners performed a special service for our nation, and our nation owes them a special obligation. An obligation that it has twice failed to keep.

Strike one: The government had adequate warning about the radiation hazards of uranium mining, and yet federal mine safety standards were not fully implemented until 1971. Thus, prior to 1971, the miners were sent into inadequately ventilated mines with virtually no warning regarding the dangers of radiation.

Strike two: The government has failed to keep the program fully funded. Frankly, this is unconscionable. Those who helped protect our nation's security must be compensated for their suffering. Anything less is unacceptable.

Mr. President, our legislation today would ensure that the government does not strike out. These men served our nation well, and it is time for this nation to serve them well.

By Mr. BIDEN (for himself, Mr. HATCH, and Mr. ALLEN):

S. 899. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to increase the amount paid to families of public safety officers killed in the line of duty; to the Committee on the Judiciary.

Mr. BIDEN. Mr. President, I rise today to introduce the Frances Collender Public Safety Officers' Benefit Improvement Act of the year 2001.

At around 6 a.m. on February 6 of this year, Corporal Frances Collender of the Delaware State Police pulled her cruiser behind a van that had been disabled by an accident on Route 1 in Odessa, DE. Tragically, Corporal Collender was struck and killed by another driver just as she was assisting the disabled motorist. There was a little bit of snow on the ground.

Corporal Collender was not only a beloved mother and daughter, she was also beloved by her entire troop and by the State Police. This was a woman who, after having started another career, went back and decided to become a public safety officer and joined the elite of the Delaware State Police. She was sort of the mother figure of these folks who were a lot younger than she. She was a leader. She was a corporal, but in many ways she was the captain. She was the one to whom everybody looked.

Everything and anything that was good that was being sponsored by police organizations in our State—she was not atypical in that sense—she was involved in. She was always one who not only refused to shirk her duty but took on additional responsibilities.

She did not have to respond to this call. She was about to get off, but she

responded—it was typical of her—to keep someone else from having to come out. She was ''nearby,'' so she responded. And she has passed away. She volunteered, as she always did, and, in doing so, maybe saved somebody else's life but lost her own.

This week, with thousands of law enforcement officers, survivors, and family members gathered in the Nation's Capital for National Police Week, we listened to the President of the United States, as we have other Presidents. We listened as the rollcall was called of all fallen officers nationwide in the calendar year 2000. Until you attend an event such as this, as I am sure my colleagues have, it doesn't—how can I say this?—it doesn't sink in, just how incredible these officers are, just what incredible chances they take for us, and just how many lose their life in doing so.

Corporal Collender had two beautiful daughters, one of whom has become my buddy. She is 17 years old; she is smart; she is beautiful; she is engaged. She lives with her grandmom and grandpop who, if you knew them—especially grandmom—you would understand, without knowing Corporal Collender, that she is everything I said she is.

It seems to me we have to do more than pay our respects once a year to these families for the sacrifices they have made on our behalf. I was involved with a group, years ago, that decided although it is technically not a Federal responsibility, we should provide a death benefit to fallen and slain officers. What I am suggesting today is that a death benefit is not sufficient. It was set years ago. Although it has increased with inflation, it is below what I think is a realistic need of the average first responder's salary.

This will cover first responders including firefighters. If you think about it, there are very few people in law enforcement—none goes into it because they think they are going to make a lot of money, and very few in law enforcement come from families who have trusts or endowments or inheritances that are left. They are working-class people, almost all these days college educated. But they make a decision because of their sense of duty, their sense of honor, and their sense of just wanting to take on difficult tasks. When they die, their families are left in a very difficult circumstance.

I need not tell anyone in here that a $150,000 death benefit—which is what the original death benefit is up to now because of inflation—is insufficient. It is not going to pay even for the college costs of one of Corporal Collender's daughters, if she goes to a private institution, by the time they get there. It will not even pay for the college costs of her younger daughter if she goes to my alma mater, the State University of Delaware.

So I think it is time, particularly in this period of incredible surplus we are talking about, when we can decide that the inheritance tax should be eliminated for billionaires, when we decide we are going to give hundreds of thousands of dollars in tax breaks to people who make over a million bucks and up, that we ought to be able to, for the relative handful, thank God—we are talking hundreds now, not talking thousands—we ought to be able to raise the death benefit for those who give their lives to make us safer.

Since 1972 with the shooting of a New York deputy sheriff, over 15,000 public safety officers have been killed in the line of duty; 30 officers from my State. Thirty from my little State have paid the ultimate price, with Corporal Collender being the most recent loss. This past Sunday, 313 names were added to the National Law Enforcement Officers Memorial. Yesterday, as I said, families paid tribute to those fallen officers by laying a wreath at the National Peace Officers Memorial Service. I was there. The President paid tribute to Corporal Collender and her family and to the families of all officers who were lost.

There are too many—there are too many—line-of-duty deaths each year, and for too long our response to their families just hasn't been enough.

The Justice Department runs the Public Safety Officers' Benefits program, an initiative begun 25 years ago to make one-time payments to assist public safety officers and their families when they become disabled, or lose their lives, in the line of duty.

For the first 12 years of its existence the Public Safety Officers' Benefits Program issued $50,000 payments to qualifying officers and their families.

In 1988, we recognized this figure was inadequate both to express the gratitude of a grateful nation and to try to put these families on sound financial footing. So 13 years ago we raised the payment to $100,000 and indexed it for inflation. This year the program began at $151,000.

Last year, 181 claims were paid, and the Public Safety Officers' Benefits program has successfully helped disabled officers, their families, and the families of those officers killed in the line of duty put their lives back together.

It is time to take another look at the Public Safety Officers' Benefits program. Recently, the other body approved legislation that would increase to $250,000 the maximum death benefits for families of military personnel killed in the line of duty. We should do the same thing for the families of slain public safety officers, including firefighters.

So today I am introducing the Frances Collender Public Safety Officers' Benefits Improvement Act, legislation that will increase the payment under the Public Safety Officers' Benefits Program from $100,000 to $250,000. Payments will continue to be indexed for inflation. We have not adjusted the payment under this program for almost 15 years, and the families of those who have paid the ultimate price deserve some more help than they are getting.

I have raised this issue with my good friend and chairman of the Judiciary Committee, Senator HATCH. He has indicated he may very well want to join as an original cosponsor of the bill. I have not been able to get in touch with him this morning, so I have not added his name. The reason I am introducing the bill now is because the afternoon will get so busy and I may not have an opportunity to speak to the introduction of this legislation. If my friend from Utah decides to join me on this bill, as I hope he will, I am prepared to rename this act in the name of both Frances Collender and a slain Utah police officer that my friend from Utah would like to add to this legislation. I would be happy to do that if he decides and wishes to join me.

During Police Week, while the Collenders and other heroic families of public safety officers are in Washington to pay tribute, let's show our gratitude as well, beyond our sympathy. Washington can pay tribute. They can pay tribute by us voting and agreeing to increase this death benefit. It is the least Congress can do to express our gratitude to the peace officers for all they have done. If we cannot afford it now, we can never afford it. I do not see how we can afford not to do this for the public safety officers of this Nation.

I thank the Chair. I thank the family of Frances Collender for their bravery because it is sometimes much harder to be in the waiting room than the operating room. Sometimes it is much harder to be at the grave site than being the one buried, I suspect. They have shown great class. They have shown great resolve. And the one thing all of us who deal with law enforcement and firefighters know, they never forget their own. Although those two beautiful young girls of Frances Collender do not have their mother, they have inherited, for as long as they live, the entire police force of the State of Delaware, who, for real—it is not hyperbole—will be there for them, whether they ever knew their mother or not, until the day they die. It is part of the tradition, it is part of the honor, and it is part of our responsibility as well.

I thank the Chair.

Mr. REID. Will the Senator yield?

Mr. BIDEN. I am happy to yield.

Mr. REID. I say to the Senator from Delaware, the people of Nevada and people all over the country should be grateful to the Senator from Delaware, as they are any time they realize there are fewer slain police officers as a result of the work done by the Senator from Delaware in giving us the COPS Program, putting tens of thousands of

new police officers all over America on the streets, so there are fewer slain police officers, so there is less crime.

I, of course, did not know Frances Collender. The Senator, from Delaware as usual, is very articulate in explaining the importance of this woman to the State of Delaware. But as important as she is to the State of Delaware, the Senator from Delaware is important to the country for the work he has done. In Nevada, it has made a difference. Having additional police officers on the street has been a big benefit. We have less crime in Nevada and around the country. Statistics, by any way you look at them, have proven that.

So on behalf of the people in Nevada, and on behalf of the people of this country, I extend our appreciation to the Senator from Delaware for his undying efforts to make sure we have more police officers on the streets. Without the Senator from Delaware, it would not have happened.

Mr. BIDEN. Mr. President, I thank the Senator. As usual, he is generous and gracious. He is, as everyone on both sides knows, one of the most gracious men who serves in this body. He is a gentleman with a backbone like a ramrod. I take his comments to heart because I believe he means them. It means a lot to me that he does.

There are few things I have done in my 28-year career in the Senate that I believe has been more worthwhile, and that I am more proud of, than working with the law enforcement agencies of this country, getting them from 500,000 to over 600,000 in local law enforcement agencies.

I appreciate the sentiments expressed by my friend. I add, he was there every step of the way, voting for it, adding amendments, pushing it. I know he will be with me as we try to, quite frankly, prevent the President of the United States from eliminating that program. I am sure the President cares deeply about the safety of law enforcement officers in the country. I hope we can get his attention, to convince him that cutting the COPS Program in this upcoming budget is a mistake. I think once he focuses on that, we have a shot of doing that.

But, again, I thank my friend from Nevada. He is a real gentleman and a good friend. And I thank the Presiding Officer for listening. One of the things—I should not say this—I like best about the present occupant of the chair is, whenever I stand to speak in this Chamber—I am sure he does it for everybody—he looks and listens and acts as if he is paying attention, and it makes a big difference. He is not signing his mail. I know I am not supposed to say that, but I am going to say it anyway because I appreciate his courtesy, speaking of a gentleman.

I thank you all and yield the floor.

By Mrs. BOXER:

S. 901. A bill to amend the Outer Continental Shelf Lands Act to direct the Secretary of the Interior to cease mineral leasing activity on the outer Continental Shelf seaward of a coastal State that has declared a moratorium on mineral exploration, development, or production activity in State water; to the Committee on Energy and Natural Resources.

Mrs. BOXER. Mr. President, today I am introducing the Coastal States Protection Act, which is intended to protect our Nation's fragile coastlines from the detrimental environmental impacts of offshore oil and gas development. Chronic leakage associated with normal oil and gas operations, as well as catastrophic spills such as the horrific Santa Barbara spill in 1969, irreparably contaminate the ocean floor, tidelands, and beaches.

In California, there is strong and enduring public support for the protection of our oceans and coastlines. My State decided that the potential benefits that might be derived from future offshore oil and gas development were not worth the risk of destroying our priceless coastal treasures. To ensure that our beaches remain pristine and our waters clear, California passed legislation permanently prohibiting oil and gas exploration in State waters. Unfortunately, the State only has jurisdiction over the territory that extends three nautical miles out from shore.

Federal waters off the coast of California, which extend beyond State waters to 200 nautical miles out, have received several forms of temporary protection from additional offshore oil and gas development. Since 1982, Congress has approved successive 1-year leasing and drilling moratoria that have provided protection for U.S. waters. In 1998, President Clinton issued a 10-year ban on Outer Continental Shelf activity off the coast of California. We now face, however, mounting pressures to explore new sources of domestic oil and gas.

My bill provides permanent protection by ensuring that no mineral leasing can occur on the Outer Continental Shelf in Federal waters where the State has placed a moratorium on mineral exploration, development, or production activity in adjacent States waters. Thus, this bill guarantees that the wishes of a State are reflected in the management decisions made regarding associated Federal waters.

This legislation is similar to bills I introduced in the 104th, 105th, and 106th Congress. Several officials in the new administration have expressed strong support for State and local decision-making, so I am hopeful that they will join me in supporting this legislation.

This bill will make an important and lasting contribution to the protection of our Nation's coastlines.

By Mr. THURMOND (for himself, Mr. HATCH, Mr. SESSIONS, and Mr. SMITH of New Hampshire):

S. 902. A bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes; to the Committee on the Judiciary.

Mr. THURMOND. Mr. President, I rise today to introduce legislation to close a long-standing loophole in our Nation's labor laws, and help stop union violence in America. The bill would make clear that violence conducted in the course of a strike is illegal under the Federal extortion law, the Hobbs Act. I am pleased to have Chairman HATCH and others join me in introducing this important measure.

Violence has no place in our society. As I have said many times before, I would, if it were in my power to do so, put an absolute stop to the disruption of commerce in this country by intimidation and violence, whatever its source.

Unfortunately, corrupt union officials have often been the source of such violence. Encouraged by their special Federal exemption from prosecution, corrupt union officials have routinely used intimidation and violence over the years to achieve their goals. Since 1975, the Institute for Labor Relations Research has documented over 9,000 reported incidents of union violence in America. A major study entitled ''Union Violence: The Record and the Response by Courts, Legislatures, and the NLRB,'' which was updated and republished in 1999 by the John M. Olin Institute at George Mason University, discusses the problem and trends in union violence in detail. This updated study shows that while union membership and the total number of strikes has decreased in recent decades, the number of reported incidents of violence per strike has actually increased. It is clear that union violence remains a serious issue facing our Nation today.

Let me make clear that I agree that the Federal Government should not get involved in minor, isolated physical altercations and vandalism that are bound to occur during a labor dispute when emotions are charged. Action such as this is not significant to commerce. However, when union violence moves beyond this and becomes a pattern of coordinated violent activity, the Federal Government should be empowered to act. State and local governments sometimes fail to provide an effective remedy, whether because of a lack of will, a lack of resources, or an inability to focus on the interstate nature of the conduct. It is during these times that Federal involvement is needed.

Let me also note that this legislation has never been an effort to involve the Federal Government in a matter that traditionally has been reserved for the states. Labor relations are regulated

on a national basis, and labor management policies are national policies. There is no reason to keep the Federal Government out of serious labor violence that is intended to achieve labor objectives.

Indeed, the Congress intended for the Hobbs Act to apply to the conduct we are addressing in this legislation today. The decision to keep the Federal Government out was not made by the Congress. Rather, it was made by the Supreme Court in the United States versus Enmons decision in 1973, when the Supreme Court found that the Hobbs Act did not apply to a lawful strike, as long as the purpose of the strike was to achieve ''legitimate labor objectives,'' such as higher wages. Such an exception does not exist in the words of the statute. The Court could only create this loophole through a strained interpretation of the law. In his dissent, Justice Douglas aptly criticized the majority for, ''achieving by interpretation what those who were opposed to the Hobbs Act were unable to get Congress to do.''

The Enmons decision is an unfortunate example of judicial activism, of a court interpreting a statute to reach the policy result the court favors rather than the one the legislature intended. This is a problem that has concerned many of us in the Senate for many years. We have held numerous hearings on this matter in the Judiciary Committee since the Enmons decision. We must continue to focus on this serious problem until it is solved.

It is time we closed the loophole on union violence in America.

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. 902

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 ''Freedom From Union Violence Act of 2001''.

SEC. 2. INTERFERENCE WITH COMMERCE BY THREATS OR VIOLENCE.

Section 1951 of title 18, United States Code, is amended to read as follows:

''§ 1951. Interference with commerce by threats or violence

''(a) PROHIBITION.—Except as provided in subsection (c), whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion, or attempts or conspires so to do, or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section, shall be fined not more than $100,000, imprisoned for a term of not more than 20 years, or both.

''(b) DEFINITIONS.—For purposes of this section—

''(1) the term 'commerce' means any—

''(A) commerce within the District of Columbia, or any territory or possession of the United States;

''(B) commerce between any point in a State, territory, possession, or the District of Columbia and any point outside thereof;

''(C) commerce between points within the same State through any place outside that State; and

''(D) other commerce over which the United States has jurisdiction;

''(2) the term 'extortion' means the obtaining of property from any person, with the consent of that person, if that consent is induced—

''(A) by actual or threatened use of force or violence, or fear thereof;

''(B) by wrongful use of fear not involving force or violence; or

''(C) under color of official right;

''(3) the term 'labor dispute' has the same meaning as in section 2(9) of the National Labor Relations Act (29 U.S.C. 152(9)); and

''(4) the term 'robbery' means the unlawful taking or obtaining of personal property from the person or in the presence of another, against his or her will, by means of actual or threatened force or violence, or fear of injury, immediate or future—

''(A) to his or her person or property, or property in his or her custody or possession; or

''(B) to the person or property of a relative or member of his or her family, or of anyone in his or her company at the time of the taking or obtaining.

''(c) EXEMPTED CONDUCT.—

''(1) IN GENERAL.—Subsection (a) does not apply to any conduct that—

''(A) is incidental to otherwise peaceful picketing during the course of a labor dispute;

''(B) consists solely of minor bodily injury, or minor damage to property, or threat or fear of such minor injury or damage; and

''(C) is not part of a pattern of violent conduct or of coordinated violent activity.

''(2) STATE AND LOCAL JURISDICTION.—Any violation of this section that involves any conduct described in paragraph (1) shall be subject to prosecution only by the appropriate State and local authorities.

''(d) EFFECT ON OTHER LAW.—Nothing in this section shall be construed—

''(1) to repeal, amend, or otherwise affect—

''(A) section 6 of the Clayton Act (15 U.S.C. 17);

''(B) section 20 of the Clayton Act (29 U.S.C. 52);

''(C) any provision of the Norris-LaGuardia Act (29 U.S.C. 101 et seq.);

''(D) any provision of the National Labor Relations Act (29 U.S.C. 151 et seq.); or

''(E) any provision of the Railway Labor Act (45 U.S.C. 151 et seq.); or

''(2) to preclude Federal jurisdiction over any violation of this section, on the basis that the conduct at issue—

''(A) is also a violation of State or local law; or

''(B) occurred during the course of a labor dispute or in pursuit of a legitimate business or labor objective.''.

By Mr. ALLARD:

S. 903. A bill to amend the Cache La Poudre River Corridor Act to make technical amendments; to the Committee on Energy and Natural Resources.

Mr. ALLARD. Mr. President, today I am introducing the Cache La Poudre River Corridor Technical Amendments Act of 2001.

When former Senator Hank Brown and I decided to sponsor the Cache La Poudre River Corridor Act, Public Law 104–323, it was only after we held numerous meetings with the affected individuals, groups and governmental entities to determine how best to protect the area. The result was a delicate compromise bill to which all parties agreed.

The purpose of the Act was to designate the Cache La Poudre Corridor within the Cache La Poudre River Basin for special use. It is to provide for an educational and inspirational benefit to both present and future generations, as well as provide unique and significant contributions to our national heritage of cultural and historical lands, waterways, and structures within the Corridor.

The Act also established the Cache La Poudre Corridor Commission to consult with public officials and conduct public hearings on how to administer the corridor consistent with the purpose of the Act. The make-up of the Commission was to represent the affected counties and interested parties.

However, due to drafting errors and conflicting interpretations of the appointment process for the Commission, local communities and the Department of the Interior have been unable to proceed with implementing the Act.

To correct these errors, my colleague Congressman BOB SCHAFFER and I are introducing the Cache La Poudre River Corridor Technical Amendments Act of 2001. These changes will allow the Cache La Poudre River Corridor Act to be fully implemented.

These corrections will address several non-controversial provisions of the original law, which include correcting references to affected counties and clarifying duties of the commission. I hope that Congress will move quicky and act on the Cache La Poudre River Technical Corrections Amendments Act.

I thank my colleagues for their consideration of this matter.

By Ms. COLLINS (for herself, Mr. WARNER, Ms. LANDRIEU, Mr. COCHRAN, Mr. ALLEN, and Mr. HATCH):

S. 904. A bill to amend the Internal Revenue Code of 1986 to provide an above-the-line deduction for qualified professional development expenses of elementary and secondary school teachers and to allow a credit against income tax to elementary and secondary school teachers who provide classroom materials; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise this evening, along with my good friend, the distinguished senior Senator from Virginia, Mr. WARNER, to introduce the Teacher Tax Relief Act of 2001. We are very pleased to be joined by the Presiding Officer, the Senator from Virginia, Mr. ALLEN, and Senators COCHRAN and LANDRIEU, as original cosponsors of our legislation. All of

these Senators are strong advocates for education and for our Nation's teachers.

It would be difficult to script a more appropriate time for us to introduce this important legislation. We stand now at the summit of an education debate that began over 2 weeks ago. At the same time, we anticipate a major tax relief bill to which we will turn our attention as early as tomorrow.

Our bill is related to both. It is both sound education policy and sensible tax policy. We plan on offering it as an amendment to the tax bill as soon as feasible on the Senate floor.

For that reason, Senator WARNER and I wanted to take advantage of this time this evening to talk a little bit about our bill and the ensuing amendment. In the midst of the education and tax debates, we are asking the Senate not to overlook the selfless efforts of our teachers and the many financial sacrifices they make to improve their instructional skills and the classrooms where they teach. Senator WARNER deserves tremendous credit for focusing our attention, through a sense-of-the-Senate amendment to the education bill, on the need to provide tax relief for our Nation's teachers.

Our teachers serve such a critical role in the education and development of our children. In fact, study after study demonstrates that other than involved parents, a high-quality, dedicated teacher is the single most important prerequisite for student success.

The amendment which Senator WARNER offered earlier this past week, and which I was proud to cosponsor, expressed the sense of the Senate that Congress should pass legislation providing teachers with tax relief in recognition of the many out-of-pocket expenses, unreimbursed expenses they incur to improve the education of our children. The bill we introduce today is legislation very similar to Senator WARNER's amendment which was adopted by the Senate by a vote of 95–3.

The bill we introduce today is targeted to support the expenditures of teachers who strive for excellence beyond the constraints of what their schools can provide.

Earlier this year, Senator WARNER, Senator HATCH, and I each introduced our own version of our teacher tax relief bills. Last year Senator KYL and I teamed up in a similar way. We have now all come together behind the Teacher Tax Relief Act of 2001, which enjoys bipartisan support from our colleagues as well as the endorsement of the National Education Association.

Our bill has two major provisions. First, it will allow teachers, teachers' aides, principals, and counselors to take an above-the-line deduction for their professional development expenses. I have talked with teachers in Maine who have financed continuing education courses at the master's and doctoral level as well as seminars out of their pocket. They then came back to their schools and shared their knowledge with their colleagues, and that additional course work has made them better teachers.

Some school districts reimburse for those kinds of professional development expenses. It would be great if they all did. But some school districts simply don't have the resources to help teachers who are striving to improve their skills.

What our bill will do is help those teachers who are financing those educational expenses out of their own pockets by giving them an above-the-line tax deduction.

The second provision of our bill will grant educators a tax credit of up to $250 for books, supplies, and equipment they purchase for their students. The tax credit would be set at 50 percent of such expenditures so that teachers would receive 50 cents of tax relief for every dollar of their own money they spend for supplies for their classroom.

It is remarkable how much the average teacher spends every year out of his or her own pocket to buy supplies and other materials for their students. According to a study by the National Education Association, the average public school teacher spends more than $400 annually on classroom materials.

Just recently, I met with Idella Harter, president of the Maine Education Association. She told me of the books, rewards for student behavior, and other materials she routinely purchases for her classroom. One year Idella decided to save her receipts to see how much she actually was spending. She said she started adding up the receipts and was startled to discover they totaled over $1,000. When they got that high, she decided to stop counting. But she continues to this day to purchase supplies and materials for her students.

When you think that the average teacher is not particularly well paid, it speaks volumes about their dedication that they are willing to make that kind of investment to improve the teaching for their students.

Idella is not alone. Maureen Marshall, who handles education issues for me in my office, taught public school for several years in Hawaii and Virginia. In her first year as a teacher, she, too, spent more than $1,000 of her own money on educational software, books, pocket charts to assist with language arts instruction, and other materials. Because of her tax situation, she could not deduct any of these expenses from her taxable income.

The ultimate beneficiaries of efforts to provide financial assistance to our teachers are our students. Our bill provides tax relief for up to $1,000 spent out of pocket by teachers for professional development and for supplies. These are teachers who are going the extra mile for our children, for our students.

Our bill makes it a priority to reimburse educators for just a small part of what they invest in our children's future.

I hope our colleagues will join us in support of this important initiative. I hope they will join us in a resounding vote when Senator WARNER and I offer this proposal as an amendment to the upcoming tax bill.

Mr. WARNER. Mr. President, just last week, on May 8, 2001, the Senate overwhelmingly passed an amendment that I offered to the education bill currently on the floor. This amendment, which passed by a vote of 95–3, stated:

> The Senate should pass legislation providing elementary and secondary level educators with additional tax relief in recognition of the many out of pocket, unreimbursed expenses educators incur to improve the education of our Nation's students.

At that time, both Senator COLLINS and I were pursuing the same goal, obtaining much needed tax relief for our teachers. However, despite sharing the same goal, we each had our own bill and each had our own approach towards achieving this shared goal.

Senator COLLINS has truly been a leader on this issue. I commend her for her work in highlighting this issue and for her tireless efforts to improve education in this country.

I am so glad that Senator COLLINS and I had the opportunity to sit down and discuss teacher tax relief legislation in greater detail. As a result of these discussions, we have joined forces and agreed on an approach to achieve our shared goal.

Today, I am honored to be joining Senator COLLINS in introducing the Teacher Tax Relief Act.

This Collins/Warner bill is cosponsored by Senators LANDRIEU, COCHRAN, and ALLEN. We will be offering this bill as an amendment to the tax reconciliation bill that will be on the Senate floor tomorrow.

The Collins/Warner Teacher Tax Relief Act has two components.

First, the legislation provides a $250 tax credit to teachers for classroom supplies. This credit recognizes that our teachers dip into their own pocket in significant amounts to bring supplies into the classroom to better the education of our children.

Second, this legislation provides a $500 above the line deduction for professional development costs that teachers incur. This deduction will particularly help low-income school districts that typically do not have the finances to pay for professional development costs for their teaches.

Our teachers in this country are overworked, underpaid, and all too often, under-appreciated. In addition, they spend significant money out of their own pocket to better the education of our children.

These out of pocket costs place lasting financial burdens on our teachers. This is one reason our teachers are leaving the profession. Little wonder that our country is in the midst of a teacher shortage.

While the primary responsibility rests with the states, I believe the Federal Government can and should play a role in helping to alleviate the nation's teaching shortage.

On a Federal level, we can encourage individuals to enter the teaching profession and remain in the teaching profession by providing tax relief to teachers for the costs that they incur as part of the profession. This incentive will help financially strapped urban and rural school systems as they recruit new teachers and struggle to keep those teachers that are currently in the system.

Our teachers have made a personal commitment to educate the next generation and to strengthen America. While many people spend their lives building careers, our teachers spend their careers building lives.

The Teacher Tax Relief Act goes a long way towards providing our teachers with the recognition they deserve by providing teachers with important and much needed tax relief.

It is important to note that providing a specific profession with tax relief is not without precedent. Title 26, United States Code, Section 62(a) allows an above the line deduction to performing artists in connection with their performances.

I believe teachers in this country deserve similar treatment under the tax code. I look forward to a vote on the teacher Tax Relief Act in the next few days.

By Mr. HARKIN (for himself, Mr. KERRY, Mr. DASCHLE, Mr. KENNEDY, Mr. REID, Mr. JOHNSON, and Mr. LEVIN):

S. 905. A bill to provide incentives for school construction, and for other purposes, to the Committee on Finance.

Mr. KERRY. Mr. President, I am pleased to introduce legislation today with my good friend and colleague from Iowa, Senator HARKIN, to deal with the issue of overcrowded and dilapidated schools. In March I offered an amendment in the Senate Finance Committee that was very similar to the legislation that we are introducing today. I am sorry that the amendment failed on a 10–10 vote in the Committee, but I am hopeful that we can come together to find a way to pass school construction legislation during this Congress.

The need for school construction assistance is great. Three-quarters of the public schools are in need of repairs, renovation, or modernization. More than one-third of schools rely on portable classrooms, such as trailers, many of which lack heat or air conditioning. Twenty percent of public schools report unsafe conditions, such as failing fire alarms or electric problems.

At the same time the schools are getting older, the number of students is growing, up nine percent since 1990. The Department of Education estimates that 2,400 new schools will be needed by 2003 and public elementary and secondary enrollment is expected to increase another million between 1999 and 2006, reaching an all-time high of 44.4 million and increasing demand on schools.

It's increasingly difficult to have meaningful reform in schools that are falling apart at the seams. Research does show that student and teacher achievement lags in shabby school buildings, those with no science labs, inadequate ventilation, and faulty heating systems. Older schools are also less likely to be connected to the Internet than recently built or renovated schools. Facilities are vital to implementation of research-based school reform efforts. We know, for example, that students learn more effectively in small classes, but school districts cannot create smaller classes or hire more teachers unless there is a place to put them.

Many schools are trying to offer more robust curricula, including music, physical education and classes in the arts, but their ability to provide these programs is hampered if there is no space to house them.

Almost every State in the Nation has implemented curriculum standards, calling for advanced work in science and technologies, but some schools are so old that their electrical wiring cannot support enough computers for the students and their science facilities are so antiquated that students cannot perform the experiments required to learn the state's curriculum.

Some school districts are looking to implement universal preschool, a service that we know enhances children's school preparedness and which a study published in last week's Journal of the American Medical Association confirmed makes children more likely to complete high school, less likely to need special education or grade retention services while in school, and more likely to avoid arrest as young adults, but the lack of available facilities is often prohibitive. If we are serious about encouraging research-based, meaningful, effective education reforms, and if we are serious about doing our part to help local districts run safe schools, a commensurate investment in school facilities is imperative.

The America's Better Classroom Act, is similar to legislation introduced in the House by Congressman RANGEL and Congresswoman JOHNSON that has 158 cosponsors. Our legislation allows the Federal government to issue $24.8 billion in school modernization bonds through a formula-based allocation to states and through expansion of the Qualified Zone Academy Bond, QZAB, program. The bill also includes a $200 million set-aside for Bureau of Indian Affairs schools for two years to help school replacement projects at schools funded or run by the Bureau of Indian Affairs.

Our bill would allocate 60 percent of $22 billion in bonds to states based on school-aged population. The remaining 40 percent of the bond revenue would be directly allocated to the 125 school districts with the largest number of low-income students based on ESEA Title I funding.

States and local school districts are investing in school construction, but it is clear that they still need our help. Annual construction expenditures for elementary and secondary schools have been growing. But local and state budgets have not been able to keep up with demand for new schools and the repair of aging ones. Unless school leaders can persuade their wary voters to pass such bond referendums or raise local taxes, though, there's often little hope of change. Until the last few years, the plight of state and local leaders had not received much attention from Washington. Last year we came together to respond to their call by funding a $1.2 billion grant program and this year we should come together again and pass legislation that continues our commitment to help local districts with their repair and renovation needs.

It is a tragedy that so many of our Nation's students attend schools in crumbling and unsafe facilities. According to the American Institute of Architects, one in every three public schools in America needs major repair. The American Society of Civil Engineers found school facilities to be in worse condition than any other part of our nation's infrastructure.

The problem is particularly acute in some high-poverty schools, where inadequate roofs, electrical systems, and plumbing place students and school employees at risk. Last month I visited the Westford Public School District in Massachusetts. School facilities were a big concern for this semi-rural town which has seen its student population sky rocket in recent years, but has not experienced comparable property tax revenues. In order to meet the fiscal demands of new school construction, the town is foregoing replacement of large, drafty windows from the early 1950s and is relying on pre-fab trailers to serve as an elementary school.

The Wilson Middle School in Natick, MA was built for approximately 500 students and currently houses 625. The school has no technical infrastructure, it has no electrical wiring to allow the integration of computers in the classroom. The classrooms are 75 percent of the size of contemporary classrooms

and were built with chairs and desks fixed to floor. Classrooms like these make it near-impossible for teachers to use modern-day teaching methods which rely heavily on student collaboration and interaction. The school also lacks science laboratories, making it impossible for students to do hands-on work and experiments.

Natick High School, like many aging school buildings around the Commonwealth, needs to have its basic infrastructure updated: electrical wiring, heating, plumbing and intercom systems are among the many components of the school in need of modernization. Also, the science labs are presently unable to meet the demands of updated state curricula. Natick put in place a prototype lab, and saw remarkable changes in students' interest and ability to experiment in science.

I am very pleased to be introducing this legislation today with Senator HARKIN, and it is my sincere hope that we can come together again on the issue of school construction and pass legislation that addresses this Nation's critical need for school repairs and renovation, and that we can do it as a part of a broader package of honest and tough reforms which focus, above all else, on the goal of empowering our schools to raise student achievement.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 90—DESIGNATING JUNE 3, 2001, AS ''NATIONAL CHILD'S DAY''

Mr. GRAHAM (for himself, Mr. BAYH, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. CARPER, Mr. CLELAND, Mrs. CLINTON, Mr. CRAIG, Mr. CRAPO, Mr. DEWINE, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRASSLEY, Mr. HAGEL, Mr. HATCH, Mr. HOLLINGS, Mr. INHOFE, Mr. INOUYE, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. MCCAIN, Ms. MIKULSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. REID, Mr. ROCKEFELLER, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SMITH of Oregon, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. THOMAS, Mr. THURMOND, Mr. TORRICELLI, Mr. VOINOVICH, Mr. WARNER, Mr. WELLSTONE, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on the Judiciary

S. RES. 90

Whereas June 3, 2001, the first Sunday of June, falls between Mother's Day and Father's Day;

Whereas each child is unique, is a blessing, and holds a distinct place in the family unit;

Whereas the people of the United States should celebrate children as the most valuable asset of the United States;

Whereas the children represent the future, hope, and inspiration of the United States;

Whereas the children of the United States should be allowed to feel that their ideas and dreams will be respected because adults in the United States take time to listen;

Whereas many children of the United States face crises of grave proportions, especially as they enter adolescent years;

Whereas it is important for parents to spend time listening to their children on a daily basis;

Whereas modern societal and economic demands often pull the family apart;

Whereas, whenever practicable, it is important for both parents to be involved in their child's life;

Whereas encouragement should be given to families to set aside special time for all family members to engage together in family activities;

Whereas adults in the United States should have an opportunity to reminisce about their youth to recapture some of the fresh insight, innocence, and dreams that they may have lost through the years;

Whereas the designation of a day to commemorate the children of the United States will provide an opportunity to emphasize to children the importance of their developing an ability to make the choices necessary to distance themselves from impropriety and to contribute to their communities;

Whereas the people of the United States should emphasize to children the importance of family life, education, and spiritual qualities;

Whereas because children are the responsibility of all people of the United States, everyone should celebrate children, whose questions, laughter, and dreams are important to the existence of the United States; and

Whereas the designation of a day to commemorate our children will emphasize to the people of the United States the importance of the role of the child within the family and society: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 3, 2001, as ''National Child's Day''; and

(2) requests the President to issue a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities.

Mr. GRAHAM. Mr. President, I rise today to submit a resolution that designates June 3, 2001, as National Child's Day.

National Child's Day celebrates the children of this country, recognizing them as one of our nation's most valuable resources, a resource that should be cherished and protected. Too often, we tell the world that children are our future, and yet our actions do not always convey our belief in the statement. Children are often made to feel that their challenges, concerns, and ideas are not valid. National Child's Day shows the children of our country that we recognize the value of each of our children and the contributions they make to this great nation.

It is important therefore, that we establish a day of national admiration. This simple, yet important, resolution will ensure that our children receive the message of love, support, and encouragement they deserve.

Nearly 5 million children return to an empty home after school each week while their parents work because most communities lack adequate after-school programs. These children are more likely to engage in a host of risky behaviors that threaten their future.

Many children face crisis of grave proportions. Sadly, over 5 million American children go to bed hungry at night. There has been an increase in the number of children in or in need of foster care services. Our children deserve more, and we must make a commitment to reverse these trends. When we fail to invest in our children, we fail to invest in our country.

National Child's Day focuses on children's accomplishments and addresses their needs. The establishment of a National Child's Day will encourage families to spend more quality time together and will highlight the special importance of the child in the family unit.

I urge my colleagues to join me in establishing June 3, 2001, as National Child's Day.

AMENDMENTS SUBMITTED AND PROPOSED

SA 649. Mr. ENZI (for himself, Ms. SNOWE, Mr. HAGEL, and Mr. DEWINE) proposed an amendment to amendment SA 358 submitted by Mr. JEFFORDS and intended to be proposed to the bill (S. 1) extend programs and activities under the Elementary and Secondary Education Act of 1965.

TEXT OF AMENDMENTS

SA 649. Mr. ENZI (for himself, Ms. SNOWE, Mr. HAGEL, and Mr. DEWINE) proposed an amendment to amendment SA 358 submitted by Mr. JEFFORDS and intended to be proposed to the bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965; as follows:

On page 893, after line 14, add the following:

SEC. ___. FEDERAL PRIORITIES FOR SCHOOL REPAIR AND RENOVATION.

Title IX, as added by section 901, is amended by adding at the end the following:

''PART B—SCHOOL RENOVATION PRIORITIES

''SEC. 9201. GENERALLY APPLICABLE PROVISIONS.

''(a) REQUIREMENT RELATING TO FUNDING OF CERTAIN SCHOOLS.—

''(1) REQUIREMENT.—Notwithstanding any other provision of law (including the provisions of this Act) and except as provided in section 9202(e)(1), in administering any Federal program to provide assistance for school construction, renovation, or repair the Secretary of Education shall ensure that assistance under such program is provided to meet the construction or renovation needs of schools receiving Impact Aid, schools under the jurisdiction of the Department of Defense, and Indian and Bureau of Indian Affairs funded schools prior to making any such assistance available under such program to other schools.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to apply to school construction bond programs or school renovation bond programs.

''(b) TARGETING OF CERTAIN SCHOOLS.—

''(1) GENERAL RULE.—Notwithstanding any other provision of law (including the provisions of this Act), amounts made available under any Federal program to provide assistance for school construction, renovation, or repair for a fiscal year and remaining available after the requirement of subsection (a) has been complied with and after amounts have been made available under section 9202(e)(1), shall be made available—

''(A) for qualified public school facility construction projects described in paragraph (2); and

''(B) to local educational agencies in States described in paragraph (3) for the renovation and construction of public education facilities in grades kindergarten through grade 12.

''(2) QUALIFIED PUBLIC SCHOOL FACILITY CONSTRUCTION PROJECT.—In paragraph (1)(A), the term 'qualified public school facility construction project' means a construction project selected by the State with respect to a public school facility—

''(A) 50 percent of the enrollment population of which is from families whose income does not exceed the poverty level, as determined by annual census data published by the Department of Labor;

''(B) that is located in a district in which the district bonded indebtedness or the indebtedness authorized by the district electorate and payable from general property tax levies of the districts within the agency's jurisdiction has reached or exceeded 90 percent of the debt limitation imposed upon school districts pursuant to State law;

''(C) with respect to which the local educational agency has made its best effort to maintain the existing facility; and

''(D) that is among the neediest 10 percent of all public elementary and secondary school facilities in the State, as determined by the State.

''(3) STATE ELIGIBILITY.—

''(A) IN GENERAL.—A State described in this paragraph shall be deemed an eligible State in which local educational agencies may receive grants for school renovation and construction if the State is appropriately participating in the renovation and construction of public education facilities in grades kindergarten through grade 12, as determined by the State. The State shall demonstrate that it has an operational plan to meet such an obligation.

''(B) RULE OF CONSTRUCTION.—In the case of a State with a school financing law separate from the State's education facilities capital construction plan, nothing in subparagraph (A) shall be construed as affecting the application of such financing law or the eligibility of such a State to receive a grant under this section.

''(4) FEDERAL SHARE.—The Federal share of the cost of any project funded under subparagraphs (A) and (B) of paragraph (1) shall not exceed 50 percent. The non-Federal share of the cost of such project may be provided in cash or in kind, fairly evaluated, including services.

"SEC. 9202. REVOLVING LOAN PROGRAM

''(a) DEFINITIONS.—In this section:

''(1) BOND.—The term 'bond' includes any obligation.

''(2) GOVERNOR.—The term 'Governor' includes the chief executive officer of a State.

''(3) PUBLIC SCHOOL FACILITY.—The term 'public school facility' shall not include—

''(A) any stadium or other facility primarily used for athletic contests or exhibitions, or other events for which admission is charged to the general public; or

''(B) any facility that is not owned by a State or local government or any agency or instrumentality of a State or local government.

''(4) QUALIFIED SCHOOL CONSTRUCTION BOND.—The term 'qualified school construction bond' means any bond (or portion of a bond) issued as part of an issue if—

''(A) 95 percent or more of the proceeds attributable to such bond (or portion) are to be used for the construction, rehabilitation, or repair of a public school facility or for the acquisition of land on which such a facility is to be constructed with part of the proceeds;

''(B) the bond is issued by a State, regional, or local entity, with bonding authority; and

''(C) the issuer designates such bond (or portion) for purposes of this section.

''(5) SECRETARIAL FUND.—The term 'Secretarial fund' means a fund established by the Secretary to carry out this section.

''(6) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

''(b) LOAN AUTHORITY AND OTHER SUPPORT.—

''(1) LOANS AND STATE-ADMINISTERED PROGRAMS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), from funds made available to a State under subsection (e) the State, in consultation with the State educational agency—

''(i) may use the funds to make annual interest payment on qulified school construction bonds, to support State revolving fund programs or for any other State-administered programs that assist State, regional, and local entities within the State in paying for the cost of construction, rehabilitation, repair, or acquisition described in subsection (a)(4)(A).

''(B) STATES WITH RESTRICTIONS.—If, on the date of enactment of this section, a State has in effect a law that prohibits the State from making certain loans described in subparagraph (A)(i), the State, in consultation with the State educational agency, may use the funds described in subparagraph (A) to support the other uses described in subparagraph (A)(i).

''(2) REQUESTS.—The Governor of each State desiring assistance under this section shall submit a request to the Secretary of Education at such time and in such manner as the Secretary may require.

''(3) ELIGIBILITY.—

''(A) IN GENERAL.—Only those States described in subparagraph (B) shall be eligible to receive assistance under this section with respect to a fiscal year.

''(B) STATES DESCRIBED.—With respect to a fiscal year, a State described in this subparagraph is a State that receives assistance under part A of title I for the fiscal year involved in an amount that is less than .4 percent of the total amount made available to all States under such part for such fiscal year.

''(4) PRIORITY.—In selecting entities to receive funds under paragraph (1) for projects involving construction, rehabilitation, repair, or acquisition of land for schools, the State shall give priority to entities with projects for schools with greatest need, as determined by the State. In determining the schools with greatest need, the State shall take into consideration whether a school—

''(A) is among the schools that have the greatest numbers or percentages of children whose education imposes a higher than average cost per child, such as—

''(i) children living in areas with high concentrations of low-income families;

''(ii) children from low-income families; and

''(iii) children living in sparsely populated areas;

''(B) has inadequate school facilities and a low level of resources to meet the need for school facilities;

''(C) is located in a rural area;

''(D) is among the neediest 40 percent (except that schools described in section 9201(b)(2)(D) shall not be considered for purposes of this paragraph) of all public elementary and secondary schools in the State, as determined by the State; and

''(E) meets such criteria as the State may determine to be appropriate.

''(c) REPAYMENT.—

''(1) IN GENERAL.—Subject to paragraph (2), a State that uses funds made available under subsection (e) to make a loan or support a State-administered program under subsection (b)(1) shall repay to the Secretarial fund the amount of the loan or support, plus interest, at an annual rate of 4.5 percent. A State shall not be required to begin making such repayment until the year immediately following the 15th year for which the State is eligible to receive annual distributions from the fund (which shall be the final year for which the State shall be eligible for such a distribution under this Act). The amount of such loan or support shall be fully repaid during the 10-year period beginning on the expiration of the eligibility of the State under this section.

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—The interest on the amount made available to a State under subsection (e) shall not accrue, prior to January 1, 2007, unless the amount appropriated to carry out part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) for any fiscal year prior to fiscal year 2007 is sufficient to fully fund such part for the fiscal year at the originally promised level, which promised level would provide to each State 40 percent of the average per-pupil expenditure for providing special education and related services for each child with a disability in the State.

''(B) APPLICABLE INTEREST RATE.—Effective January 1, 2007, the applicable interest rate that will apply to an amount made available to a State under subsection (e) shall be—

''(i) 0 percent with respect to years in which the amount appropriated to carry out part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) is not sufficient to provide to each State at least 20 percent of the average per-pupil expenditure for providing special education and related services for each child with a disability in the State;

''(ii) 2.5 percent with respect to years in which the amount described in clause (i) is not sufficient to provide to each State at least 30 percent of such average per-pupil expenditure;

''(iii) 3.5 percent with respect to years in which the amount described in clause (i) is not sufficient to provide to each State at least 40 percent of such average per-pupil expenditure; and

''(iv) 4.5 percent with respect to years in which the amount described in clause (i) is sufficient to provide to each State at least 40

percent of such average per-pupil expenditure.

''(d) FEDERAL RESPONSIBILITIES.—The Secretary shall—

''(1) be responsible for ensuring that funds provided under this section are properly distributed;

''(2) ensure that funds provided under this section are used only to pay for—

''(A) the interest on qualified school construction bonds; or

''(B) a cost described in subsection (b)(1)(A)(ii); and

''(3) not have authority to approve or disapprove school construction plans assisted pursuant to this section, except to ensure that funds made available under this section are used only to supplement, and not supplant, the amount of school construction, rehabilitation, and repair, and acquisition of land for school facilities, in the State that would have occurred in the absence of such funds.

''(e) FUNDING.—

''(1) SET-ASIDE OF FEDERAL FUNDS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law (including section 9201(a) and the provisions of this Act) there shall be made available to carry out this section for each fiscal year, an amount equal to 20 percent of the total amount of Federal funds appropriated for such fiscal year for Federal programs to provide assistance for school construction, renovation, or repair.

''(B) TRANSFER OF FUNDS.—Not later than 60 days after the beginning of each fiscal year, the Secretary of the Treasury shall transfer to the Secretary of Education the amounts described in subparagraph with respect to the fiscal year involved and the Secretary shall utilize such amounts to carry out this section.

''(2) ALLOCATIONS.—

''(A) IN GENERAL.—Subject to subparagraph (C), of the amount available under paragraph (1) for a fiscal year, the Secretary shall make available to each State submitting a request under this section a loan amount that bears the same relation to such available amount as the amount the State received under part A of title I for fiscal year 2001 bears to the loan amount received by all States under such part for such year.

''(B) DISBURSAL.—The Secretary shall disburse the amount made available to a State under subparagraph (A) or (C), on an annual basis, during the period beginning on October 1, 2001, and ending September 30, 2018.

''(C) SMALL STATE MINIMUM.—

''(i) MINIMUM.—No State shall receive a loan amount under subparagraph (A) for a fiscal year that is less than an amount equal to .5 percent of the total amount made available for such fiscal year under paragraph (1).

''(ii) STATES.—In this subparagraph, the term 'State' means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.''.

NOTICE OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a legislative hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Tuesday, May 22, 2001, at 2:30 p.m., in room SH–216 of the Hart Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on the Administration's energy plan and the following bills: S. 388, the National Energy Security Act of 2001; and S. 597, the Comprehensive and Balanced Energy Policy Act of 2001.

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, U.S. Senate, 364 Dirksen Senate Office Building, Washington, DC 20510–6150.

For further information, please call Trici Heninger, Staff Assistant, or Bryan Hannegan, Staff Scientist, at (202) 224–4971.

SUBCOMMITTEE ON WATER AND POWER

Mr. SMITH. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Subcommittee on Water and Power.

The hearing will take place on Wednesday, May 23, 2001, at 2 p.m., in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to conduct oversight on the Lower Klamath River Basin.

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 Subcommittee on Water and Power, Committee on Energy and Natural Resources, U.S. Senate, SH–212 Senate Hart Office Building, Washington, DC 20510–6150.

For further information, please call Trici Heninger, Staff Assistant, or Colleen Deegan, Counsel, at (202) 224–8115.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Wednesday, May 16, 2001. The purpose of this hearing will be to review the credit title of the upcoming farm bill.

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

COMMITTEE ON ARMED SERVICES

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, May 16, 2001, at 10 a.m., in executive session to consider certain pending nominations.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on the nominations of Maria Cine to be Assistant Secretary of Commerce and Director General of U.S. and Foreign Commercial Service; Kathleen Cooper to be Under Secretary of Commerce for Economic Affairs; Bruce Melman to be Secretary of Commerce for Technology Policy of the Department of Commerce; Sean O'Hollaren to be Assistant Secretary of Governmental Affairs; Donna McLean to be Assistant Secretary for Budget Programs and Chief Financial Officer of the Department of Transportation; and Tim Muris to be a Commissioner of the Federal Trade Commission on Wednesday, May 16, 2001, at 9:30 a.m.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, May 16, for purposes of conducting a full committee business meeting which is scheduled to begin at 9:30 a.m. The purpose of this business meeting is to consider pending calendar business, as follows:

Agenda Item No. 1, S. 230.—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.

Agenda Item No. 2, S. 254.—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.

Agenda Item No. 3, S. 329.—To require the Secretary of the Interior to conduct a theme study on the peopling of America, and for other purposes.

Agenda Item No. 4, S. 498.—Entitled the ''National Discovery Trails Act of 2001''.

Agenda Item No. 5, S. 506.—To amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Huna Totem Corporation, and for other purposes.

Agenda Item No. 6, S. 507.—To implement further the Act (Public Law 94–241) approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, and for other purposes.

Agenda Item No. 7, S. 509.—To establish the Kenai Mountains-Turnagain Arm National Heritage Area in the State of Alaska, and for other purposes.

Agenda Item No. 10.—Nomination of Francis S. Blake to be Deputy Secretary of Energy.

Agenda Item No. 11.—Nomination of Robert Gordon Card to be Under Secretary of Energy.

Agenda Item No. 12.—Nomination of Bruce Marshall Carnes to be Chief Financial Officer of the Department of Energy.

Agenda Item No. 13.—Nomination of David Garman to be Assistant Secretary for Energy Efficiency and Renewable Energy of the Department of Energy.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, May 16, immediately following the committee business meeting to conduct a hearing. The committee will consider the nominations of J. Steven Griles to be the Deputy Secretary of the Interior; Lee Sara Liberman Otis to be the General Counsel for the Department of Energy; Jesse Hill Roberson to be the Assistant Secretary for Environmental Management of the Department of Energy; Nora Mead Brownell to be a Commissioner of the Federal Energy Regulatory Commission; and Patrick Henry Wood III to be a Commissioner of the Federal Energy Regulatory Commission.

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

COMMITTEE ON FINANCE

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, May 16, 2001, to consider the nominations of Claude Allen to be Deputy Secretary, Department of Health and Human Services; Thomas Scully to be Administrator of the Health Care Financing Administration, Department of Health and Human Services; Piyush Jindal to be Assistant Secretary for Planning and Evaluation, Department of Health and Human Services; Peter R. Fisher to be Under Secretary for Domestic Finance, U.S. Department of Treasury; James Gurule to be Under Secretary of the Treasury for Enforcement, U.S. Department of Treasury; Linnet F. Deily to be Deputy U.S. Trade Representative, with the Rank of Ambassador, Executive Office of the President; and, Peter Allgeier to be Deputy U.S. Trade Representative, with the Rank of Ambassador, Executive Office of the President.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 16, 2001, at 10 a.m. and 3 p.m., to hold two nomination hearings as follows: at 10 a.m., in SD–419, the Honorable A. Elizabeth Jones, of Maryland, to be Assistant Secretary of State for European Affairs and Stephen Brauer, of Missouri, to be Ambassador to Belgium at 3 p.m., in SD–419, the Honorable Thelma J. Askey, of Tennessee, to be Director of the Trade and Development Agency and the Honorable Peter S. Watson, of California, to be President of the Overseas Private Investment Corporation.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet to hold a hearing on the following nominations for the Department of Veterans Affairs: Leo S. Mackay, Jr. to be Deputy Secretary; Robin J. Higgins to be Under Secretary for Memorial Affairs; Maureen P. Cragin to be Assistant Secretary for Public and Intergovernmental Affairs; Jacob Lozada to be Assistant Secretary for Human Resources and Administration; and Gordon H. Mansfield to be Assistant Secretary for Congressional Affairs.

The hearing will be held on Wednesday, May 16, 2001, at 9:30 a.m., in room 418 of the Russell Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, May 16, 2001, at 2 p.m., to hold a closed hearing on intelligence matters.

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

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Deborah Forbes, a detailee in Senator KENNEDY's office, be granted floor privileges for the duration of the education debate.

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

Mr. JEFFORDS. Mr. President, I ask unanimous consent Heather Smith, an American Planning Association congressional fellow in my office, be granted floor privileges for the duration of the debate on the bill.

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

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S. C. 276d–276g, as amended, appoints the following Senators as members of the Senate Delegation to the Canada-U.S. interparliamentary Group during the First Session of the 107th Congress, to be held in Canada, May 17–21, 2001: The Senator from Iowa (Mr. GRASSLEY) and the Senator from Ohio (Mr. VOINOVICH).

The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d–276g, as amended, appoints the following Senators as members of the Senate Delegation to the Canada-U.S. Interparliamentary Group during the First Session of the 107th Congress, to be held in Canada, May 17–21, 2001: The Senator from South Carolina (Mr. HOLLINGS), the Senator from Vermont (Mr. LEAHY), the Senator from Maryland (Mr. SARBANES), and the Senator from Hawaii (Mr. AKAKA).

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nomination on the Executive Calendar: No. 77.

I further ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, that any statements relating to the nomination appear at this point in the RECORD, and the President be immediately notified of the Senate's action. I also ask unanimous consent that the Senate then return to legislative session.

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

The nomination was considered and confirmed, as follows:

DEPARTMENT OF COMMERCE

James J. Jochum, of Virginia, to be an Assistant Secretary of Commerce.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

ORDERS FOR THURSDAY, MAY 17, 2001

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9 a.m. on Thursday, May 17. I further ask consent that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day.

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

PROGRAM

Ms. COLLINS. Mr. President, for the information of all Senators, under the order, tomorrow the Senate will conduct two votes in relation to the education bill. The first vote will be in relation to the Dayton amendment No. 622, to be followed by a vote in relation to the Voinovich amendment No. 443. Senators should, therefore, expect two early morning votes beginning shortly after 9 a.m.

Following those votes, the Senate will begin consideration of the reconciliation bill and the statutory 20 hours for debate. Additional votes will occur throughout Thursday's session, and the Senate is expected to remain in session into the evening in order to make progress on the tax reconciliation measure.

Before we close, I remind all Members of the early morning votes and ask that Senators be prompt to enable us to begin work on the important Tax Relief Act.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Ms. COLLINS. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:02 p.m, adjourned until Thursday, May 17, 2001, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate May 16, 2001:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ANGELA ANTONELLI, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, VICE RICHARD F. KEEVEY.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

LORI A. FORMAN, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE ROBERT C. RANDOLPH, RESIGNED.

DEPARTMENT OF STATE

PIERRE-RICHARD PROSPER, OF CALIFORNIA, TO BE AMBASSADOR AT LARGE FOR WAR CRIMES ISSUES, VICE DAVID J. SCHEFFER.

CHARLES J. SWINDELLS, OF OREGON, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO NEW ZEALAND, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO SAMOA.

MARGARET DEBARDELEBEN TUTWILER, OF ALABAMA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF MOROCCO.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR A REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

JEFFREY E. FRY, 0000

To be major

GEORGE A. MAYLEBEN, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JOHN R. MATHEWS, 0000
WILLIAM M. MENNING, 0000
KARL C. THOMPSON, 0000

CONFIRMATION

Executive Nomination Confirmed by the Senate May 16, 2001:

DEPARTMENT OF COMMERCE

JAMES J. JOCHUM, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

HOUSE OF REPRESENTATIVES—*Wednesday, May 16, 2001*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. LAHOOD).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 16, 2001.

I hereby appoint the Honorable RAY LAHOOD to act as Speaker pro tempore on this day.

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

PRAYER

The Reverend Whit W. Grace, First United Methodist Church, Long Beach, Mississippi offered the following prayer:

Mr. Speaker, Members of the House of Representatives, and honored guests, let us take this moment to bow for a moment of prayer.

Almighty Father, Wonderful Counselor, we come to You this morning as mere people whom You have chosen to be Your vessel in this place of power. We come from different backgrounds and different places, yet we are joined together for a united goal. This goal will allow You to lead our Nation in a way which will bring a sense of opportunity to each one of our citizens.

The work which we do in this Chamber will affect the lives of people we may never see. O God, would that You bless us and enlarge our horizons, that Your hand might be with us, and that You may keep us from hurt and harm. And at the end of this day, allow all thoughts and all work not to be pleasing to parties or certain groups, but pleasing to You, Almighty Father. 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.

Mr. MCNULTY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCNULTY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from North Carolina (Mr. BALLENGER) come forward and lead the House in the Pledge of Allegiance.

Mr. BALLENGER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces there will be five 1 minutes on each side after the gentleman from Mississippi (Mr. TAYLOR) is recognized for 1 minute.

THE REVEREND WHIT W. GRACE

(Mr. TAYLOR of Mississippi asked and was given permission to address the House for 1 minute.)

Mr. TAYLOR of Mississippi. Mr. Speaker, today we are privileged to have been joined by Reverend Whit Grace, who is the pastor of the First United Methodist Church in Long Beach, Mississippi.

I have to confess it was not until I was elected to Congress that I fully appreciated just how tough a job our priests and preachers and rabbis and ministers have.

See, Mr. Speaker, I have discovered that when something goes wrong, the local Congressmen usually are the second or the third call. The first call is to the local priest or the preacher and minister. It has to be an incredibly tough job when all you do is hear someone has gotten in trouble with the law or someone is ill or someone has just died or someone is near death.

So, Reverend, for what you do and for what all of our priests and preachers do on a daily basis, to listen to our problems and to help as best as you can, to ask for divine intervention, I want to thank you, and I want to thank everyone who chose to serve our Nation in the ministry.

YUCCA MOUNTAIN DOES NOT SOLVE THE ENERGY CRISIS

(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, we need to address the energy crisis in our Nation; however, before this country can embrace increases in nuclear energy production, we need to solve the problem of what to do with the high level nuclear waste.

Because burying it in Yucca Mountain, an area already rocked by earthquakes on a regular basis, is not the answer.

Studies have shown that a repository site at Yucca Mountain is at least 10 times more prone to earthquakes and lava flows than government scientists previously estimated. Nevada ranks third in the Nation for earthquake activity, experiencing over 650 earthquakes in the last 20 years; that means with over 30 earthquakes a year alone in this area.

Clearly, Yucca Mountain is one of the worst places to store the deadliest material ever created by man.

Mr. Speaker, we need to find a solution to the energy crisis, but we need to base it on true science and not misinformation and conjecture.

The DOE plans to buy nuclear waste in Yucca Mountain is not only misguided but immeasurably dangerous for all Americans.

TRIBUTE TO PASTOR JO ANN LONG

(Mr. RUSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RUSH. Mr. Speaker, I rise today to salute Pastor Jo Ann Long as she celebrates her ministerial anniversary of 30-plus years. She is the founder and pastor of the New Covenant Life Church located in the heart of my district.

As a young woman, Pastor Jo Ann was called to the gospel ministry. Since 1962, she has remained a dedicated and dynamic leader.

Over the years, her ministry has taken her all over the world as she served in almost every position within the Church of God and Christ.

Drawing on both professional and personal experiences, Pastor Jo Ann

identifies with the issues and needs of women, children and youth. Most of her work has been ministering to these same people.

In addition to serving as pastor, teacher, and mentor, Pastor Jo Ann is a respected and renowned voice on the radio and television. Seizing on every God-given opportunity to positively impact a life, she began her radio ministry some 20 years ago. Tirelessly, she has hosted a number of pastoral counseling programs and has undoubtedly brought spiritual, mental, and emotional healing to thousands of listeners and viewers in the Midwest.

Today, together with the assistance of the flock at the New Covenant Life Church, Pastor Jo Ann holds various uplifting forums, sponsors informative workshops, and runs several community-based organizations.

Mr. Speaker, I ask my colleagues today to join me in saluting a woman of vision with a mission and holistic gospel ministry, Pastor Jo Ann Long.

NO CHILD LEFT BEHIND ACT REWARDS PROGRESS, CORRECTS FAILURE

(Mr. BALLENGER asked and was given permission to address the House for 1 minute.)

Mr. BALLENGER. Mr. Speaker, the overarching goal of H.R. 1, the No Child Left Behind Act, is to narrow the achievement gap between disadvantaged students and their more affluent peers. The bill takes a two-track approach, expanding flexibility for States and local school districts while holding them strictly accountable for increasing student achievement.

The No Child Left Behind plan will tie Federal funding to results for the first time in the Elementary and Secondary Education Act that was enacted in 1965. Since then, the Federal Government has spent more than $130 billion, including more than $80 billion in the last 10 years, and created more than 50 programs on the landmark Title I program to close the achievement gap between disadvantaged students and their more affluent peers.

Today the gap remains wide, and in some cases it is getting wider. We cannot keep perpetuating a system that accepts such mediocrity, not at the expense of our least fortunate children.

One feature of accountability in H.R. 1 is a plan to help low performing schools, a designation that will be made by the States, to improve their performance. The bill increases the set-asides for States' school improvement funding to 5 percent.

Let us please support the No Child Left Behind bill.

ANOTHER ATTACK ON SCHOOL PRAYER

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, another attack on school prayer, this time at the Virginia Military Institute. For 157 years, VMA students said a prayer before dinner; not anymore.

Attorneys representing two, mind you two, students said it is unconstitutional. Unbelievable. Schools without prayer, schools without God. And what really frosts my pumpkin, experts around the country say it has solved the problem.

Congress, should give them more money. Beam me up. Schools do not need more money; schools can use God. I yield back all the guns, drugs, murder and rape in our schools. And I ask what is next, church without prayer?

VOTE YES ON H.R. 1, NO CHILD LEFT BEHIND ACT

(Mr. KELLER asked and was given permission to address the House for 1 minute.)

Mr. KELLER. Mr. Speaker, I rise today as an original cosponsor and strong supporter of the No Child Left Behind Act.

Mr. Speaker, I say to my colleagues, let me be crystal clear, this act does three things. First, we invest $5 billion in reading for children in grades K through 2. The reason is, 70 percent of the fourth graders in our inner city schools cannot read. We must address this issue head on.

Second, we measure the performance of each child in grades 3 through 8. Why? We do not want to have a situation where a child falls through the cracks and goes to college where he cannot read. We want to measure that performance and fix it. Again, we are addressing that issue head on.

Third, and for those children trapped in a failing school or unsafe schools, they will have a safety valve in the form of immediate public school choice.

This is a good bill that will make a meaningful difference in the lives of young children.

Mr. Speaker, I ask my colleagues to vote yes on H.R. 1 this week.

CLEANING UP AFTER THE CLINTON-GORE ADMINISTRATION

(Mr. STEARNS asked and was given permission to address the House for 1 minute.)

Mr. STEARNS. Mr. Speaker, the Bush administration has been in office less than 100 days, and they are unveiling a comprehensive energy policy. The Clinton-Gore administration was in office 8 years and provided this country with a comprehensive energy crisis.

The energy issue is not about a clean environment, it is about developing a policy. The administration had 8 long years to provide this country with a coherent energy policy and they did not.

Clinton-Gore Energy Secretary Bill Richardson said it best when he admitted that the Clinton-Gore administration had been caught napping on energy policy. Mr. Speaker, now this country is waking up to the nightmare of a full-blown energy crisis, complete with blackouts and high gas prices as a result.

The Clinton-Gore administration had no policy for 8 years. The Bush-Cheney administration now has one within 100 days.

LOOKING AT ISSUES REGARDING ENERGY POLICY

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Speaker, tomorrow the President is going to announce this administration's energy policy. I say bravo. For the last 8 years, like the gentleman from Florida (Mr. STEARNS) mentioned, we have not had an energy policy except close to the election, former President Clinton released some of the strategic oil reserves. Of course, that only made a short-term difference. Petroleum imports over the last 8 years have risen from 50 percent of our need to 58 percent.

We are now faced with a dramatic and challenging future as we try to reduce our dependence on imported oil, especially from OPEC. So the opportunity to look at some of the other oil-producing countries in the world is something we must pursue. But even more than that, as chairman of the Subcommittee on Research, we must look at renewable and alternative sources of energy including clean coal technology.

We must push for the kind of research necessary to increase efficiency and conservation in this country.

I think also it is time to review President Clinton's increase of 4.3 cents on the gas tax that he implanted in 1993 to be a temporary measure for deficit reduction. The balanced budget is accomplished; let us discontinue that tax increase even if we maintain the Highway Trust Fund.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, the pending business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. NUSSLE. Mr. Speaker, I object to the vote on the ground that a

quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 348, nays 53, answered ''present'' 1, not voting 29, as follows:

[Roll No. 114]

YEAS—348

Abercrombie
Ackerman
Akin
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Coble
Combest
Condit
Conyers
Cooksey
Cox
Cramer
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Flake
Fletcher
Foley
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Largent
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Lipinski
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Upton
Velázquez
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Whitfield
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—53

Aderholt
Baird
Bonior
Borski
Brady (PA)
Capuano
Costello
Crane
Crowley
DeFazio
English
Filner
Gephardt
Gillmor
Gutierrez
Gutknecht
Hastings (FL)
Hefley
Hilleary
Hilliard
Jones (OH)
Kennedy (MN)
Kennedy (RI)
Kucinich
LaFalce
Larsen (WA)
Lewis (GA)
LoBiondo
Lowey
McDermott
Menendez
Miller, George
Moore
Oberstar
Pallone
Peterson (MN)
Ramstad
Roemer
Sabo
Schaffer
Slaughter
Stark
Strickland
Stupak
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (CO)
Udall (NM)
Visclosky
Waters
Weiner
Weller

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—29

Bereuter
Blunt
Boyd
Burr
Clement
Collins
Coyne
Dunn
Fossella
Hall (OH)
Hinchey
Hunter
Hutchinson
Jefferson
Johnson, E. B.
Johnson, Sam
Linder
Moakley
Nadler
Rangel
Ros-Lehtinen
Roukema
Sanders
Scarborough
Sweeney
Thomas
Watts (OK)
Wicker
Young (AK)

□ 1035

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on rollcall No. 114, Approval of the Journal, I missed the vote due to detainment departing the White House. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. STUPAK. Mr. Speaker, yesterday the first vote was rollcall vote 109. It was on H.R. 1696, calling for the World War II memorial to be expeditiously built on the Mall in Washington, D.C. I arrived late for the vote, as I was in a meeting. I was under the impression the first vote was approving the journal; thus I voted no. Had I realized the vote was calling for the World War II memorial being expeditiously built on the Mall, I would have voted yes. I ask the RECORD reflect how I wish to have voted on the World War II memorial on rollcall vote 109, H.R. 1696.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2002 AND 2003

The SPEAKER pro tempore (Mr. GUTKNECHT). Pursuant to House Resolution 138 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. 1646.

□ 1036

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. 1646) to authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes, with Mr. LAHOOD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 107–62.

AMENDMENT NO. 4 OFFERED BY MR. HYDE

Mr. HYDE. Mr. Chairman, I offer an amendment made in order by the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. HYDE:

Page 27, strike line 9 and all that follows through line 2 on page 30.

The CHAIRMAN. Pursuant to House Resolution 138, the gentleman from Illinois (Mr. HYDE) and a Member opposed, the gentleman from California (Mr. LANTOS) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

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

I rise in strong support of the Hyde-Barcia-Smith-Oberstar amendment. This amendment will greatly improve the bill by deleting a provision that would require the United States to subsidize abortionists and abortion lobbyists in foreign countries. That provision was adopted by a very close vote in committee; and it would overturn President Bush's benign and sensible policy, the Mexico City policy as it is called, that puts a wall of separation between U.S. family planning programs and the international abortion industry. Taxpayer dollars should not be used to export abortions.

Mr. Chairman, opponents of our amendment have had some harsh and misleading things to say about the Mexico City policy. First, they say, without any evidence, that it is an anti-family planning policy; yet the Mexico City policy does not cut by one penny the $425 million the United States spends every year promoting family planning overseas. And the Mexico City policy strengthens family planning programs by ensuring that U.S. funds are directed to groups that provide genuine family planning, which is something entirely distinct from abortion.

The opponents of the Mexico City policy like to call it a gag rule. They say it violates the right of free speech, although a Federal appellate court has held it is fully consistent with the first amendment. Everybody has a right to free speech, but nobody has an absolute right to Federal tax dollars. The right to free speech does not include the right to have the taxpayers buy a word processor.

Organizations that work for the United States in foreign countries are our partners and our representatives in these countries. In a very real sense they are our ambassadors. Their advocacy in these countries on issues closely related to the U.S. programs they administer, as well as other activities such as the actual performance of abortions, is inevitably going to be associated with the United States. So must we use tax dollars to facilitate abortions overseas?

Specifically, among the most important stated purposes of U.S. family planning programs overseas is to reduce the number of abortions by providing contraception instead. The U.S. has no obligation to administer these programs through agents who fundamentally disagree with this goal. Would we hire casino lobbyists to run an anti-gambling campaign or a distillery to run an anti-alcohol campaign? It makes no sense to hire abortionists or abortion lobbyists to run programs that are aimed at reducing abortions.

Opponents of our Mexico City amendment also argue that U.S. family planning grantees should be allowed to perform and promote abortion so long as the abortion-related activities are carried out with their own money rather than U.S. grant money. This is nothing other than a bookkeeping trick. It ignores the fact that money is fungible. When money is given to an organization, it inevitably enriches and empowers all its activities.

U.S. support also enhances the domestic and the international prestige of the organization by giving it an official U.S. seal of approval. And remember, the people we are trying to reach, poor women and men who have a need for family planning, are not very likely to see the organization's books, so they do not know which activities are funded from which spigot. So when the very same organization offers U.S. family planning assistance with one hand and abortion with the other, the message is the United States and its partners are perfectly comfortable with abortion as a method of family planning.

The most outrageous claim made by proponents of the amendment, and this is a brand new one, as far as I can remember they have never claimed this in more than 20 years of debate about this Mexico City policy, is that it will interfere with efforts to address the HIV-AIDS epidemic. This claim is outrageously false. For one thing, the United States currently spends over ½ of a billion dollars per year on fighting AIDS, $482.5 million in direct U.S. expenditures in fiscal year 2001, plus millions more in contributions to organizations such as the World Health Organization and UNDP, part of which funds anti-AIDS programs.

□ 1045

The President's Mexico City Policy has absolutely no application to this half-billion dollars. It only applies to population assistance which is a different set of accounts from HIV/AIDS programs.

The proponents of the Lee amendment argue that population assistance has an incidental effect of reducing exposure to the HIV virus because part of it pays for contraceptive devices which may prevent infection. This argument misses the whole point of the Mexico City policy. The same identical amount of money will be available for contraceptive devices with or without the Mexico City policy. The same number of contraceptives will be available for distribution. The only difference is whether we hire abortionists or nonabortionists to distribute them. There have always been plenty of organizations willing to administer U.S. programs, including hundreds around the world that are very good that are in the business of family planning, not abortion.

The claim that Members have to oppose the President's pro-life policy in order to support efforts to eradicate AIDS is total nonsense.

Mr. Chairman, I remind my colleagues, this amendment would make the bill abortion neutral. The amendment would not enact the Mexico City policy or any other policy on abortion. The only thing our amendment does is strike the pro-abortion language that was inserted in committee.

When this bill was originally introduced, it said nothing at all about abortion. It was a foreign relations authorization bill, pure and simple. Unfortunately, supporters of an international right to abortion decided to use this bill as a vehicle for their attack on the President's authority in this area.

So a vote for our amendment is a vote to restore the bill to its original abortion-neutral position. A ''yes'' vote will simply uphold the authority of the President to set reasonable terms and conditions on the distribution of U.S. foreign aid as the courts have held he has the power to do.

Get us out of the abortion business. I urge my colleagues to vote ''yes'' on the Hyde-Barcia-Smith-Oberstar amendment.

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

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

Mr. Chairman, I rise in strong opposition to this amendment because I believe it strongly undermines our support for democracy, free speech, and human rights globally.

Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LEE), our lead speaker.

Ms. LEE. Mr. Chairman, I rise in strong opposition to the Hyde-Smith amendment which will overturn the pro-family planning language that the Committee on International Relations added by a bipartisan vote of 26–22, and I want to thank the gentleman from California (Mr. LANTOS), the ranking member, for his tremendous leadership.

Mr. Chairman, I wanted to begin first by asking Members to put themselves in the shoes of someone who will be affected if we reinstate the dangerous gag rule with the Hyde-Smith amendment. Imagine being a 20-year-old woman living on $300 per year in Africa, and going to the only health clinic within hundreds of miles of your home to get family planning counseling, and being denied access to the truly life-saving information needed to decide when to have children or how to prevent HIV and AIDS.

Mr. Chairman, the use of condoms and information about sexually transmitted diseases is essential in preventing AIDS. Also, this is central to family planning counseling. We will be compromising the health and the lives of millions of women and children worldwide, and especially those in developing nations, who want and need to plan their families, if this Hyde-Smith amendment passes.

Mr. Chairman, I ask my colleagues what they oppose about the current language in the bill. Do they not support access to family planning which is proven to reduce the number of abortions? Do they not support access to HIV and AIDS prevention and education which could be eliminated at clinics under this amendment? Do they not support free speech and medical ethics and allowing health care providers in other nations to give complete information to their patients, as is the case in this country?

Mr. Chairman, I want to remind my colleagues that not one penny of United States funds can go to providing abortions overseas as per the

1973 Helms amendment. The law states, and I have the law right here, the law states, ''None of the funds made available to carry out subchapter I of this chapter 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.'' This has been law since 1973.

Mr. Chairman, I urge a ''no'' vote on the dangerous Hyde-Smith amendment which will put the lives of millions of women and children at risk.

Mr. HYDE. Mr. Chairman, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise to express strong support for the Hyde-Barcia-Smith-Oberstar amendment. When President Bush took office, he reinstated the Mexico City policy. This policy does not reduce by one penny the $425 million allocated for population control funding. Under President Clinton in fiscal year 2000, we enacted a compromise Mexico City policy, where groups received their funding and they were required to certify that they would not perform abortions, violate the laws of the host country, or lobby to change the country's laws. Groups who refused to abide by these pro-life protections could still receive funds. Well, the sky did not fall. Women were not hurt. Family planning continued. In fact, 448 out of 457 groups agreed to abide by this simple policy. Only 9 international abortion groups refused, a mere 2 percent.

Mr. Chairman, we all want to ensure that our funding benefits the poorest women, helping them with actual family planning decisions. This will happen under the Mexico City policy. We all agree that AIDS is a tragedy. However, some supporters of the Lee amendment have been claiming that Mexico City will harm international AIDS programs. It should be said in no way will the Mexico City policy negatively affect efforts to eradicate this terrible disease. We are spending over a half-billion dollars per year in anti-AIDS efforts around the world. Nor is there any indirect effect on HIV–AIDS through reduction in population assistance which might help prevent AIDS because we will spend the same amount on population assistance. Do not be misled. While we differ on abortion, I urge that we support the Hyde amendment and stand with President Bush in protecting women overseas and taxpayers' consciences.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. GREENWOOD).

Mr. GREENWOOD. Mr. Chairman, let me strip this debate down to its essentials and talk about what it is really about.

Mr. Chairman, the great religions of the world differ on when and if and under what circumstances a woman should have or it is moral for a woman to terminate her pregnancy. The Catholic Church thinks one thing. My church, Presbyterians, think something else. Jews think something, Muslims think something, and within those religions there are differences of opinions.

Mr. Chairman, our country was based on religious tolerance and religious freedom. That is why most people came to this country initially. Let us talk about what this debate is about. This debate is about religious intolerance. This debate is about saying, because my religion tells me something about abortion, I as a Member of Congress have a right to impose my religious views on the women of America, regardless of their religion, and now the women of the world; and that I have the power of the purse to say to women overseas, regardless of what their religion tells them, we are going to deny their country and where they might go for their health care family planning funds because of our narrow religious views. That is unAmerican. I urge my colleagues to vote ''no'' on this motion.

Mr. HYDE. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Chairman, I rise in strong support of the Hyde-Smith amendment to reinstate Ronald Reagan's Mexico City policy prohibiting American taxpayer dollars to go to groups which violate foreign abortion laws.

Mr. Chairman, clearly, by claiming that organizations performing abortions and receiving funds for lobbying activities are not using Federal funds in support of abortion is to engage in a shell game. Currently 100 countries restrict abortion, and it should not be the policy of the United States to undermine the laws of those countries. Critics of the Mexico City policy argue that the pursuit of such policy results in the denial of first amendment rights to free speech. However, the first amendment does not give anyone a constitutional right to receive Federal money. This bill is not about religious tolerance. It is about the use of U.S. taxpayer dollars. If one thinks taxpayer dollars should go to fund organizations that are going to try to overturn pro-life laws in foreign countries, then they should oppose the amendment.

If my colleagues think this is an inappropriate use of taxpayer funds provided by our hard-working American families, then vote for the amendment and stand with President Bush.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I rise in opposition to this amendment. As a beacon of democracy and freedom for the entire world, the United States has a responsibility to do what is right and what is fair. The provision which the Hyde amendment seeks to strip from this bill embodies the principles on which our country was founded. The language this amendment seeks to strike says simply that we should not treat others the way we ourselves would not want to be treated; that we should not apply different, more onerous standards to overseas groups, damage which would be unconstitutional if we tried to apply them in our own country simply because we have the authority to do so.

Mr. Chairman, to be honest, I cannot understand why some of my colleagues take issue with this. Proponents of this amendment are armed with the statistics that most overseas groups have accepted the gag rule when it has been imposed in the past. They have continued to receive U.S. funds and have not had to shut off all of their programs. But this misses the point. The statistics do not show the agonizing decisions organizations have to make in order to comply with the policy. They do not show the effects of denying medical advice to poor women. They cannot prove that the gag rule makes abortion more rare. And this returns us to the question of imposing the global gag rules because it is right, because it accomplishes the goal of making abortion more rare, or simply because we can.

Mr. HYDE. Mr. Chairman, I yield 2 minutes to the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, once again we see the pro-abortion advocates attempting to override the reinstatement of the Mexico City policy by attempting to paint this policy as anti-family. Yet their objections to this policy have nothing to do with families. This current attempt to repeal President Bush's executive order banning U.S. Government aid for U.S. and foreign contraception groups that perform abortions overseas is another disturbing sign of the pro-abortion movement's contempt for the vast majority of Americans who oppose the spending of their tax dollars on abortions.

The President's executive order protects the desires of millions of Americans who ethically and morally oppose Federal funding of abortion. The current misconception being spread that the Mexico City policy hurts family planning efforts overseas is simply not true. By withholding funds from groups that violate the Mexico City policy, the U.S. does not reduce the amount of foreign family assistance. In fact, the Mexico City policy increases family planning.

From 1984 to 1993, when the Mexico City policy was in effect, U.S. family planning spending increased dramatically. This year, funding for U.S. international family planning is budgeted at $425 million, and reimplementation of the Mexico City policy will not reduce this.

The only change that will take place under the Mexico City policy is that funding will be provided through representatives who are not in the abortion business.

Mr. Chairman, abortion is not needed for family planning, and we must respect the views of millions of Americans who do not want their tax dollars spent overseas to promote abortion. The Mexico City policy continues family planning funding while respecting the views of millions who cherish life and oppose abortion.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. KIRK), my distinguished Republican colleague.

Mr. KIRK. Mr. Chairman, I reluctantly rise today to urge my colleagues to oppose this amendment. Recent research shows that voluntary family planning reduces abortion. Two separate studies, one by the RAND Corporation in Bangladesh and one by Princeton demographers in Kazakhstan, show the same conclusion: Abortion rates fall when contraception is prevalent.

Mr. Chairman, across the former Soviet Union, abortion was the principal method of birth control under Communism. Princeton University studied Kazakhstan through the 1990s, looking at the effect of increased access to voluntary family planning. The results are clear. Contraceptive prevalence increased by 50 percent since the beginning of the 1990s, while abortion decreased by the same amount.

''The proposition that the occurrence of abortions can be reduced by increases in the use of contraception has been demonstrated again in the analysis of data from the 1999 Kazakhstan Demographic and Health Survey,'' said Charlie Westoff, Princeton University's demographer.

□ 1100

This amendment will not reduce abortion but the real way to reduce abortion is to increase voluntary family planning.

Mr. HYDE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Kansas (Mr. RYUN).

Mr. RYUN of Kansas. Mr. Chairman, today as we consider a bill to authorize funding for foreign relations, I find it puzzling that some of my colleagues would wish to include language to repeal President Bush's Mexico City policy. The issue of abortion as a method of family planning is one of the most divisive and controversial that we face as a Nation. Why should we be thrust into that debate in other countries?

President Bush was right to remove the United States from promoting abortions in developing nations. After all, abortion is legal only in a fraction of these countries. Those who want American taxpayers to fund abortions overseas should consider the destructive impression that it gives others about the United States. As a Nation, the image we promote to the rest of the world should be one of life, health, and hope.

The Mexico City policy allows the U.S. to support overseas family planning programs without tying those dollars to abortion. I urge my colleagues to support President Bush's Mexico City policy.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to my good friend, the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Chairman, I rise in strong opposition. First and foremost this is not about abortion. It is about women dying to the tune of 600,000 a year. That is equal to one or two jumbo jets crashing each day. And it is about saving women's lives. Since 1973, no U.S. Federal funds have been or are used for abortions around the world. During the time that we are debating this amendment, 65 women will die from pregnancy-related complications.

The global gag rule restricts foreign NGOs from using their own funds. In America, this language would be unconstitutional. It is unconscionable that we would impose it on the world's poorest women. The global gag rule is enough to make you gag. The rule puts the U.S. in the position of deciding what speech is acceptable and what speech is unacceptable.

Current Mexico City policy is not abortion neutral. Organizations receiving U.S. funds can use their own money to lobby against abortion but cannot use their own money to lobby to make abortion legal. Vote no on this amendment.

Mr. Chairman, as a supporter of family planning, I rise in strong opposition to the Hyde-Smith amendment which reinstates the antiwoman antidemocratic Global Gag Rule.

First and foremost, this is not 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.

Since 1973, no U.S. Federal funds have been or are used around the world for abortions. During the time we are debating the gag rule, 65 women will die from pregnancy related complications because they don't have access to the most basic health care.

The Global Gag Rule restricts foreign NGO's from using their own funds. In America, this language is unconstitutional. It's unconscionable that we would impose it on the world's poorest women. The gag rule is enough to make you gag. It cripples foreign NGO's ability to practice democracy in their own countries.

We can't afford to stifle the international debate on family planning by tying the hands of NGO's with an antiwoman 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.

I urge my colleagues to support the Lee language and oppose the Hyde-Smith amendment.

Mr. HYDE. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Indiana (Mr. PENCE).

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

Mr. Chairman, I rise today in support of the amendment offered by the gentleman from Illinois (Mr. HYDE) and the gentleman from New Jersey (Mr. SMITH) and I commend their efforts in this important matter.

Mr. Chairman, much has been said this day about the effects of the Mexico City policy. Our opponents claim that this is a gag on the first amendment and that it is an attack on family planning.

Mr. Chairman, these claims are false and are simply an effort to change focus away from the real issue here which is federally funded abortions and abortion lobbying around the world.

Regardless of one's personal stance on the sanctity of life, this body should be able to agree that the millions of pro-life taxpayers that have a moral objection to the practice of abortion should not be forced to pay for abortions or abortion advocacy internationally. America has always and should ever stand for life and liberty across the globe.

Mr. Chairman, I urge all of my colleagues to choose life today and to vote for the Hyde-Barcia-Smith amendment and end forced taxpayer funding of abortion and abortion advocacy internationally.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 1 minute to my good friend, the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I rise in strong opposition to the Hyde-Smith amendment. What we are talking about today is not abortion. No U.S. tax dollars are used for abortions. Zero. Zilch. That has been the fact since 1973 and it is the same today. The Lee amendment does not change that one single bit.

Mr. Chairman, we have all read stories in the newspaper and seen on television reports on the ravages of HIV/AIDS throughout the world. It is easy to forget those stories and the plight of millions of people around the world who are so far removed from today's debate. Last year I visited one of those far-off places, Malawi, in sub-Saharan Africa. I saw how in one location in a small village family planning is provided in the same place as immunizations for kids and HIV and TB testing for adults.

With up to 35 percent of the population in some countries in sub-Saharan Africa infected with HIV/AIDS and

with India and the South Asia region on the horizon as the next HIV time bomb, the U.S. must be more actively involved in funding programs.

A one-size-fits-all solution is not what we need. What we need to do is work with the local NGOs and health care organizations to provide the highest quality of service, education, and care that we can possibly provide.

Mr. HYDE. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, I think the fundamental issue with the Mexico City policy is whether or not we will use our American tax dollars to promote the abortion industry overseas.

We are known for our exports, beautiful cars, commercial jets, music, and movies. The Lee amendment will add abortion to our list of exports and does so at taxpayer expense. I believe this is the wrong message to send the world. Instead, let us promote life, the arts, new technology, not the industry of death. And above all, not with taxpayer dollars.

I encourage my fellow Members of Congress to support the Hyde amendment and raise the standard of exports from America.

Mr. LANTOS. Mr. Chairman, I am honored to yield 2 minutes to the gentleman from Missouri (Mr. GEPHARDT), the Democratic leader.

Mr. GEPHARDT. Mr. Chairman, I rise to urge my colleagues to vote against the Hyde amendment and for international family planning assistance that we know makes a difference in the lives of women and children across the globe.

Our international family planning assistance should not be encumbered. It should be enhanced. Overpopulation leads to the suffering of women and children, poverty and environmental degradation. Family planning is critical for the survival of the planet and the people on it, and it plays a critical part in preventing the spread of diseases like HIV/AIDS, which I believe is the moral issue of our time.

In one of his first official actions, President Bush decided to restore the so-called Mexico City policy and reinstate controversial restrictions on U.S. family planning assistance. The President said he wanted to make sure U.S. taxpayer dollars were not being spent on abortions abroad. Respectfully, I believe this is a misunderstanding of our law. Since 1973, U.S. policy has prohibited taxpayer funds from being used in any way, shape, or form to provide abortions. But under the Mexico City policy, nongovernmental organizations, with their own funds, cannot inform women about their options, nor can they advocate their own government's laws regarding reproduction. I believe these Presidential restrictions are harmful and will reduce the availability of family planning services to some of the world's poorest and most needy women.

There is talk about compassion. In my view, this is not compassionate. In fact, these restrictions placed on overseas family planning organizations would be illegal in our own country. We are imposing restrictions on free speech, putting on a gag order that would not be allowed in the United States of America. We are asking nongovernmental organizations in other places, in other countries, to live under a restriction that we would not impose here in the United States.

So the issue is simple. Do we empower women and families across the globe with the ability to plan for the number of children they will have, as is the case here in America? Or do we pull the rug out from under these important efforts? For me, the choice is clear. We must continue to work to empower women with the ability to make their choice necessary to plan the size of their own family.

I was in Cambodia recently and we visited a family planning clinic. There were no abortions going on. There was no effort at abortion. They were simply giving women needed advice and education and help with what they desperately wanted, which was family planning. I could not see that without coming to the floor here today to try to change this policy. I think it is the right thing to do morally. I think it is the right thing to do for our leadership role in the world. I ask Members to examine their conscience and to examine the facts. If they will do that, I believe a majority here today will vote to overrule the President's ill-advised order on international family planning.

Mr. HYDE. Mr. Chairman, I am pleased to yield 6 minutes to the distinguished gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. I thank the distinguished chairman of the full committee for yielding me this time and for his courage in offering this amendment.

Mr. Chairman, the sole purpose of the seemingly benign title of this language that we are seeking to strike, the Global Democracy Promotion Act of 2001, is to provide Federal funds to organizations that perform and/or promote abortions overseas as part of this legislation, as part of our population account.

The Lee language has nothing whatsoever to do with building democracy and the rule of law. It has nothing whatsoever to do with the protection of human rights, all causes to which I have devoted and many others have devoted their entire lives to. The Lee language is not about protecting people. Indeed, the absolute contrary is true.

I am sure many others like myself find it highly offensive when a legislative proposal that seeks to abolish the most fundamental, the most elemental of all human rights on the face of the Earth, the right to life, is euphemistically cloaked as a democracy builder, which it is not. The Lee language is designed to repeal the pro-life, pro-child Mexico City policy which as Members know was recently reinstated by President Bush to ensure that we do not fund the killing of unborn babies, either directly or indirectly.

Mr. Chairman, it is high time we came to the recognition that abortion is violence against children. Abortion methods are cruel. Abortion procedures, referred to in the language as medical services, rip and dismember the innocent child or they chemically poison the baby with some toxic substance. Today, Mr. Chairman, the pro-life laws and policies of about 100 countries around the world are under continuous siege. Regrettably, the forces, the engine behind the pro-abortion push are nongovernmental organizations, pro-abortion groups that we fund and we are the primary provider of subsidies to those groups.

The Bush executive order, like the original Reagan-Bush executive order, permits funding only to those organizations that provide family planning. Abortion is not family planning, and by funding only family planning, innocent children are not put at risk. As one of my previous colleagues pointed out so well, an overwhelming number of organizations, including some Planned Parenthood affiliates, accepted the Mexico City policy. For several years, there was a wall of separation between abortion and family planning. And the Bush policy ensures that as well. Who we subsidize, not just what, but who we give millions upon millions of dollars to has profound consequences.

The simple fact of the matter is, Mr. Chairman, that as far back as 1984, we recognized that the longstanding law that said no funds could be used directly to pay for abortion was very infirm, it was incomplete and it was not working.

□ 1115

Money is fungible. The millions of dollars we gave to a family planning group to perform abortions immediately freed up millions more that were used for the performance and promotion of abortion.

It should matter to us, not just what an organization does with our specific subsidy, but what else they do. It is a package deal. Many groups, regrettably, use family planning as a Trojan horse to conceal their real agenda, which is abortion on demand.

Mr. Chairman, I know that Members of Congress are getting blitzed by Planned Parenthood and other abortionists who oppose the Hyde-Barcia-Oberstar-Smith amendment. I appeal to you to resist. I ask you to stand

with the victims, both mother and child, and against the victimizers. When we subsidize and lavish Federal funds on abortion organizations, we empower the child abusers; and Planned Parenthood, make no mistake about it, both here and overseas, is ''Child Abuse, Incorporated.''

Here in the United States, for example, and I would say parenthetically, this is not a domestic amendment, but the example gives you an insight as to what is happening overseas, Planned Parenthood has been given $2 billion and performed 2.6 million abortions since 1977. That is 2.6 million girls and boys who will never know the joys and challenges of living or the thrill of learning or marrying or playing soccer or raising their own families some day. That is 2.6 million individual dreams and talents and creativity the world will never see.

The loss of children's lives directly attributable to Planned Parenthood is staggering; 2.6 million dead babies and counting. And if that is not enough, Planned Parenthood both lobbies and litigates against virtually every child protection initiative, including parental notification, women's right to know laws, abortion funding bans, partial-birth abortion, and, again, most recently, the Unborn Victims of Violence Act.

Sadly, they do exactly the same thing overseas; and these non-governmental organizations will be affected by this legislation we pass today. Members should be aware that the International Planned Parenthood Federation, which is based in London, is leaving no stone unturned in its misguided, obsessive campaign to legalize abortion on demand. If they succeed, millions of babies will die from the violence of abortion. I urge Members, please, let us not add to the body count.

Mr. Chairman, Planned Parenthood's Vision 2000 strategic plan makes it very clear that they want family planning organizations to bring pressures on governments to campaign for abortion on demand. They do not cloak it; they do not disguise it. They wanted to undermine Central and South American countries that protect their babies, as well as Ireland and many other countries.

Mr. Chairman, I urge a strong vote in favor of the Hyde amendment, in favor of family planning and against abortion promotion.

Mr. Chairman, Title I Subtitle C of the pending Foreign relations Act, inserted by amendment over the Prime Sponsor's objection during committee markup, is breathtakingly misleading.

Subtitle C hides its sole purpose—providing federal funds to organizations that perform and/or promote abortion overseas, under the seemingly benign title of ''Global Democracy Promotion Act of 2001.''

Don't be fooled, I say to my colleagues.

Subtitle C has nothing whatsoever to do with building democracy and the rule of law. It has nothing whatsoever to do with protection of human rights—all causes to which I have devoted my entire life.

The Lee language is not about protecting people. The absolute contrary is true.

As Chairman of the Commission on Security and Cooperation in Europe, former Chairman of the International Operations and Human Rights Subcommittee, and today as Vice Chairman of the International Relations Committee—I not only have traveled on numerous human rights trips and chaired over 160 hearings on human rights and democracy building in the People's Republic of China, Russia, Vietnam, France, Sudan, Rwanda, Indonesia, Cuba, Peru, Turkey, the Middle East, Northern Ireland, and the Ukraine (to name a few)—I am also the prime sponsor of:

Public Law 106–386—the ''Victims of Trafficking and Violence Protection Act of 2000,''

Public Law 105–320—the ''Torture Victims Relief Act of 1998,''

Public Law 106–87—the ''Torture Victims Relief Authorization Act of 1999,'

Public Law 104–319—the ''Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996,'' as well as

Public Law 106–113, Division B—the ''Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001,'' which is filled, like the other bills I have listed, with human rights and democracy provisions.

In addition to authoring human rights legislation, I have offered scores of amendments to boost the Child Survival Fund, Refugee Protection, and Freedom Broadcasting, like Radio Free Asia.

I and, I'm sure, many others find it highly offensive when a legislative proposal that seeks to abolish the most fundamental human right on the face of the earth—the right to life—is euphemistically cloaked as a democracy builder.

It is not.

Amazingly, no specific mention is made of abortion in either the findings or operative clause of the amendment. Why the unwillingness to be candid and transparent?

Abortion is referred to as ''a particular issue'' or ''medical service.''

But I guess one would have to be blind to not understand the precise nature of this section. It is designed to repeal the pro-life, pro-child Mexico City Policy—recently reinstated by President Bush to ensure that we do not fund the killing of unborn babies, either directly or indirectly.

Mr. Chairman, abortion is violence against children.

Abortion methods are cruel. Abortion procedures—referred to this section as ''medical services''—rip and dismember the innocent child, or chemically poison the baby with some toxic substance.

This—and only this—is the ''particular issue'' referred to in the section we seek to strike.

Today, Mr. Chairman, the pro-life laws and policies of approximately one hundred countries that restrict abortion are under continuous siege and the forces behind the pro-abortion push are non governmental organizations funded by the US Government.

The Bush executive order—like the original Reagan-Bush executive order—permits the funding of only those organizations that provide family planning—and abortion isn't family planning. Innocent children, therefore, are not put at risk.

Who we subsidize—not just what—but who, we give millions of dollars to has profound consequences.

The simple fact of the matter is that as far back as 1984, the longstanding law stipulating that no U.S. funds can directly be used for abortion was found to be infirm and incomplete. Money is fungible. The millions of dollars we give to a group immeditely frees up other non-U.S. funds that can be used—and have been used—for performing and aggressively promoting abortion. It should matter greatly to each of us not just what an organization does with our specific subsidy, but the rest of its agenda as well. It is a package deal. Many groups use family planning as the Trojan horse to conceal their real agenda—abortion on demand.

I know Members of Congress have been getting blitzed by Planned Parenthood and other abortionists to oppose the Hyde-Barcia-Smith-Oberstar Amendment.

I appeal to you to resist.

I ask you to stand with the victims—both mother and child—and against the victimizers.

Whe we subsidize and lavish federal funds on abortion organizations, we empower the child abusers.

And Planned Parenthood, make no mistake about, it, both here and overseas is Child Abuse Incorporated!

Here in the United States for example, and of course it's not affected by this amendment, Planned Parenthood has been paid $1.997 billion in taxpayer dollars and has performed 2,608,362 abortions since 1977.

That's 2.6 million girls and boys who will never know the joys and challenges of living, or the thrill of learning, or marrying, or playing soccer, or raising their own family someday.

That's 2.6 million individual dreams, talents and creativity the world will never see.

The loss of children's lives directly attributed to Planned Parenthood is staggering—2.6 million dead babies and counting.

And if that wasn't enough, Planned Parenthood both lobbies and litigates against virtually every child protection initiative including parental notification, women's right to know laws, abortion funding bans, partial birth abortion bans and the Unborn Victim of Violence Act. Sadly—they do the same overseas, and those non governmental organizations would be affected by what we do today.

Members should be aware that the International Planned Parenthood Federation is leaving no stone unturned in its misguided, obsessive campaign to legalize abortion on demand around the world. If they succeed, millions of babies will die from the violence of abortion on demand. Please, let's not add to the body count.

Planned Parenthood's Vision 2000 strategic plan says that family planning organizations should ''bring pressure on governments and campaign for policy and legislative change to remove restrictions against abortion.'' Can anything be more clear? ''Pressure'' governments to nullify their pro-life policies. ''Campaign'' for abortion on demand. And Subtitle C of this bill would compel us to provide millions of dollars to these abortionists.

A headline in the Philippine Daily Inquirer a few years ago succinctly underscores our concern, "Flavier Hits U.S. Pressure on Abortion." The article quotes Senator Juan Flavier:

We had just celebrated our 50th anniversary of independence from America, but we can still see insidious methods of imperialism trying to subvert our self-determination by using [population control] funds as subtle leverage . . . I strongly opposed abortion. It is prohibited by our laws and the Philippine Constitution. Hence, we should be prepared to lose foreign funding rather than be pressured into causing the death of unborn children.

The abortion promotion by Planned Parenthood is so extreme in the Philippines, for example, that the President of IPPF's affiliate—the Family Planning Organization of the Philippines (FPOP)—resigned over what he called International Planned Parenthood Federation's "hidden agenda" and misuse of his family planning affiliate to legalize abortion.

The use of family planning to cloak its real agenda—the use of family planning as a cover for permissive abortion laws—is now commonplace, and must be stopped. The Bush executive order will help.

Let me remind Members that the pro-life safeguards included in the Bush executive order are nothing new; they were in effect for almost a decade. And they worked!

The pro-life safeguards—the Mexico City Policy—were in effect during the Reagan and Bush years as a principled way to fund family planning without promoting abortion.

We should have no part in empowering the abortion industry to succeed in performing or promoting violence against children.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 1 minute to my friend and neighbor, the distinguished gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding me time and congratulate him and the gentlewoman from California (Ms. LEE) for their leadership on the committee in putting forth this global democracy act. I also want to commend the gentlewoman from New York (Mrs. LOWEY) for writing those words in an independent bill.

Mr. Chairman, I want to address some of the concerns raised by our colleagues. This language that is in this bill is good because it goes a long way to address the concerns, in fact, the entire way to address the concerns Members have about international family planning.

This is the first time Members will have to vote on this particular language. This is not tied to anything they have ever voted for before. It is simply saying we treat non-governmental organizations in other countries the way we treat our own people over there.

The gentleman used the argument of fungibility. The President of the United States, when issuing this executive order, used the argument of fungibility. Yet no one says anything when the faith-based initiatives say that organizations can use their own money for religion, while using our money for social services.

Let us be consistent. Let us let these organizations use their own money, just as we do in the U.S., for reproductive freedom, for pregnancy counseling, issues like that, using our money for international family planning.

Mr. HYDE. Mr. Chairman, I am advised that there are more Members that want to speak on this, and, at the same time, I am reluctant to open the floodgates, so I ask unanimous consent for an additional 5 minutes on each side.

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

Mr. LANTOS. Mr. Chairman, reserving the right to object, and I will not object, I would like to ask my friend, would he be willing to agree to an additional 10 minutes on each side?

Mr. HYDE. Yes.

Mr. LANTOS. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to an additional 10 minutes of debate on this amendment on each side?

There was no objection.

Mr. HYDE. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise in support of the Hyde amendment. I would encourage all of my colleagues who support the right-to-life and who also are opposed to Federal funding for abortion to support the Hyde amendment, to support the Hyde language.

As most people know, I practiced medicine for many years before I came to the U.S. Congress. Though I never performed abortions, I did have the opportunity to witness abortions being performed in my medical training. While I know some people who defend the right to abortion do so more or less seeing it as the better of two evils, protecting the right of the woman for reproductive autonomy versus the right to life, there is no question if you ever actually go into the operating suite and actually see an abortion being performed, really in any of the techniques that are used, that it is extreme violence against an unborn baby. It is brutal, it is most certainly very painful.

The anatomical data, the embryology, what we know about the fetus in the womb based upon our understanding of what we see using ultrasound, ultrasonic techniques, I just spoke to a radiologist recently in my district who described to me how you can clearly see when you do amniocentesis and some of these other procedures in the womb, you can see these babies reacting.

This is clearly, I think for me personally, a no-brainer. Keeping in mind that there are millions of Americans who are pro-life, should we be using taxpayer dollars to go to these international family planning organizations who perform abortions? Now, they will tell us, and we are going to hear it on the floor today, oh, they use the American money, the Federal money, for fax machines and IUDs and other contraceptive purposes, and use this other money. As we all know, money is fungible, you can move it around.

I think this is a very, very good amendment. It is a very, very well thought out amendment; and I would highly encourage all of my colleagues, this is very, very consistent with our long-established policy in not funding abortions. We should not be funding abortions overseas.

Furthermore, these organizations use their money to lobby foreign countries to repeal their pro-life laws. Should American taxpayer dollars be used for something like that? I say no.

Support the Hyde language. Support the President of the United States.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, by lifting the global gag rule, this bill does not send U.S. funds overseas to pay for abortions. The 1973 Helms amendment prohibits Federal funding of abortions as a method of family planning.

This amendment remedies a hypocritical double standard imposed by the global gag rule which would be unconstitutional if it were applied to family planning organizations in the United States.

Although it is constitutionally permissible for the U.S. government to restrict how a U.S.-based organization spends Federal funds, the Constitution does not permit the government to impinge upon an organization's rights to free speech and association by restricting how it spends funds received from other non-Federal sources.

Under the global gag rule, foreign organizations that receive U.S. family planning funds cannot use their own non-U.S. funds to provide medical counseling, which includes information about abortion or abortions or to lobby their own governments on the subject. These restrictions, if applied to U.S. organizations, would quickly be struck down as violating the right to free speech and association.

The United States should respect the rights of citizens of other countries to freedom of speech. It is arrogance for us to attempt to limit the rights of free speech abroad in a way we would never do at home. I urge the defeat of this amendment.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 1 minute to my friend the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Chairman, I rise in opposition to the Hyde-Smith amendment. As a member of the

Russia Duma Study Group, I have seen firsthand how important these funds are to women around the world. I have met with family planning providers from around the world; and they consider this aid to be the most important assistance that they receive from the United States, especially the providers in the former Soviet Union and African nations.

This is not about promoting abortion. It is about helping women and their families. When I was coming up in the 1960s, there used to be a program with Sergeant Joe Friday, and he would say, ''Just the facts.'' The facts are we do not spend a dime of U.S. taxpayer money for abortions and have not since 1973.

This is not about protecting the taxpayers' dollars. This is about the fact that each year more than 600,000 women die of pregnancy-related deaths that are preventible. This is about the fact that more than 150 million married women in developing countries want assistance.

Vote against this ill-fated amendment.

Mr. LANTOS. Mr. Chairman, I am very pleased to yield 1 minute to the distinguished gentlewoman from Wisconsin (Ms. BALDWIN).

Ms. BALDWIN. Mr. Chairman, for more than 30 years, the United States has led an international effort to reduce the toll of maternal deaths, unwanted pregnancies, and abortion in developing countries by providing money and technical assistance for family planning programs. The Hyde-Smith amendment would severely limit our efforts to reduce abortions worldwide because it would reinstate the global gag rule, a policy that prohibits foreign, non-governmental organizations that receive U.S. Federal funds from promoting and providing comprehensive family planning services.

By reducing funding to reproductive health care providers in underserved areas, this amendment will decrease women's ability to access pregnancy-related care, family planning and services for HIV/AIDS and other sexually transmitted diseases. Our efforts to reduce the number of abortions worldwide through greater access to family planning services will be hindered.

Mr. Chairman, I urge my colleagues to vote against the Hyde-Smith amendment.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentlewoman from New York (Ms. SLAUGHTER).

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

Mr. Chairman, the findings of the amendment of the gentlewoman from California read as following: ''It is the fundamental principle of American medical ethics and practice that health care providers should at all times deal honestly and openly with patients. Any attempt to subvert the private and sensitive physician-patient relationship should be intolerable in the United States and is an unjustified intrusion into the practices of health care providers when attempted in other countries.''

No one will argue with that, and yet the Hyde amendment strikes this from this bill.

What happens here then is that women in poor countries die. Six hundred thousand women a year die. Abortion is not stopped. Women are simply not able to plan their families, and women die.

Do we want the people to understand that the United States only cares about the doctor-patient relationship and about giving decent health care only in our own borders?

Stop letting women in other countries die because we refuse to give them the information that they need. It is not about abortion.

Mr. LANTOS. Mr. Chairman, I am very pleased to yield 1½ minutes to the gentleman from New York (Mr. GILMAN), the former distinguished chairman of the Committee on International Relations.

□ 1130

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

Mr. Chairman, I am pleased to rise in opposition to the amendment offered by the gentleman from Illinois (Mr. HYDE), the distinguished chairman of our Committee on International Relations, my dear friend.

The Mexico City global gag rule is unnecessary and it is unproductive. We should not impose any conditions on funding for family planning programs that restrict credible organizations from helping us achieve our family planning goals, because those organizations, with their own funds, engage in activities that we may disagree with, such as lobbying for the lifting of restrictions on abortions overseas. Please bear in mind, I say to my colleagues, that under the current U.S. law, no U.S. funds are allowed to support abortion or abortion-related activities abroad.

Mr. Chairman, the Congress, not the President, should be deciding issues of this nature. It is inappropriate for the President, for whom I have the highest regard, to be issuing executive orders to provide for policies such as the so-called global gag rule, the Mexico City policy. And any Member, or any administration, wishing to provide for that policy should bear the burden of moving that legislation through the Congress.

If our colleagues support the bill as reported from our committee, we will be promoting a sound policy and will be defending the prerogatives of the legislative branch.

Accordingly, I urge my colleagues to join in opposing this amendment.

Mr. HYDE. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas (Mr. PAUL).

Mr. PAUL. Mr. Chairman, I rise in strong support of the Hyde amendment. I do not think it is the strongest amendment that we could have, because ultimately, this debate will not end until we stop the Federal funding or taxpayer funding of population control overseas. But nevertheless, a vote for this amendment is a strong statement in opposition to tax-supported abortion.

I would like to address the subject of the gag rule. As many of my colleagues know, if there is any violation whatsoever of any civil liberties or the Constitution, no matter how well intended a piece of legislation is, I will vote against it. On occasion even though I'm strong pro-life, I have occassionally voted against pro-life legislation for that reason.

But let me tell my colleagues, this gag rule argument is a red herring if I have ever seen one. This has nothing to do with the first amendment. This would be like arguing that if we had a prohibition in this bill against passing out guns to civilians in some foreign nation, we would say, we cannot have a prohibition on that because of the second amendment, defending the right to own guns. It would be nonsense. So this has nothing to do with the first amendment; but it does have something to do with the rights of U.S. citizens, Mr. Chairman, in forcibly taking funds through taxes from people who believe strongly against abortion their rights are violated.

Someone mentioned earlier that this was a violation of the religious beliefs of people overseas. What about the religious beliefs of the people in this country who are at the point of a gun forced to pay for these abortions? That is where the real violation is. It is not an infraction on the first amendment.

As a matter of fact, I think this is a bad choice and bad tactics for those who support abortion, because this is like rubbing our nose into it when the people who feel so strongly against abortion are forced to pay for abortion, to pay for the propaganda and to pay for the lobbying to promote abortion. Ultimately, the solution will only come when we defund overseas population control.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentlewoman from Connecticut (Ms. DELAURO.)

Ms. DELAURO. Mr. Chairman, the family planning programs our country supports provide critical reproductive health care for millions of women

around the globe. Family planning assistance prevents unwanted pregnancies and yes, helps to prevent abortions. These family planning programs are the only health care these women and their families have.

The President's executive order dictates to these groups that they must forfeit their right to determine what they do with their own private funds: you must not talk about certain things, you must not perform certain health care services, you must report to us what you do with your own money.

If we were to impose these mandates on domestic groups, they would be struck down as unconstitutional. The gentleman from New Jersey (Mr. SMITH), my colleague, acknowledged that in 1997 on this floor. He also said at that time that he would like to impose this gag rule on these domestic organizations.

The United States Government does not fund abortions here or abroad. We have not done that for decades. We have now begun to restrict what groups can do with their own money. Who suffers when we penalize the funding for these groups? Women and children, some of the most impoverished women and children in the world.

Mr. Chairman, I urge my colleagues to reject the Hyde amendment, save women's lives, and promote democratic values.

Mr. LANTOS. Mr. Chairman, I am very pleased to yield 1 minute to the gentlewoman from Colorado (Ms. DEGETTE).

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

It has been said, but I will say it again: the issue we are debating today is not abortion, it is family planning. Equally important, everyone who will be voting on this amendment today needs to know that the ban on international family planning assistance is more restrictive than any this House has voted on before. If this amendment passes, the global gag rule will go back into effect. This policy disqualifies overseas groups from U.S. planning assistance if they use their own funds simply to counsel pregnant women on all their pregnancy options, including birth control.

The distinguished gentleman from Illinois said, well, birth control will still be there. These workers just will not be able to tell the women about it. Well, that is really helpful, if the birth control is sitting there in the drawer and no one can tell them about it.

The truth is, we all do share one goal today. The goal we share is reducing abortion overseas. There is one way to reduce abortion overseas, and that is family planning. Vote ''no'' on the Hyde amendment, and let us keep family planning available to women around the globe.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentlewoman from Maryland (Mrs. MORELLA), my dear Republican friend.

Mrs. MORELLA. Mr. Chairman, I join so many of my colleagues in opposing this Hyde amendment, which would impose a gag rule on critical international family planning funds.

Mr. Chairman, I do not know what we are hearing, because the taxpayers' dollars have never been used or have not been used for paying for abortions, and people are talking about abortions. This is not about promoting abortions at all. The taxpayer money has never been used to perform or promote it. It has been mentioned that the law that explicitly forbids such activities began as an amendment by Senator HELMS to the Foreign Operations bill in 1973, which is renewed annually. Therefore, there should be no anti-abortion concerns within international family planning.

International family planning helps women, it helps families, it helps our national security. Access to international family planning services is one of the most effective means of reducing abortions, because it provides safe and effective contraceptive options allowing women to plan and space their children; and it promotes the health of both mother and child.

Mr. Chairman, we need this access, so I hope people will vote against this Hyde amendment.

Mr. HYDE. Mr. Chairman, I yield 30 seconds to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, just to respond very briefly. First of all, this is all about foreign aid grant money and whether or not we will have modest conditions that protect children.

Mr. Chairman, it was mentioned a moment ago that we have never voted on this issue before. That is patently untrue. I offered the amendment supporting the Reagan-Bush Mexico City policy year in and year out going back to 1985. This body has voted repeatedly, close to 15 years of voting on this very policy, identical to what we have under consideration today. So hopefully, that argument, that false statement will not be made again.

Let me remind my colleagues, the Hyde, Barcia, Smith, Obestar Amendment does not reduce family planning by one penny; we condition it; we put in safeguards. Who we give our tax dollars to does matter. Pro-abortion organizations perform and promote abortions. Let us give our tax dollars to those that will divest themselves of abortion, and simply stick to family planning.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. HOEFFEL).

Mr. HOEFFEL. Mr. Chairman, I rise in opposition to the Hyde-Smith amendment. The distinguished chairman started this debate by saying there is a difference between the issues of abortion and family planning, and he is correct. The underlying issue in the Hyde-Smith amendment is not the question of stopping abortion, although they would like us to believe that. The underlying issue is how do we best deliver family planning services to women around the world. We do that by abolishing the gag rule, by voting against this amendment.

This amendment would prevent women around the world from getting fundamental family planning information, the most basic information that would go directly to the issue of them controlling their reproductive freedom and not needing to turn to abortions. It is contrary to what my Republican colleagues say they stand for to cut off funding for international family planning, and we would cut it off to the poorest women in the world, not women in our districts, but women around the world that need this information.

Vote ''no'' on the amendment.

Mr. LANTOS. Mr. Chairman, I am very pleased to yield 1 minute to the gentleman from Connecticut (Mr. SHAYS), my good Republican friend.

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

In 1960 there were 3 billion people that lived on this Earth. Today, there are 6 billion people who live on this Earth; and in 40 years, without worldwide family planning services, it will rise to nearly 9 billion. Without worldwide family planning, abortions will be more prevalent.

We need to defeat the Hyde-Smith amendment. There is no funding in this bill for abortions. U.S. law already prohibits family planning funds from being used for abortions, and nothing in this bill permits organizations to break the laws of their host countries or those of the United States.

We need to defeat the Hyde amendment.

Mr. LANTOS. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Mrs. DAVIS). Although she has been with us only a few months, she has already made a significant contribution to the work of this House.

Mrs. DAVIS of California. Mr. Chairman, I rise today to oppose the global gag rule. It has been stated before, but it bears repeating: the global gag rule imposes restrictions on foreign organizations that would be illegal and unacceptable in our own country.

In this country, we value our freedom of speech, and we value the sanctity of our doctor-patient relationships. The global gag rule prevents foreign, nongovernmental organizations from participating in public policy debates regarding the right to choose. Can any of us imagine if Congress passed a law

that silenced the Christian Coalition or Planned Parenthood? The American public would not stand for such a blatant violation of the freedom of speech. Like American groups, foreign organizations should have the right to advocate for their cause.

Perhaps, Mr. Chairman, however, the most egregious impact of the global gag rule is that it violates the sanctity of the doctor-patient relationship. We should not be making decisions about personal, private health care decisions. It is absolutely critical that women are able to discuss their health care concerns with their doctors. So in turn, doctors need to be able to answer all of their questions and discuss every available health care option. If Congress votes to limit what doctors can say to their patients, we will jeopardize the health of women around the world.

The time has come to stand up for democracy and patients' rights. I urge all of my colleagues to vote to repeal the global gag rule today.

Mr. HYDE. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Colorado (Mr. SCHAFFER).

Mr. SCHAFFER. Mr. Chairman, this debate is a matter of subsidy versus choice. The amendment makes our foreign policy consistent with our domestic practices. While many Americans regard themselves as advocates of abortion choice, they clearly oppose subsidies for abortions, whether directly or indirectly, through a fungible subsidy, which is the focus of this amendment.

Our proposal funds family planning, but distinguishes family planning from lethal abortion. America's standard is clearly stated in our Declaration and in our Constitution, a standard which promotes life and regards the right to it as unalienable.

The most pernicious aspect of the efforts by our opponents to promote overseas abortions is that these promotions are targeted to the world's poor, those whose children are already the most vulnerable on the planet. The amendment promotes free will, while avoiding ill will. It draws a clear line at human life and places our country on the side of sanity, decency, and human dignity.

□ 1145

Mr. LANTOS. Mr. Chairman, I am pleased to yield 1 minute to my friend and colleague, the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, the global gag rule is anti-family and it is pro-abortion.

President Bush said the policy was necessary ''to make abortion more rare.'' There is absolutely no evidence that it did that the last time it was in effect. Rather, there is statistical evidence that family planning reduces the number of abortions all over the world.

This gag rule would deny money to places like Turkey, where the Ministry of Health initiated a pilot program linking family planning services and abortion. The results have been dramatic. After a program to promote the use of birth control, the number of abortions performed at that hospital dropped 42 percent from 1992 to 1998.

This policy would be unconstitutional if applied in our own country. How could we even imagine voting in favor of a policy that hinders and gags democracy around the globe?

The global gag rule undermines women's health by denying aid money to organizations that provide crucial family planning services. I urge a no vote.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I urge my colleagues, I plead with my colleagues, to oppose this amendment that would put the Mexico City policy back into this bill, that would put the language that gags foreign private organizations from using their own funds, and I want to repeat this, using their own funds to educate women and families about reproductive choices and options, including birth control options.

International family planning operations provide women in foreign countries with access to maternal care, clinic health services, education and counseling, programs that reduce the need for abortion in the first place. At the very least, we should allow organizations that participate in family planning programs to use their own private funds to provide information and services for women and their families.

Mr. Chairman, if we truly care about women and children, we will support international family planning. Without it, women in developing nations will be forced to make unconscionable choices.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 1 minute to my good friend, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, quickly, let me observe that the President and his faith-based organizations' proposal said that funds can be segregated. Yes, they may be fungible, but they can make a difference. That is what this issue is about.

Family planning programs supported by the United States save lives around the world. The World Health Organization estimates that close to 600,000 women die each year of pregnancy-related causes that are often preventable. Nearly one in four of these deaths could be prevented if high-quality family planning services were available.

Proponents of the global gag rule would lead us to believe that taxpayer dollars are being spent to actively promote or fund abortions. This is false and has been prohibited by United States law since 1973. Imposing restrictions on the freedom of speech of foreign NGOs not only undermines the key goal of our foreign policy, promoting democracy worldwide, but it would be unconstitutional in the United States.

I urge my colleagues to preserve the existing language in the bill and vote against the global gag rule.

Mr. Chairman, family planning programs supported by the United States save lives around the world.

The World Health Organization estimates that close to 600,000 women die each year of pregnancy-related causes that are often preventable—99 percent of which are women that live in developing countries.

Nearly one in four of these deaths could be prevented if high-quality family planning services were available.

Proponents of the global ''GAG'' rule would lead you to believe that taxpayer dollars are being spent to actively promote or fund abortions. This is false. The truth is that not one penny of U.S. assistance pays for abortion services. Federal law has explicitly prohibited funding for abortion services since 1973. Furthermore, the global ''GAG'' rule would be unconstitutional in the United States.

Impossing restrictions on the freedom of speech of foreign NGOs not only undermines the key goal of our foreign policy—promoting democracy worldwide—but it would be unconstitutional in the U.S.

I urge my colleagues to preserve the existing language in the bill and vote against the global ''GAG'' rule.

Mr. HYDE. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Indiana (Mr. HOSTETTLER).

Mr. HOSTETTLER. Mr. Chairman, I rise in strong support of the Hyde-Barcia-Smith-Oberstar amendment, which preserves President Bush's legal authority to implement the pro-life Mexico City policy which prohibits U.S. population assistance funds from being made available to foreign organizations that perform or actively promote abortions in foreign countries.

I would have thought that I would not have needed to remind anyone in this body today about the revelation last year that the International Planned Parenthood Federation quietly repaid $700,000 in U.S. grants just days before a congressional audit to determine if the funds were used for abortions or the promotion of abortion in India and Uganda.

If International Planned Parenthood Federation believes they were used illegally according to Federal law, my colleagues should probably contact them to find out the truth. While International Planned Parenthood might have repaid the U.S. Treasury, they could not pay us back in the human lives they stole.

Today, let us reaffirm our fundamental belief that all of the world's unborn have precious lives that should be protected. Our own Declaration of Independence recognizes that governments are instituted to protect the inalienable right to life. Why should we want to export a contrary doctrine?

Mr. LANTOS. Mr. Chairman, I am delighted to yield 1 minute to my friend and neighbor, the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Chairman, I thank the gentleman for yielding time to me.

Just 2 days after the Bush administration came into office, he issued an executive memorandum reinstating the notorious global gag rule on international family planning programs, so we knew that this was going to come to the floor, but we must know the facts on this.

The fact is, access to family planning services is one of the most effective ways of reducing abortion. Limiting access to family planning results in higher rates of high-risk pregnancies, unsafe abortions, and maternal deaths. Let us know the facts: 600,000 women die each year of causes related to pregnancies or childbirth. Ninety-nine percent of those women live in developing countries.

We must vote no on this Hyde-Smith-Oberstar amendment so we can strengthen HIV–AIDS prevention, so we can encourage the Golden Rule, respect medical ethics, and respect and reinforce current U.S. laws. I urge Members to vote against this thinly-veiled legislation that is anti-family planning. Vote no.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Mr. Chairman, in the late seventies when I was assistant administrator of AID in charge of population programs, I was in charge of the effort to enforce the Helms amendment, whether the agency liked it or not. We did that. We set up a rigorous procedure to make sure that no U.S. monies were used for abortion-related activities.

Now, the argument is that money is fungible, and even if an organization uses a small amount of its own monies, or an affiliate uses its monies, we should make sure that that organization receives no American funding. That carries the fungibility argument to an extreme, period. It is not a rule of reason.

I just suggest to those who are carrying this fungibility argument to an extreme, they should not be surprised if it is used against them or others when they try to apply a different principle in terms of domestic programs.

This is a bad amendment. It is an extreme amendment. I urge its rejection.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 1 minute to my friend, the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the ranking member for giving me the time for a very important discussion.

I respectfully rise to oppose the Hyde-Smith amendment. I guess it is because I have spent a lot of time in developing nations visiting with women across the world. Many of them want peace, and they fight for human rights. They want dignity for their families, their children. They want to be able to raise their children. They want to be able to give them a good quality of life. They want to live, I say to the gentleman from California. The reason they want to live is because they want to be able to foster the opportunities for their children.

But if this amendment passed, 600,000 of those women can die because of pregnancy-related problems, because there has been no family planning. I think it is very important to realize that this Bush Mexico City global gag rule policy that was implemented is more extreme than any other policy we have ever had, because the policy disqualifies overseas groups from U.S. family planning assistance if they use their own funds simply to counsel women on their pregnancy options.

Family planning is vital. We should vote this amendment down so women and children around the world might live.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Members are reminded to address their comments to the Chair, and not to other parties.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 1 minute to my colleague, the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Chairman, I hope this body can come together on this very sensible plan that we have discussed today to protect birth control, yes, birth control, in the international aid program.

We know that the Republican party is opposed to choice, but what is at stake here is not the fight about abortion, it is whether poor women in the Third World are going to be able to have access to birth control so that they can plan their families.

Surely this House is not so radical that it will oppose birth control and the family planning program.

Mr. HYDE. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I just want to make a couple of points in rebuttal to those comments made by my friends on the other side of this issue.

A couple of their speakers have said that somehow the fungibility argument is analogous, to what we were doing with the faith-based initiative proposed by President Bush.

I would suggest that in the faith-based initiative, there is a benign outcome, a benign consequence. If, as a matter of fact, because we give money to a religious organization, which in-turn frees up money, for example, for them to proselytize their religion, I think most of us would agree that is not a bad thing. That is why we give tax breaks to religious organizations, regardless of denomination or belief, because we do believe that religious beliefs are a positive good for society.

That is not the case when we are talking about money and fungibility with regard to family planning and abortion. If the organization, a pro-abortion organization, is performing and killing and decimating, destroying, chemically poisoning and dismembering unborn children, because U.S. funding allows them to use their own money for abortion, that is not a benign consequence, that is a horrific consequence.

If our U.S. funding for family planning is used to free up other money for abortion, we have a responsibility to step in and protect the child and only fund those groups that just do family planning.

I believe as reasonable men and women we can make choices and say, we do not want that consequence. So here in the Mexico City policy, the fungibility argument has real teeth, it has real grip. It ensures that we do not subsidize groups that engage in abortion, the killing of unborn children.

Let me also point out to my colleagues again that when the Mexico City policy was in effect, 350 nongovernmental organizations accepted the pro-life Mexico City provisions, including 57 affiliates of the International Planned Parenthood Federation based in London. That is 57 mostly in-country affiliates who said, we will divest ourselves of killing. Abortion is killing. Family planning is not.

I would hope and I would respectfully submit, this is a modest policy. We do not reduce family planning by a dime. Last year we appropriated $425 million for family planning, and $425 million will go forward for family planning, with the pro-life safeguards.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 1 minute to our distinguished colleague, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise to request a vote no on this amendment. Let me share with Members that my religious values I hold dear. I am not in church right now, but I respect the right of every woman to choose medical procedures that she and her doctor have decided.

But that is not what this is about. This is about family planning. Family planning will eliminate the need for abortions. As a professional nurse, abortions are not done lightly. It is a tough decision and a medical one, for the most part. I can assure the Members that not a single dollar in this bill is going to fund an abortion.

□ 1200

But, Mr. Chairman, we recognize the need for family planning, not only will

it save lives, it will also prevent a lot of disease. When people have access to information on how to control their emotions and their lives, we will see a better result.

Mr. HYDE. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. Mr. Chairman, I thank the gentleman from Illinois (Mr. HYDE) for yielding the time to me.

Mr. Chairman, I rise in support of the Hyde-Barcia-Smith-Oberstar amendment to preserve the President's legal authority to implement the pro-life Mexico City policy.

Mr. Chairman, the pro-abortion lobby likes to call the Mexico City policy a gag rule. This is a cunning and deceptive argument and could not be further from the truth. Abortion, even when it is cloaked in the terms of those who favor it as choice or reproductive freedom, is still giving one human being the power to terminate the life of another.

Fortunately, many of the countries that are considered the Second and Third World still respect and cherish life. These countries though vulnerable and in need of aid should not be forced, coerced, or unduly influenced to accept a practice that is abhorrent to them and a complete contradiction of their most basic beliefs.

That is exactly what the Mexico City policy is all about, Mr. Chairman. It is a reasonable attempt to ensure that the pro-abortion lobby in the West does not undermine the traditions and the laws of other countries.

The Mexico City policy prohibits organizations that perform abortions or lobby foreign governments to legalize abortions from receiving U.S. tax dollars. It is a just but modest measure for those Americans and, Mr. Chairman, there are a clear majority of Americans who do not want their foreign aid dollars used to fund abortions.

Mr. Chairman, I urge my colleagues to support this amendment and to implement the Mexico City policy, a policy which protects and values and respects life not only in this country but around the world.

Mr. LANTOS. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Connecticut (Mrs. JOHNSON), my Republican friend.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I am proud to be an American. I am proud to be a citizen in the freest Nation in the world. We have the confidence in America that if everyone is allowed to speak up, to share their experience, to share their knowledge, we as a Nation will find the best and truest path into the future.

I am proud that I am part of a country that trusts what is an extraordinarily difficult process, because it is difficult sometimes to trust the chaos that comes with public debate about difficult issues. And so I am humiliated as I stand here as an American to watch Members of this House impose on other countries a limit on their citizens' rights to speak up, to advocate what they think their government ought to do in governing themselves.

Mr. Chairman, the underlying bill denies the use of American dollars for abortion; that is that. The underlying bill denies the right to counsel women to go get an abortion; that is that. I do not agree with it; but that is that.

That is not the issue that so profoundly concerns me about the amendment, which I strongly oppose. If America's policy is to be no American funds for abortion, no American funds to counsel for abortion, so be it. But we do know that empowering women with the knowledge to space their children, to have healthy pregnancies, not only saves lives but produces healthy mothers and healthy babies. I am glad that there is money in the bill for family planning.

This amendment is about whether we take the next step and we say to that country that the people who have experience in providing information and education to women may not raise their voice as citizens of their own country, to inform the debate in their own country about what public policy and public law ought to be. And worse than that, this bill says if you have an opinion that we approve of, you may speak publicly. If you have an opinion we disapprove of, you may not speak publicly.

Are we going to send in the FBI? American troops? Are we going to be the censors of speech of people in other countries? It is one thing for America to say you cannot use our money for abortions; it is another thing to say and for us to export as a matter of American policy, we deny you the right to speak your opinion in your own country. We should be ashamed.

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

Mr. HYDE. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman from Illinois (Mr. HYDE) for yielding.

Mr. Chairman, let me just say to my colleagues, if we subsidized an organization that used their money and our money for hunger relief, but hunger relief was only part of their mix of programs a mix that also include the promotion of racial prejudice, we would withhold U.S. funds. Take for instance, apartheid, just go back 15, 20 years in South Africa. We would fund only NGOs who did not agree with Apartheid because we found it egregious and something we could not agree with. So we would suggest to those NGO's that had Apartheid as part of their package, just part of their program, that we will find another NGO to fund. One that divested itself from Apartheid.

Mr. Chairman, that is exactly what has happened with the Mexico City policy. We have said we will provide enormous amounts of money for family planning, but we want some pro-life safeguards to ensure that we are not promoting abortion. Many of us and many in America and many in the world believe abortion to be the taking of human life and exploitation of women as well, we don't want to fund that. Instead, we want to make sure that that money goes for family planning, their own money as well as our own.

Again, if we apply this policy to other issues where we have grave disagreements, like racial prejudice, we would pick and choose among NGOs, and only fund those who divested themselves, completely, from the egregious activity.

Finally, this policy has been found to be constitutional. It has already been litigated, and has been reaffirmed through the scrutiny of the U.S. courts. The Mexico City policy is fully constitutional.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I say I have great respect for my colleagues who feel so strongly about the Hyde amendment, but I would like to repeat once again exactly why I am asking my colleagues to vote no on the Hyde amendment. Number one, the Hyde amendment reduces abortion funding from zero to zero. There is no abortion funding in any family planning legislation which we are proposing.

The Hyde amendment will not reduce the number of abortions, it can only make them less safe. The Hyde amendment, in fact, may well increase the number of abortions, because we are denying poor women around the world the opportunity to get counseling and spacing their children to get family planning.

The Hyde amendment violates medical ethics. It interferes in the doctor-patient relationship. The Hyde amendment punishes free speech and democracy. The Hyde amendment will strip language that respects United States law and laws in foreign countries.

Mr. Chairman, I say to my colleagues, please read this carefully. Vote no on the Hyde amendment. Vote for free speech and democracy and the rights of the United States citizen. Let us not, let us not impose on others what we would not impose on our own.

Mr. HYDE. Mr. Chairman, I yield myself the remainder of my time.

The CHAIRMAN. The gentleman from Illinois (Mr. HYDE) is recognized for 6 minutes.

Mr. HYDE. Mr. Chairman, I speak in defense of millions of people who are offended by having their tax dollars coercively spent to facilitate abortions, and that is the state of the bill now with the Lee amendment.

My amendment strikes the Lee amendment and makes this bill abortion neutral. I have heard people argue, debate abortion, and say that government ought to keep its hands out of this decision. They ought not to be involved in abortion. That is what we are trying to do.

The Lee amendment provides that money, millions of dollars can go to organizations that facilitate abortions, that propagandize for abortions, that lobby to change the laws of countries that are antiabortion and that perform abortions. And it is wrong.

Our country, this Congress, the President, are all entitled to specify the terms and conditions under which our tax dollars are being granted to nongovernment organizations to spend. We can tell them what to spend it for because it is our money, and that has been held constitutional by the courts. If my colleagues want the citations, I have them here.

Now, abortion is not family planning. Family planning is helping you get pregnant or keeping you from getting pregnant. It is not killing an unborn child after you become pregnant. That is abortion. You can call it reproductive rights if you want, but it is abortion. It is killing a life once it has begun.

Mr. Chairman, a lot of people do not want their money facilitating that practice overseas. No family planning dollars are going to be lost. Four hundred and twenty-five million dollars of your tax money and mine will go for family planning, and every penny of it will be spent. It will be spent providing family planning, not abortion. And that is as it should be.

We invite a veto from the President. The President has reestablished the Mexico City policy, which is we do not subsidize organizations that propagandize, that lobby, that perform abortions.

If this Lee amendment stays in the bill and if the Hyde amendment is defeated, we are inviting a veto of a very good bill. That is a shame.

Secondly, this amendment, the Lee amendment, does not belong in this bill. This bill is an authorization for the State Department, not a foreign aid bill. It properly belongs as an amendment on a foreign aid appropriation, not in this bill.

Mr. Chairman, money is fungible. If we provide millions of dollars to international planned parenthood, sure, they are spending their own money on abortions, but we free up their money. We make it available to them by providing our money for other purposes. So the notion that we are telling an organization how to spend its own money is nonsense.

The gag rule, nobody is being gagged. If you want to talk about abortions, talk away, but not on our dime, not on tax dollars provided by this Congress. That is the difference.

I heard my friend, the gentleman from Connecticut (Mr. SHAYS), talk about how important family planning is. I do not doubt that. He talked about all kinds of millions of people who cannot sustain a decent standard of living, that is fine.

We provide family planning, and whether Planned Parenthood spends the money or other organizations, the money will be spent for family planning. Whatever good can come of that will come of that whether the Hyde amendment is there or not.

Mr. Chairman, I plead with my colleagues, support the Hyde amendment. Help this bill get passed to where the President will sign it and do not, do not saddle people's consciences and souls with the fact that my colleagues are coercing tax dollars to facilitate organizations that preach and promote abortion. It is just wrong.

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

□ 1215

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

Mr. Chairman, let me first thank all of my colleagues on both sides of this issue for conducting an enlightening and civilized debate. Let me also specifically commend the gentlewoman from California (Ms. LEE) who led our side in the debate in the committee where we won the issue 26 to 22. It was a significant bipartisan vote.

I would also like to pay tribute to the gentlewoman from California (Ms. PELOSI), the gentlewoman from New York (Mrs. LOWEY), the gentleman from Pennsylvania (Mr. GREENWOOD), the gentlewoman from Connecticut (Mrs. JOHNSON), the gentleman from Connecticut (Mr. SHAYS) for raising the awareness on this so-called Mexico City policy.

Mr. Chairman, this is not a partisan issue. This is not a pro-choice versus pro-life issue. This is about advocating globally what we so cherish for our own citizens here at home, the right to speak freely and the right to choose wisely.

I believe, Mr. Chairman, that reasonable people can and do have different views on the matter of a woman's right to choose; and I respect the views of my colleagues on both sides of the aisle and on both sides of this issue.

But our debate today is not about abortion. Not one dime of U.S. Government tax dollars are used for abortions overseas. Since 1973, it has been illegal to use U.S. taxpayer funds for abortions. This debate is not about funding abortions. It is about the right to free speech and the principle of an open and privileged doctor-patient relationship.

We have heard from the other side repeatedly the notion of fungibility. Fungibility is a real concept. It means that, if funds are made available to purpose A, then funds become freed for purpose B. This is as true of President Bush's faith-based initiative as it is true of this issue.

I think it is important that we not be hypocrites in dealing with this legislation. It is not enough to talk about human rights and democracy and free speech, it is important that we practice what we preach.

I urge my colleagues strongly to vote against this amendment to save the lives of countless poor women across the globe in the most destitute countries on the face of this globe. I urge my colleagues to defeat the amendment.

Mr. BLUMENAUER. Mr. Chairman, I have dedicated my efforts in Congress to the promotion of more livable communities, communities that are safe, healthy and economically secure, here and abroad. Our contribution to international family planning efforts is an example of our partnership on an international level to promote more livable communities.

Poverty-stricken nations face significant obstacles to providing for the health, safety, and economic security of their families. The "Global Gage rule" put into effect by the Bush Administration earlier this year placed an additional burden on these struggling countries. I commend Congresswoman LEE for her successful effort in Committee to overturn the Mexico City restrictions and restore funding to family planning clinics across the world.

U.S. aid for international family planning is used to provide health education, family planning, contraception, and women's health services to women across the globe. Since 1983, by law these funds cannot be used to perform abortions; instead they provide resources critical to combating mother and infant mortality and diseases like HIV/AIDS which cripple development efforts in third world nations. Without these funds, non-governmental agencies in 52 developing nations will be forced to lose or severely reduce their efforts to reduce unwanted pregnancies and sexually transmitted diseases.

The people who don't believe women should control their own reproduction have successfully placed many restrictions on American women in the last 25 years. We should not further this agenda overseas with additional restrictions that would be illegal if enacted here. The height of hypocrisy is that the President proposes providing federal dollars for his Faith Based Initiative, allowing churches to compartmentalize their federally funded activities, but refuses to extend the same latitude to hard pressed organizations in desperately poor countries.

I urge my colleagues to support the action of the committee to restore U.S. international family planning dollars by opposing the Hyde/Barcia/Smith/Oberstar Amendment.

Mr. VELAZQUEZ. Mr. Chairman, I rise today in strong opposition to this amendment.

This amendment flies in the face of the very principles upon which our Nation was founded. Free speech is a right that we all hold dear. Yet by imposing the Global Gag Rule, we are refusing that right to healthcare providers throughout the world.

We all came to Congress because we believe in full and open Democratic participation.

But this Amendment uses U.S. AID funding as blackmail to silence millions—simply because their ideas differ from those of our current administration.

If this policy were imposed on us, we would be outraged. If it was proposed for community groups in our districts, we would not stand for it. But because it is being inflicted upon poor, third world countries, it's OK. What gives this body the right to dictate to people how they should think and what they should be allowed to say?

This policy is hypocritical, it's discriminatory, and it has no place in a free and open society. I urge my colleagues to oppose this amendment.

Mr. BARCIA. Mr. Chairman, I rise today as the Democratic Chair of the Pro-Life Caucus and as one of the original sponsors of the Hyde/Barcia/Smith/Oberstar amendment to urge my colleagues on both sides of the aisle to support this important pro-family planning, pro-life, and pro-woman legislation.

Mr. Chairman, four months ago, President Bush re-instituted a long-standing policy of the United States: that no American tax-payer dollars should go to support those international organizations which promote or provide abortions for women in foreign countries. This is the cornerstone of the so-called Mexico City family planning policy.

But, Mr. Chairman, even as we celebrate our return to an international family planning policy that promotes the sanctity of life, we are called to the floor of this House to defend this important idea. We are currently debating a bill which funds much of our foreign policy. Unfortunately, buried amongst countless worthy American efforts to make the world a better place, there is a provision in this bill which repeals the Mexico City policy. Our amendment is intended to delete this pro-abortion provision.

I urge my colleagues who oppose this amendment, and who oppose eliminating the American subsidy of abortions overseas, to consider that this amendment in no way damages the American commitment to vital international family planning efforts throughout the world.

But don't just take my word for it, Mr. Chairman, we've done this before—in 1984—and the record of history speaks more loudly and more eloquently than I. Despite predictions by the supporters of the international abortion industry that no international family planning organization would accept American funds under the terms of the Mexico City policy, more than 350 foreign family planning agencies agreed to use American funds with these restrictions. Also during this period, we funded family planning efforts throughout the world at higher levels than ever before.

Mr. Chairman, at the beginning of my time, I stated that this amendment is pro-family planning, pro-life, and pro-woman. It is pro-family planning because it will strengthen genuine family planning programs by enacting a wall of separation between real family planning and the performance and promotion of abortion—all while maintaining the high level of economic assistance the United States contributes to international family planning efforts.

It is pro-life because it prohibits the funding of abortions overseas and therefore protects the sanctity of life throughout the world. And it is pro-woman because it offers pregnant mothers in the poorest places on earth more options for her family than a paid-for trip to an abortion clinic, subsidized by the American taxpayer.

Indeed, Mr. Chairman, this is a critical issue with which this body must grapple: with all of the problems in the Third World—the grinding poverty, the enduring famines, the absence of life-saving medicine or adequate health care—is access to subsidized abortion all we have to offer the suffering, and poverty-ridden women of the developing world? Is abortion the only type of family planning assistance worthy of American support and promotion?

Mr. Chairman, my colleagues, I simply do not believe this is true. We can support family planning without promoting abortion, and still give the vital family planning assistance many countries need to sustain their populations.

Support this amendment and tell the world that after almost ten years of encouraging abortion overseas, the United States is back in the business of defending the rights of the unborn and promoting the sanctity of life throughout the world.

Mr. STARK. Mr. Chairman, I rise today in support of the provision added to the Foreign Relations Authorization Act (H.R. 1646) that would reverse the Bush administration's policy known as the global gag rule, and in opposition to the Hyde-Barcia-Smith-Oberstar amendment that would enforce the global gag rule. The rule prohibits international family planning organizations that receive U.S. funds from counseling on or conducting abortions with their own funds—not U.S. government dollars.

Many international family planning organizations in developing nations offer comprehensive reproductive health services including contraceptive counseling, sexually transmitted disease prevention, rape counseling, and abortions. Women often enter the patchwork healthcare systems of developing nations through such international family planning organizations. By qualifying the use of U.S. funds according to the gag rule, we are rendering these comprehensive programs ineligible for valuable resources and limiting their effectiveness in providing health services overall. Furthermore, the gag rule could have the perverse effect of increasing the number of abortions, because those organizations that are ineligible for funds may no longer be able to provide a broad range of family services such as contraceptive counseling.

In African countries where HIV/AIDS has reached epidemic proportions, every chance to counsel on disease prevention must be taken. Life expectancies are plummeting and drug prices are soaring, leaving a grim picture for the future of African children. Thus far, 17 million Africans, including 3.7 million children, have died of AIDS and over 12 million African children have been orphaned. Once a person is at a clinic, the door is open to provide information such as STD prevention. Integrating reproductive health services maximizes the effectiveness of these programs. We cannot stand by and watch this tragedy unfold without exploring every avenue possible to slow the growth of this disease that is devastating the spirits and economies of the developing world.

On another note, how can we justify imposing restrictions on the rights of people in other countries that are constitutionally protected in the United States? In this country, the Constitution does not permit the government to restrict how organizations spend their own, non-federal funds. In this country, our right to free speech allows us to assemble peacefully and petition our government. In this country, we expect full disclosure of all our medical options when we week treatment from a physician. Yet, the global gag rule prohibits all of these legal activities in other countries in exchange for U.S. funds. We would not stand for such restrictions in the United States, and we cannot allow international family planning organizations to be prevented from discussing and performing services that are legal in their countries.

Let's be clear, even if the Hyde-Barcia-Smith-Oberstar amendment fails here today, the United States Agency for International Development (U.S.A.I.D.) cannot promote abortion, nor can it fund abortions except in the cases of rape, incest, or if the life of a woman is in danger.

I urge my fellow colleagues to oppose the Hyde-Barcia-Smith-Oberstar amendment. Reproductive health services are not solely the responsibility of developing nations. We are all affected by the growing population and the spread of HIV/AIDS. Furthermore, we should not impose restrictions on the citizens of other countries that citizens in the United States would not tolerate.

Mr. EVERETT. Mr. Chairman, I rise in strong support of the Hyde/Barcia/Smith/Oberstar Amendment which would effectively reinstate president Bush's order implementing the Mexico City Policy. The Mexico City Policy reflects the views of million of U.S. citizens and is a common sense approach for a civilized nation to take to ensure support for genuine family planning programs, not the promotion of abortion.

Passage of the Hyde/Barcia/Smith/Oberstar Amendment would result in a return to a policy that prohibits U.S. population assistance funding—which comes straight from the pockets of U.S. taxpayers—from going to foreign organizations that perform or actively promote abortion as a method of family planning.

As a world leader, we have an obligation to protect the sanctity of life and liberty, especially for those who are helpless to protect themselves. I, like many in our great country, cannot condone abortion as a means of birth control, population control, material comfort or mere convenience; and I certainly cannot understand the U.S. taking the lead on encouraging this practice or funding lobbying efforts to influence other countries to change their anti-abortion laws.

Accordingly, today, I ask my colleagues to join me in voting for this important amendment. We must return to a policy that respects the ethical and moral views of our citizens and provides support for groups who are wiling and able to reflect these values in their family planning programs.

Mr. GREEN of Texas. Mr. Chairman, the Hyde-Smith Amendment would reinstate the Mexico City anti-international family planning policy known as the global ''gag'' rule.

This policy requires that foreign non-government organizations (NGOs)

1. Withhold information from pregnant women about the option of legal abortion and where to obtain safe abortion services.

2. Refuse to provide legal abortion services,

3. Sacrifice the right to engage in any public debate or public information effort on the availability of legal abortions.

4. And, most importantly, it prevents the NGOs from educating women and families on family planning options that would help prevent abortions in the first place.

The subject of abortion has always been controversial.

Very often highly charged emotions and special interest organizations enter the debate and muddle the true issue at hand.

The key issue of debate today should be on whether educating women and families about family planning services will reduce the number of abortions each year.

The passage of the Hyde-Smith amendment would prevent educating women and families on the issue of abortion.

That is why I urge my colleagues to vote against Hyde-Smith amendment so that we can educate women and families about family planning services and ways to reduce the number of abortions each year in foreign countries.

I would also like to clarify that U.S. taxpayer funds are not being used for foreign (NGO's) abortions or for the advocacy of abortion.

The Hyde-Smith amendment confuses people by stating that no federal U.S. funds will be used to fund abortions or family planning services.

These activities have already been prohibited by longstanding U.S. statues, and recipients of U.S. international family planning assistance are in compliance with those laws.

NGO's use their own funds to provide family planning and legal abortion services.

Finally, I would like to address their HIV/AIDS epidemic in South Africa.

The Hyde-Smith amendment interferes with the effectiveness of HIV/AIDS prevention efforts.

36 million people worldwide are living with and dying from AIDS. A majority of these people are in developing countries.

This is especially true in South Africa, where 55% of new infections occur among women and where the disease is spreading most rapidly among the young.

Family planning providers are a key effort in preventing the transmission of HIV/AIDS, other sexually-transmitted diseases, and unintended pregnancy.

However, it is these same programs that are being targeted by the gag rule in the Hyde-Smith amendment since abortion is legal in South Africa and clinics there do provide women with information about abortion in the context of pregnancy options counseling.

To reduce the number of abortions and to prevent the transmission of HIV/AIDS we must educate women and families on family planning.

I urge my colleagues to vote against the Hyde-Smith amendment that would strike Rep. LEE's language containing the text of H.R. 755, the Global Democracy Protection Act.

Mrs. CAPPS. Mr. Chairman, I rise in very strong opposition to the Hyde amendment, and in support of the important family planning language in the bill.

I want to commend my colleague from California, BARBARA LEE, for her courageous work in the Committee that overturned the "global gag rule."

The gag rule is a medical and moral disaster.

It simply defines common sense to prevent women in the developing world from having access to full and accurate information about their health care options.

It is inexcusable for the United States to force community-based organizations to choose between desperately needed aid and their basic democratic rights.

It is outrageous to reinstate a policy that will reverse global progress in the fights against unwanted pregnancies and the spread of AIDS.

Let's stand up for women, children and families around the world. Let's stand up for fundamental democratic freedoms.

Defeat the Hyde amendment.

Mr. MCGOVERN. Mr. Chairman, I rise in opposition to the amendment offered by Chairman HYDE and Representatives BARCIA, SMITH of New Jersey and OBERSTAR. This amendment would reimpose the Mexico City Policy, also known as the global gag rule, which prohibits U.S. population funds from being made available to foreign non-profit organizations engaged in family planning programs abroad that perform or actively promote abortions.

I will be brief, Mr. Chairman.

Since 1973, no U.S. funds can be used for abortions. Period. End of discussion.

This amendment imposes restrictions on non-governmental organizations (NGOs) abroad that would be unconstitutional here in the United States. It stifles freedom of speech and the rights of individuals to present their views to their own government. It prohibits locally raised funds from being used for locally-defined purposes. In a word, it is anti-democratic.

Finally, this amendment is counter-productive, even in achieving its own stated goals. Cutting off funding for family planning programs results in more abortions taking place around the world, not fewer. Cutting off family planning funds results in greater poverty, not less. Cutting off family planning funds results in increased rates of disease, not decreased rates.

This amendment is very bad policy. I urge my colleagues to oppose it.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. HYDE).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 218, noes 210, not voting 4, as follows:

[Roll No. 115]

AYES—218

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bereuter
Berry
Bilirakis
Blunt
Boehner
Bonilla
Bono
Borski
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Costello
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Ehlers
Emerson
English
Everett
Ferguson
Flake
Fletcher
Fossella
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goss
Graham
Graves
Green (WI)
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Issa
Istook
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kennedy (MN)
Kerns
Kildee
King (NY)
Kingston
Knollenberg
Kucinich
LaFalce
LaHood
Langevin
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Stupak
Sununu
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Vitter
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—210

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Dunn
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley

Ford
Frank
Frelinghuysen
Frost
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Granger
Green (TX)
Greenwood
Gutierrez
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Horn
Houghton
Hoyer
Inslee
Isakson
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy (RI)
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kolbe
Lampson
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Pryce (OH)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Ross
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Sweeney
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Walden
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—4

Ehrlich
Hooley
Moakley
Ros-Lehtinen

□ 1240

Mr. CRAMER, Mrs. MEEK of Florida, Mr. HILLIARD, and Mr. ACKERMAN changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. EHRLICH. Mr. Chairman, on rollcall No. 115, I was inadvertently detained. Had I been present, I would have voted "no."

Ms. HOOLEY of Oregon. Mr. Chairman, Earlier today I did not register my vote for roll No. 115, Mr. HYDE's amendment to H.R. 1646. If present, I would have voted "no" on this amendment.

Mr. HYDE. 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. SHIMKUS) having assumed the chair, Mr. LAHOOD, 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. 1646) to authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes, had come to no resolution thereon.

ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION ACT OF 2001

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 142 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 142

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 1836) to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Rangel of New York or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent, and (3) one motion to recommit with or without instructions.

SEC. 2. Upon receipt of a message from the Senate transmitting H.R. 1836 with Senate amendments thereto, it shall be in order to consider in the House a motion offered by the chairman of the Committee on Ways and Means or his designee that the House disagree to the Senate amendments and request or agree to a conference with the Senate thereon.

The SPEAKER pro tempore. The gentleman from New York (Mr. REYNOLDS) is recognized for 1 hour.

Mr. REYNOLDS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of the resolution, all time yielded is for the purpose of debate only.

□ 1245

Mr. Speaker, House Resolution 142 is a modified closed rule, providing for the consideration of H.R. 1836, a bill to provide for reconciliation instructions for legislation already approved by this body.

The rule provides for 1 hour of general debate, equally divided and controlled by the chairman and the ranking member of the Committee on Ways and Means.

Additionally, the rule waives all points of order against consideration of the bill. The rule also provides for consideration of the amendment in the nature of a substitute, printed in the Committee on Rules report accompanying the resolution, if offered by the gentleman from New York (Mr. RANGEL) or his designee, which shall be considered as read and shall be separately debatable for 1 hour equally divided and controlled between a proponent and an opponent.

Furthermore, the rule waives all points of order against the amendment in the nature of a substitute and provides for one motion to recommit, with or without instructions.

The rule provides that upon receipt of a message from the Senate transmitting H.R. 1836 with Senate amendments thereto, it shall be in order to consider in the House a motion offered by the chairman of the Committee on Ways and Means or his designee and that the House disagree to the Senate amendments and request or agree to a conference with the Senate thereon.

Mr. Speaker, I speak in strong support of this rule, and its underlying bill, H.R. 1836, the Economic Growth and Tax Relief Reconciliation Act of 2001. This bill provides immediate relief to taxpayers by reducing the present-law structure of five income tax rates to four by 2006. This is a fair rule that allows for a minority substitute.

Economist and author James Dale Davidson had the following to say about taxes in America: ''The politicians do not just want your money. They want your soul. They want you to be worn down by taxes until you are dependent and helpless. When you subsidize poverty and failure, you get more of both.''

Mr. Speaker, I would hate to think that is what Americans think of us. Today we have the opportunity, and frankly the obligation, to give money back to its rightful owners. Let us not waste another minute.

I realize that this tax cut plan has its share of critics. They say things like, ''It is not fair. We cannot afford it. It favors the rich.'' Or, ''The Federal Government will collapse.'' Spare me.

Mr. Speaker, let us consider those arguments for just a moment. To those who say the President's tax cut plan is not fair, I ask, Is not fair to whom? Anyone who pays taxes will get a tax break, period. And the lowest income families receive the largest percentage reduction. What is not fair about that?

There are others who say the President's tax cut plan favors the wealthy. In my congressional district, a family of four with a single wage earner earning the area's median family income will currently pay a little more than $1,400 in Federal income taxes. Under President Bush's plan, that family would pay no Federal income tax, not a penny.

Mr. Speaker, still others say the Nation cannot afford a tax cut. With each projection, the budget surplus continues to grow. The President has offered a budget which funds education at record levels, protects and strengthens Social Security, pays off the largest amount of debt in world history, and allows vital government programs to grow at or above the rate of inflation. And still there is a surplus.

If the Federal Government has more money than it needs to fund programs, it is for one reason and one reason only. People are sending too much of their hard-earned dollars to Washington. It is the people's money, not the government's, and they deserve a refund.

The typical American family actually pays more in taxes than it spends on food, clothing, shelter and transportation combined. That is an outrageous burden, and one that we have a fundamental responsibility to change.

This is a first step towards establishing parity and fairness in America's Tax Code. For years it has been well documented that taxpayers in my State send far more of their money to Washington than they get back in Federal programs and services. Under this tax plan, my home State of New York will receive the second most of any State in tax relief, $88.6 billion over 10 years. The fact that those hard-working families will receive on average more than $18,000 in relief is welcomed news, and an issue of fundamental fairness.

Mr. Speaker, I would like to commend the chairman of the Committee on Ways and Means, the gentleman from California (Mr. THOMAS) and the gentleman from New York (Mr. RANGEL), the ranking member, for their devotion and hard work on this measure.

Mr. Speaker, the clock is ticking. I urge my colleagues to support this rule and the underlying legislation.

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

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we are here today to debate the President's energy policy. That is right, you heard me correctly. We are debating President Bush's energy plan for America, a tax cut for the wealthy. Just last week President Bush told the American people that the best answer to rising gasoline prices is the immediate passage of his $1.35 trillion tax cut. In other words, he has said, let us go back to the old-time religion of trickle-down economics. We do not have to do anything to reduce gasoline prices at the pump, we will just cut taxes and wait for something to trickle down to the middle class to help them pay for $2- and $3-a-gallon gasoline.

Mr. Speaker, the problem with this logic, and calling it logic is being charitable, is if you are a hard-working middle class American, you may not feel the trickle. The President's tax cut, as advanced by the Republican majority, once again today is heavily oriented towards upper-income taxpayers, the very folks who can afford to pay for high gasoline prices.

The approach to our current energy problems would be laughable if it were not coming from the highest elected official in the land. So here we are once again voting to give a big break to the wealthiest Americans, and we are not even touching what the President says he wants to do, end the marriage penalty, or reform our estate tax laws so family farmers and small business owners can pass down their property to their families free of estate tax.

All of that is for another day, maybe. Meanwhile, Mr. Speaker, the wealthy get their tax cut and the rest of us are left holding the bag on taxes and soaring energy prices.

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

Mr. REYNOLDS. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the distinguished chairman of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule. It is very important that we move this tax package just as expeditiously as possible. I was saddened to hear the gentleman from Texas (Mr. FROST), my friend from Dallas who has now left the Chamber, and I am sure the gentleman from Ohio (Mr. HALL) would not do the same, but the gentleman from Texas engaged in that standard, failed class-warfare argument, tax cuts for the rich, the us-versus-them view that they are still spewing out, but it just is wrong.

The fact of the matter is if you look at the involvement that virtually half of the American people have in the market today, they are members of the investor class. Using the us-versus-them argument is not one that resonates, especially in light of the fact that this package is one that provides relief for every single American who pays taxes.

Mr. Speaker, what we are doing with this rule is allowing for the reconciliation provision. Why? So that the United States Senate can move ahead and we can get tax relief to the American people as quickly as possible.

My State of California and other parts of the Nation are faced with an energy crisis. I know a lot of people pooh-poohed the fact that the President said over the weekend that we can allow people to keep more of their hard-earned dollars, and that can help mitigate the deleterious effects that this energy crisis is having. That is what we need to do with this measure. As quickly as possible, let hard-working Americans keep more of their dollars as we look at an energy package that is just being unveiled by this administration and a number of us in the Congress are working on.

Mr. Speaker, I believe that is something that we clearly can do, this measure, to help provide some kind of relief for people who are dealing with increased energy costs.

So this is a measure which allows us to move ahead with the President's very positive vision, which calls for a reduction of the tax burden on working families, paying down $2.4 trillion of national debt, saving Social Security and Medicare, and ensuring that those dollars are not used for a wide range of problems, as has been the case in the past.

So it seems to me that we have got a wonderful opportunity here to do the right thing for the American people, and I hope that in a bipartisan way we will have support for this rule and support for the reconciliation package so that we will be able to get that relief to the people who so desperately need it.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, last Friday President Bush said, ''I am deeply concerned about consumers. I am deeply concerned about high gas prices. To anybody who wants to figure out how to help consumers, pass the tax relief package as quickly as possible.''

Now it all becomes clear. First, President Bush comes out with a tax plan which gives 45 percent of the benefit to the wealthiest 1 percent of all American citizens, those with incomes of $373,000 or more.

Next, the vast bulk of every other American, the average American, they only get a grand total of 16 percent of the total tax cut, but he says it should go directly back into the pockets of big oil and gas and electricity companies across the country to pay for people's energy bills. So no tax cut in people's pockets.

You all remember Ronald Reagan's trickle-down economics which theorized if you cut taxes for the rich, the benefits would ultimately trickle down to the rest of us. President Bush has brought us a new vision, trickle-up energy economics.

Under his politics, even the portion of the tax cut that goes to the less wealthy immediately trickles up to wealthy gas, oil, and electrical power companies. For the 138 million Americans, more than half the Nation who are in the bottom 60 percent income range and have incomes of less than $44,000, the Bush tax cut provides just $256. Because the Bush administration refuses to do anything to bring down high gasoline and high electricity rates in the United States, all consumers are going to end up just passing all of their tax cut, and more, right on to wealthy energy companies.

Mr. Speaker, we need a fairer tax cut bill, one that helps working families and not just the wealthiest 1 percent.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I listened with interest to my colleague. For the last 8 years, and probably a few years of the Bush I administration, we have not had an energy policy. I am looking forward to the President releasing that policy tomorrow and seeing if the Congress

might be in a partnership of putting together an effective energy policy for the country.

Mr. Speaker, let us get back to tax relief. In my congressional district, a family of four with a single wage earner earning the area's median income would currently pay a little more than $1,400. Their average income is $34,500 for a family of four. Under the President's plan, the $1,400 they currently pay under Federal income taxes, they would pay no Federal income tax money at all. This is tax relief across the board. If you pay in taxes, you get tax relief; and that tax relief can be significant at all levels, including the lowest level of income seeing the largest percentage of tax savings in this country. It is tax fairness, tax relief.

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

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Mr. Speaker, I rise, kind of incredulous about the idea that this is now a policy. The policy is, if I understand it correctly, especially according to the gentleman from California who spoke a moment ago, the policy is that we are going to have a tax cut in order to pay our electric bill.

Mr. Speaker, I suggest, and I am sure the gentleman who just spoke will be in favor of this, we want to cut out bureaucracy and the middle man. Why not give the money directly to the energy companies? Why not have a direct deposit at Exxon or a direct deposit at the oil production companies or the electric generators? The gentleman from California who just spoke, my good friend, let us do that. Cut out the middle man. Forget the fact that we owe $1.1 trillion to the Social Security fund. Forget the fact that we owe Medicare $229 billion, and that we owe the military retirees $162 billion. Forget about drawing down the debt. I thought that is what we were going to do.

Mr. Speaker, my colleagues over here were the ones that helped convince us that getting rid of the deficit and paying down the debt is something that we needed to do. Let us put some rationality behind this. Let us pass the tax cut. Let us have a direct deposit at the oil companies, at the energy companies. Let us cut out the middle man and the bureaucracy. Let us cut out the American people.

□ 1300

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, middle- and working-class families need and deserve a tax cut this year. Democrats believe that we should cut taxes for all families within the framework of a fiscally responsible budget that strengthens Social Security, allows for a Medicare prescription drug benefit, works down the national debt, and allows us to address pressing needs in education and health care and in national defense. We support a responsible plan that meets the needs of all of America's families.

Regrettably, the Republican leadership has chosen a different path. They have rejected bipartisanship, they have turned aside efforts to reduce the size of the tax cut that goes to the wealthiest wage earners in this country so that we can invest in education and a prescription drug benefit.

Mark my words, the President and the Republican leadership have no intention of abiding by a $1.3 trillion tax cut that is contained in their budget. They are going to move things around. There will be some creative accounting. And they are going to try to fit more than a $3 trillion tax cut into this $1.3 trillion bag. They have no intention of stopping.

That is not responsible and it is not what is best for all of America's families. We make it impossible to meet the needs of Social Security and Medicare or to invest in education. We roll the dice on a set of budget projections that are not just wrong some of the time, these projections are wrong all of the time. This is a recipe for budget deficits, for more debt, and less economic growth. It is the wrong plan for America.

It is not the answer for working families, for middle-class families. They are the folks who need the tax cut the most. The tax cut we consider today is totally skewed to the wealthiest at the expense of everyone else. Forty-five percent of the Bush tax cut goes to the wealthiest 1 percent. What do working Americans get? Nothing. 12.2 million working- and middle-class families with 24 million children get absolutely no tax cut under the Bush plan. It is unfair.

And the notion that the tax cut will solve our energy problem is a bizarre and a disconnected idea and wrongheaded.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, I thank the gentleman for yielding me this time.

If you stay here for a little while, you will see almost anything. I remember about 10 years ago the gentleman from Iowa (Mr. NUSSLE) came down to the House floor, placed a brown paper bag over his head and said he was doing that because he was embarrassed to be associated with a Congress that had its own bank, that was giving Members free overdraft protection, that they in effect could write checks for money that was not there. The gentleman from Iowa, if the truth be known, did a good thing in bringing the public's attention to that. The bank is gone. We all bank at the same credit union that every other Federal employee on Capitol Hill does now.

But what troubles me about the present budget chairman and what is going on on the House floor today is if we should have been embarrassed for Congressmen writing checks on money that was not there, should we not be ashamed that we are passing tax cuts on a day when we owe the Social Security system $1.1 trillion? We have taken their money, we have spent it on other things and now when we have a small surplus, instead of putting that money aside for Social Security, we are giving some Americans a tax break.

It goes beyond that. For years we have been taking money out of the defense budget. Since the 1980s, we have pulled $162 billion out of the Department of Defense budget with the promise that we were setting it aside to pay future military retirees' benefits. Every penny of that has been spent. Again, if we were ashamed that some Congressmen were writing checks for $500, $200 over their amount, should we not be embarrassed to look a veteran in the eye and say we have spent your retirement and we are not putting any money in to pay it back?

Since the 1980s, we have taken money out of all of our civil servants' paychecks, again with the promise that it would be there for their retirement. To date we owe them $501 billion. Now, a billion is a thousand million. A million is a thousand thousand.

Now, for folks who want to, you can visualize probably a thousand dollars. So $501 billion is a thousand, thousand, thousand. Money has been taken out of their paychecks with the promise that we would spend it only on their retirement, but it has been spent on other things. This budget does nothing to pay it back.

Lastly, the Medicare trust fund. Everybody up here, everyone in the gallery, everyone in this room who has a job, money is taken out of your paycheck with the promise it is going to go to your Medicare retirement. To date, we owe that system $229 billion. There is nothing in that so-called lockbox but an IOU. But instead of taking the small surplus we have and applying it to pay off our military retirees, our Social Security recipients, our civil servants, and the folks on Medicare, we are going to pass tax breaks to give some Americans, and incidentally the wealthiest Americans, a tax break while we continue to overcharge people on their Social Security, on their Medicare, on their military retirement, and the civil service retirement.

I hope at some point today someone will tell me why that is fair because I think you are going to have a heck of a hard time explaining that to the American people.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS). The Chair reminds all Members that directions and comments should be made directly to the Chair, and references to guests in the gallery are not in order.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

I think the gentleman from Mississippi has pretty much summed up what we believe over here, that this is bad legislation. We ask the Congress to vote against the bill and against the rule.

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

Mr. REYNOLDS. Mr. Speaker, I yield myself the balance of my time.

This is a fair rule. It offers an amendment as well by the ranking member of the Committee on Ways and Means. I look forward to having it come to a vote.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HALL of Ohio. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 220, nays 207, not voting 5, as follows:

[Roll No. 116]

YEAS—220

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—207

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velázquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Woolsey
Wu
Wynn

NOT VOTING—5

Cubin
Hansen
Lewis (KY)
Moakley
Wexler

□ 1331

Messrs. GEPHARDT, CUMMINGS, BERRY and LUCAS of Kentucky changed their vote from ''yea'' to ''nay.''

Mr. TAUZIN changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1332

Mr. THOMAS. Mr. Speaker, pursuant to House Resolution 142, I call up the bill (H.R. 1836) to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to House Resolution 142, the bill is considered read for amendment.

The text of H.R. 1836 is as follows:

H.R. 1836

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Economic Growth and Tax Relief Reconciliation Act of 2001''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) SECTION 15 NOT TO APPLY.—No amendment made by section 2 shall be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986.

SEC. 2. REDUCTION IN INCOME TAX RATES FOR INDIVIDUALS.

(a) IN GENERAL.—Section 1 is amended by adding at the end the following new subsection:

''(i) RATE REDUCTIONS AFTER 2000.—

''(1) NEW LOWEST RATE BRACKET.—

''(A) IN GENERAL.—In the case of taxable years beginning after December 31, 2000—

''(i) the rate of tax under subsections (a), (b), (c), and (d) on taxable income not over the initial bracket amount shall be 12 percent (as modified by paragraph (2)), and

''(ii) the 15 percent rate of tax shall apply only to taxable income over the initial bracket amount.

''(B) INITIAL BRACKET AMOUNT.—For purposes of this subsection, the initial bracket amount is—

''(i) $12,000 in the case of subsection (a),

''(ii) $10,000 in the case of subsection (b), and

''(iii) ½ the amount applicable under clause (i) in the case of subsections (c) and (d).

''(C) INFLATION ADJUSTMENT.—In prescribing the tables under subsection (f) which apply with respect to taxable years beginning in calendar years after 2001—

''(i) the Secretary shall make no adjustment to the initial bracket amount for any taxable year beginning before January 1, 2007,

''(ii) the cost-of-living adjustment used in making adjustments to the initial bracket amount for any taxable year beginning after December 31, 2006, shall be determined under subsection (f)(3) by substituting '2005' for '1992' in subparagraph (B) thereof, and

''(iii) such adjustment shall not apply to the amount referred to in subparagraph (B)(iii).

If any amount after adjustment under the preceding sentence is not a multiple of $50, such amount shall be rounded to the next lowest multiple of $50.

''(2) REDUCTIONS IN RATES AFTER 2001.—In the case of taxable years beginning in a calendar year after 2001, the corresponding percentage specified for such calendar year in the following table shall be substituted for the otherwise applicable tax rate in the tables under subsections (a), (b), (c), (d), and, to the extent applicable, (e).

''In the case of taxable years beginning during calendar year:	The corresponding percentages shall be substituted for the following percentages:				
	12%	28%	31%	36%	39.6%
2002	12%	27%	30%	35%	38%
2003	11%	27%	29%	35%	37%
2004	11%	26%	28%	34%	36%
2005	11%	26%	27%	34%	35%
2006 and thereafter ..	10%	25%	25%	33%	33%

''(3) ADJUSTMENT OF TABLES.—The Secretary shall adjust the tables prescribed under subsection (f) to carry out this subsection.''.

(b) REPEAL OF REDUCTION OF REFUNDABLE TAX CREDITS.—

(1) Subsection (d) of section 24 is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(2) Section 32 is amended by striking subsection (h).

(c) CONFORMING AMENDMENTS.—

(1) Subparagraph (B) of section 1(g)(7) is amended—

(A) by striking ''15 percent'' in clause (ii)(II) and inserting ''the first bracket percentage'', and

(B) by adding at the end the following flush sentence:

''For purposes of clause (ii), the first bracket percentage is the percentage applicable to the lowest income bracket in the table under subsection (c).''

(2) Section 1(h) is amended—

(A) by striking ''28 percent'' both places it appears in paragraphs (1)(A)(ii)(I) and (1)(B)(i) and inserting ''25 percent'', and

(B) by striking paragraph (13).

(3) Section 15 is amended by adding at the end the following new subsection:

''(f) RATE REDUCTIONS ENACTED BY ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION ACT OF 2001.—This section shall not apply to any change in rates under subsection (i) of section 1 (relating to rate reductions after 2000).''.

(4) Section 531 is amended by striking ''equal to'' and all that follows and inserting ''equal to the product of the highest rate of tax under section 1(c) and the accumulated taxable income.''.

(5) Section 541 is amended by striking ''equal to'' and all that follows and inserting ''equal to the product of the highest rate of tax under section 1(c) and the undistributed personal holding company income.''.

(6) Section 3402(p)(1)(B) is amended by striking ''7, 15, 28, or 31 percent'' and inserting ''7 percent, any percentage applicable to any of the 3 lowest income brackets in the table under section 1(c),''.

(7) Section 3402(p)(2) is amended by striking ''equal to 15 percent of such payment'' and inserting ''equal to the product of the lowest rate of tax under section 1(c) and such payment''.

(8) Section 3402(q)(1) is amended by striking ''equal to 28 percent of such payment'' and inserting ''equal to the product of the third to the lowest rate of tax under section 1(c) and such payment''.

(9) Section 3402(r)(3) is amended by striking ''31 percent'' and inserting ''the third to the lowest rate of tax under section 1(c)''.

(10) Section 3406(a)(1) is amended by striking ''equal to 31 percent of such payment'' and inserting ''equal to the product of the third to the lowest rate of tax under section 1(c) and such payment''.

(11) Section 13273 of the Revenue Reconciliation Act of 1993 is amended by striking ''28 percent'' and inserting ''the third to the lowest rate of tax under section 1(c) of the Internal Revenue Code of 1986''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2000.

(2) AMENDMENTS TO WITHHOLDING PROVISIONS.—The amendments made by paragraphs (6), (7), (8), (9), (10), and (11) of subsection (c) shall apply to amounts paid after the 60th day after the date of the enactment of this Act.

SEC. 3. PROTECTION OF SOCIAL SECURITY AND MEDICARE.

The amounts transferred to any trust fund under the Social Security Act shall be determined as if this Act had not been enacted.

The SPEAKER pro tempore. After 1 hour of debate on the bill, it shall be in order to consider an amendment printed in House Report 107–68, if offered by the gentleman from New York (Mr. RANGEL) or his designee, which shall be considered read and shall be debatable for 1 hour, equally divided and controlled by the proponent and an opponent.

The gentleman from California (Mr. THOMAS) and the gentleman from New York (Mr. RANGEL) each will control 30 minutes of debate on this bill.

The Chair recognizes the gentleman from California (Mr. THOMAS).

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, perhaps first of all we should talk about what this debate that is going to ensue is not about. It is not about the structure of the taxes that this Nation will have based upon a conference between the House and the Senate, notwithstanding the fact that the House has passed a number of tax revisions and the Senate is in the process of passing a tax revision package.

What we are doing today is a process which is dictated by the budget bill and largely tied to the rules under which the Senate must operate. Notwithstanding the fact that the content of this bill in front of us, H.R. 1836, has already been passed by the House under the bill titled H.R. 3, we are not debating the content of this bill, because when this bill passes, it becomes the reconciliation vehicle under the Budget Act. It will go over to the Senate, the Senate will take H.R. 1836, remove the contents, and place therein whatever it is that they have come up with, send it back to us; and then we will reject what the Senate has done, and we will go to conference.

The reason we are doing this now, notwithstanding the fact that we have already voted on the substance of this bill under a different title, is because under the reconciliation needed by the Senate to go to a simple majority, or 51 votes, only those tax items passed after the budget and reconciliation has passed are recognized as appropriate vehicles. We are here today then to meet that narrow technicality. We are providing an appropriate vehicle to send over to the Senate so that this process can continue, leading to a conference between the House and the Senate to put together the final product.

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

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. RANGEL. Mr. Speaker, the one word that could describe the procedure that we are going through this afternoon is ''outrageous.'' It is outrageous what is happening to this House of Representatives, and even more painful is what is happening to my beloved Committee on Ways and Means.

It is true that most of the Members, Republican and Democrats, walk around with more self-esteem than we really need, but the truth of the matter is, we were under the belief that revenue issues came from the House of Representatives, came from the Committee on Ways and Means, came to the floor; and historically, this is the way it has been.

Mr. Speaker, this is outrageous. I did not understand half of what the chairman said. I know one thing he is saying, and that is that what we are voting on has nothing to do with all of the tax cuts that came to the House of Representatives and were voted for. It is a fraud that has been committed by press releases that this House has cut people's taxes, because they have only taken one piece of the bill, and the only reason they have taken that is so

that we can accept the Senate bill. So the prerogatives of the House in terms of revenue issues now has been laterally passed to the other body, and that will be decided in conference; and not only will Democrats be excluded, but most all Republicans will be excluded.

So all of the compassion about the marriage penalty, all of the compassion about getting rid of the estate tax, all of the compassion about the gentleman from Maryland (Mr. CARDIN) and the gentleman from Ohio (Mr. PORTMAN) working together for better pension benefits, all of the things that we have debated on the floor, I think what the chairman of the committee said is that that is exactly what this debate is not about. This debate is about how fast can we relinquish our responsibilities as House Members, how quickly can we yield to the leadership, and how quickly can they bring something over here that nobody, freshmen, senior Members, Republicans or Democrats, had anything to do with.

And guess what? If they do it on this, what is going to happen in the next bill? That is the best kept secret in the House. The next bill, that is the alternative minimum tax. That is the one that we take care of capital gains, that would take care of extenders, we take care of debt service, we take care of small business people. But do not trust us if we bring it to the House. That is just for practice. That is just for C-SPAN. The real tax bill will come from the Senate, and we probably will send something over there so that we can go into conference.

Mr. Speaker, I reserve the balance of my time, since nobody here should be wasting their time talking about tax policy, but rather how to yield to the other body.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I share my colleague's outrage. I share his pain. I only wish that when he was in the majority, he would have shown the same degree of outrage and pain which produced this particular situation that we are in. It is not called the Byrd Rule for nothing. And Senator BYRD was in the majority when this was created, as was the gentleman from New York. So I find it somewhat perplexing, although amusing, that he wishes to characterize this as something that this majority has perpetrated on the House and the American people. Quite frankly, it was under his watch.

What this chairman will do is make changes in this outrageous and painful current structure. I aim to pluck some feathers from the Byrd Rule, and I hope the gentleman joins me in making sure that that happens.

We do have the constitutional prerogative to initiate revenue. I think it is an outrage that we are told when and how we are to deal with this issue by the other body. However, under the current rules passed on the gentleman's watch with the Democrats in the majority, we are in the current circumstances. However, I am quite sure that the gentleman and his side of the aisle will take this time to discuss taxes. It is certainly one way to consume the time that we have available to us.

I would much prefer that we work together as Members of this institution to be able to reclaim some of the prerogative we should have had that was given to the other institution when the gentleman was in the majority. I will work with him to make sure that we claim what I think are the House's rightful prerogatives in determining time, place, manner, and circumstances in which we deal with the Senate on questions of revenue. Unfortunately, we are laboring under the current law supported by the gentleman, passed by the gentleman, and imposed upon this House when he was in the majority.

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

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

Mr. RANGEL. Mr. Speaker, I would ask the chairman, what makes the Byrd law so powerful that it is one of the few Democratic legacies that we have that the gentleman has not dismantled? Everything else we believed in, in health care and Social Security and education, the gentleman found it so easy to say that we are now in power and this is where we can show you what we are going to do. When did the gentleman first find out that the gentleman had the power to change the Byrd amendment?

Mr. THOMAS. Mr. Speaker, reclaiming my time, I do not know that I have the power. It is a cooperative effort. But after this exercise and the clear feeling on the part of the gentleman that it is now outrageous and painful, that I found a new ally in trying to make it work. I did not realize the gentleman was so outraged and that there was so much pain laboring under the Byrd Rule. For fear of putting everyone to sleep, I will spend just a minute talking about why we are in the situation that we are in.

Under reconciliation with the Senate, given their rules, there are two key points that need to be remembered when the House and the Senate try to resolve issues surrounding the budget and taxes. There is only one opportunity in any given session of Congress to have a decision made on the budget and taxes associated under that budget with just 51 votes, because the Senate's fundamental rules do not limit debate. Therefore, anyone can filibuster at any time they want, which requires 60 votes from the Senate to stop that filibuster. This is an opportunity to do the people's work under a simple majority. That is one of the reasons we have labored under the Byrd Rule. The 51 vote means we can do meaningful and useful change instead of some of the outrageous change dictated by a minority, whether it is Democrats or Republicans at the time, or a coalition that can control the floor of the Senate.

In addition to that, the Senate does not have the equivalent of our Committee on Rules. One of the things the Founding Fathers created was a structure in the House that could be relatively responsive to needs. There is a time limit in terms of debate; I have already said the Senate does not possess that. We have a traffic cop or a structure for controlling debate on the floor called the Committee on Rules. The Senate does not have that. So we are willing to be subjected, to a certain extent, to the outrages that the gentleman has expressed for the opportunity of moving needed legislation with a 51-vote number in the Senate. We only get it once. If we fail on this, we go back to the 60-vote requirement. As the gentleman knows, the tyranny of the minority on a 60-vote requirement will not enable us to do things that I believe the gentleman and I would like to do.

So we are putting up with this, notwithstanding the outrage; but we will be looking at ways to modify this in the future so that the prerogatives in the House are not quite so controlled by the other body.

□ 1345

It is the opportunity to make law by 51 votes in the Senate that is driving us to this what I would otherwise consider outrageous and painful situation.

However, knowing how the other body works, the opportunity to resolve problems with 51 votes is an opportunity neither one of us should pass up, because we have seen what they are doing with 51 votes. We can imagine what they would have to do with 60 votes.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS). The Chair would remind members that while it may be important to focus on House prerogatives, they should be very, very careful not to characterize Senate rules.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to my friend, the gentleman from Maryland (Mr. CARDIN), a member of the Committee on Ways and Means.

Mr. CARDIN. Mr. Speaker, I thank the gentleman from New York for yielding me this time.

I appreciate my chairman's explanation of the budget reconciliation process. That is what this is, this is the budget reconciliation bill. But I always thought that budget reconciliation legislation was supposed to reconcile what we do on spending and tax bills with the budget resolution.

We have certainly limited how much tax cuts we are supposed to have this year and how much spending, but as the chairman pointed out, and I think rightly so, budget reconciliation normally occurs at the end of the session, so we reconcile to the budget resolution. Instead, we are doing it earlier so we can pass a single tax bill in the other body, not by a bipartisan vote, but along very partisan lines. That is what this bill is allowing us to do. I urge my colleagues to vote against it.

It is very interesting that the other two issues that are scheduled this week already violate the budget resolution, because we have a bill this week that will cut taxes a little more for adoptions, and we have a spending bill that will be coming out dealing with the education programs that is above the budget resolution.

Mr. Speaker, my reason for urging my colleagues to vote against this legislation is that it is not a $1.25 trillion tax bill. In reality, we have gone through this, and the chairman knows it, we are going to be doing other tax issues this year. We are going to have to deal with the alternative minimum tax. We have to deal with the tax extenders. There is other tax legislation that already has been favorably reviewed by the committee. Also, we have the underlying interest cost. When we add that all up, it comes to over $2.5 trillion.

On the spending side, the education bill we will be taking up later this week, it does not spend what was provided in the budget resolution, it is $4.5 billion above what was provided in the budget resolution.

I do not object to spending more money on education. The Democratic budget provided for more money for education. But I do object to us passing legislation that is going to add to red ink. That is where we are heading, to larger tax cuts, larger spending, and what we will give is our ability to pay down our national debt.

I do not even think we are very subtle about it. The National Review, which often espouses the Republican philosophy, says, ''Don't fear a deficit: the advantages of red ink.''

I would hope that with our projected surplus, that our first priority on a bipartisan basis would be to reduce our national debt. I regret that is not the case.

So I heard my chairman's explanation. This budget reconciliation should not be a way in which we pass a single partisan bill in the other body. Instead, we should use it as a way to come together to a budget that is truly bipartisan that will allow us to protect the priorities that are important to our Nation: to have a reasonable tax cut, and to be able to move forward in a bipartisan way.

This bill does not do it. I urge my colleagues to reject the legislation.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Arizona (Mr. Hayworth), a member of the Committee on Ways and Means.

Mr. HAYWORTH. Mr. Speaker, I thank the chairman of the Committee on Ways and Means for yielding time to me.

Mr. Speaker, how mystifying this debate must be to Mr. and Mrs. America, because here we stand in the people's House finding ourselves enshrouded, encumbered with some frustrations dealing with something our Founders put together, and that is the difference between these two institutions, this bicameral legislative branch.

We understand that. I appreciate the concern of my colleague, the gentleman from New York, the ranking member of the committee. But let me suggest to all my colleagues that what we do today with this piece of legislation is to reaffirm our commitment to a basic premise that is quite simple: the American people are overtaxed and they deserve a refund.

We are working through a process that any student of government understands, and indeed, all schoolchildren are taught about, in terms of bringing this forward.

We can deal with arcana, we can deal with prerogatives of different committees, but the bottom line is this: for the Members of this House today, a vote in favor of this legislation will result in tax relief for the American family. That is the basic premise. This is the tool we use to achieve that dream.

Mr. Speaker, all too often we hear from constituents that they would like us to focus on results. We can disagree without being disagreeable. If Members oppose meaningful tax relief, then oppose this legislation. But if Members want to stand up for their constituents who are overtaxed, who for years and years and years have been told that they should somehow sacrifice so that Washington bureaucrats can have more, in stark contrast to the rhetoric of the last half-century, where American families were asked to sacrifice so that Washington ostensibly could do more with their hard-earned money, what we say today, what we reaffirm with this procedural vote today, in essence, is the notion that we should turn that around; that Washington should tow the line so that American families can have more.

We can disagree on a variety of issues. We can share the frustrations as to institutional prerogatives. But again today, when we come to the floor, I would implore the Members of this body to keep their eye on the ball, keep their eyes on the prize: basic tax relief. This vote, in essence a procedural vote, moves that along.

If Members want the American people to hold onto more of their own hard-earned money to save, spend, and invest for their families, vote yes on this legislation.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is not a procedural vote, this is a substantive vote. The gentleman has just said that he has dumped the marriage penalty provision, the estate tax provision, the Portman-Cardin provision, the child credit provision. He dumped all of that, and he is asking us just to support this tax cut that is geared to the top 1 percent of the highest-income people here, so this is not procedure, this is substantive.

Mr. Speaker, I yield 3 minutes to my friend, the gentleman from Washington (Mr. MCDERMOTT), a senior member of the Committee on Ways and Means.

Mr. MCDERMOTT. Mr. Speaker, here we go again. We are through with the shell game of the budget and now we have come to the tax cut.

First we are told we need a tax cut because the country's economy is strong and we need to encourage it and keep it going. Then we are told that we need a tax cut because the economy is going bad, so now we need a tax cut for that. Most recently, we have been told we need a tax cut for the issue of the energy prices all over the country.

Mr. Speaker, the Bush tax cut is an outright deception. It is not for hard-working Americans and will do nothing to prevent a recession. Not a single component of the President's proposal is honest. It is really no wonder we have to take this thing through here one piece at a time.

The Republicans and the administration want to move it on a fast-moving train that nobody ever gets a chance to look at. Instead of focusing on what we actually have right now, this tax debate has been framed in terms of an unreliable 10-year frame of reference. If the Congressional Budget Office were to figure out the surplus now, under the present circumstances in our economy, with California in trouble and the stock market and all the rest, then we would have much different things.

Basically, the game today is a crapshoot. We would have better odds rolling these dice than banking on the money being around for education, for defense, for privatizing Social Security, all the things the President says, that we would counting on a 10-year projection. Just roll the dice, Mr. Speaker, and see what comes up.

The administration seriously underestimates the size of the surplus we ought to be running in order to meet our needs for Social Security and Medicare. It is no wonder that the bill is so backloaded, just like everything else. They are trying to squeeze five pounds of potatoes in a three-pound sack, and the President will not be around to take care of it when the mess occurs.

President Bush's record of cutting taxes in Texas was the centerpiece of

his Presidential campaign. Now, many State Texas legislators attribute those tax cuts to the reason they have a budget deficit in Texas. In fact, then Governor Bush the other day said he could see there was a disaster. He said, I hope I am not here to deal with it.

This is deja vu all over again. Take a look at the record in Texas and figure out what it is going to be like in this country in two or three years if he gets what he wants. This is deja vu all over again. We can learn from history.

I would offer anybody the opportunity today to vote no on a fraud, because if Members want to gamble away the country's future on 15-year projections, today is the day. Members should bring their dice and say, here we go, come back to me, baby. That is what this is all about. It is not going to happen.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I must say that I do have fun trying to follow which argument has now been determined by the brain trust of the Democratic Party is the appropriate one to make.

Apparently now we need to slow this process down because this is a fast-moving train. I thought earlier the argument was the train was not moving fast enough, and that we have to make sure that we get money out to the American people.

I do want to put in context the fundamental nature of the political and partisan argument that is being made. I would simply lay before the Members the story which has run in a number of newspapers. This happens to be from the Los Angeles Times:

> The Federal Reserve cut its key interest rate another half percentage point, to 4 percent on Tuesday, and contrary to what had been expected, left the door open for still more cuts aimed at getting the stumbling U.S. economy moving again. It was the fifth time in 5 months that the central bank shaved the so-called Federal funds rate, a benchmark for interest rates in general, and continued one of the swiftest rate reductions in Fed history.

I would hope this Congress is on a fast-moving train to provide additional assistance. It is not the end-all and the be-all, but if we can move, as the budget resolution said, up to $100 billion over the rest of this fiscal year and next fiscal year into the hands of the American income tax payers, it would simply assist the Federal Reserve chairman in making sure that this stumbling economy recovers.

I just find it humorous. Earlier we were not moving fast enough, and now that we are involved in a procedure which enables us to get to conference to produce a result before Memorial Day, and whoa, this is a fast-moving train.

I hope the American people believe us when we say this majority in the House and Senate is going to produce a fast-moving train. It will produce a responsible, permanent marginal rate reduction, along with other adjustments, so that we can make sure that we do not stumble in this economy. Our goal is to keep the country strong, not to gain some kind of a narrow partisan advantage by exploiting this opportunity.

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

Mr. RANGEL. Mr. Speaker I yield myself such time as I may consume.

I am certain that those 1 percent of the billionaires cannot wait to get half of this tax cut so they can spur the economy. But that explanation is just as interesting as this procedure.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, I do not know if this is a fast-moving train or a slow-moving train, but I get the sense this is like that train yesterday with no driver. It is very toxic and it is going real fast down the tracks, and there is nobody in the engine.

What this tax cut is going to do is in fact it is going to be toxic to the rest of the priorities in this Nation. Tomorrow we are going to start the debate on the elementary-secondary school act, and we are going to bring a bill out here that not only will provide major reforms within our school systems, but it will provide the resources to bring about those reforms that the President has said he has wanted, that the Congress has said they wanted, Republicans and Democrats alike.

But this vote today will cause us to pass a tax bill that will strip all of the money away that is in that bill for the next 5 years for elementary and secondary education.

□ 1400

Because when you take the budget as it was passed, as it was impacted by this tax bill, the President's budget went from some money to education to no money in the future for education.

The reforms will not come about, the school improvement will not come about, because that is the real price of this tax cut; it infringes on every American school child's education.

Mr. THOMAS. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. BLUNT), the chief deputy majority whip.

Mr. BLUNT. Mr. Speaker, I thank the gentleman from California (Chairman THOMAS) for yielding the time to me.

Mr. Speaker, with the train metaphor that we are having here, it does seem to me that this bill and what is contained in it will be the engine that moves the train. We do need to respond to what needs to happen to get our economy headed back in the right direction. This bill helps do that.

This discussion of rates, Mr. Speaker, is very important. It is very important to talk about this whole rate issue. I mean, no American, as our bill proposes, would establish this principle. No American taxpayers should pay more than a third of their income in Federal income tax. That is what this bill says.

That does not say they would not pay more than a third of their income in taxes. That says the Federal income tax.

You could argue this in a much more fine way than we are here today by saying that even that rate is too high because that does not consider the Social Security tax. It does not consider the Medicare tax. It does not consider State income tax. It does not consider sales tax.

It does not consider gasoline tax. It does not consider tax on utility bills. It does not consider the 103-year-old Spanish-American War tax on your local telephone bill. This just says that on your income, with your Federal income tax there should be a limit. And it also says at the bottom levels that we are better off with a 10 percent bottom line bracket than a 15 percent bottom bracket.

Those are the guidelines that we need to be debating, need to be working on. They need to be part of the conference with the Senate and passing this bill today, understanding that every taxpayer, every taxpaying family, has a stake in the economy and a stake in this tax surplus that has been sent to Washington.

Mr. Speaker, I respect the work that is being done on the education bill that the gentleman from California (Mr. GEORGE MILLER) talked about.

I am convinced there is going to be money to do what the Federal Government needs to do. The problem will be if we leave this money in town that we have been saying that we did not need in the Federal Government, we will think of a way to spend it.

Mr. Speaker, we have still allowed in our budget plenty of room for growth. In fact, we are wondering, in fact, if there is a way that we can keep the growth of the Federal Government to twice the rate of inflation. And many, including me, are saying the President will have won a big victory if we can hold the growth of the Federal Government to twice the rate of inflation, which just shows how far we have gone in the direction of Federal Government spending.

One way not to spend the hard-earned money of American taxpayers is give it back to them. They will do a better job for their families and for this economy with their money than the Federal Government would.

Moving this bill forward moves that process forward. It would be great within the next few days if we can send to the President's desk real, meaningful tax relief for every American taxpayer.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT), a member of the Committee on Ways and Means.

Mr. DOGGETT. Mr. Speaker, finally, the Republican tax plan and the Republican energy plan are one. In the amazing words of President Bush on Friday, ''The quickest way to help people with their energy bills is tax relief.''

This year the benefit to the typical taxpaying American family from this Republican plan that we are considering today will amount to the cost of about 3 gallons of gas per week. That is probably not enough gas to get most Americans to and from work, but it will keep your lawn looking pretty good. I guess you could ride your lawn mower to work.

Mr. Speaker, perhaps, though, Democrats have been a little harsh in criticizing this bill as being designed solely for the wealthy, because just being affluent, just being rich is not enough to really rake in a bonanza from this bill.

As The New York Times reported yesterday morning, ''The biggest cuts would go more to the extraordinarily wealthy'' as opposed to just the ''merely affluent or wealthy'' and, ''the very richest would save more than $1 million a year under this House plan.''

Your family gets 3 gallons of gasoline a week, the super-rich, each of them, gets $1 million a year from this scheme.

This summer many American consumers cannot afford to go to the gas station and say ''fill 'er up'' unless it is a very small quantity for their lawn mower. But the privileged few, they have already said ''fill 'er up'' to these Republicans, who have been all too willing to reward the few at the expense of the many.

That expense will come not just this year, but when it is time over this decade to fund student financial assistance, so that every young person can get all of the education for which he or she is willing to work wants; when it is time to address the many unmet health care needs of Americans such as access to the soaring cost of prescription drugs; when it is time to put more cops on the street to protect our neighborhoods; when it is time to meet a wide range of future needs of this country including reasonable tax relief and correction of inequities in the Tax Code. The same Republicans who offer your family 3 gallons of gas a week while they give other folks a million dollars a year, they are going to be saying, well, we are sorry we cannot do that. We just do not have the money to do it.

The reason they do not have the money is no accident. It is a result of a purposeful policy to shortchange the American people in the way quite similar to how they are being shortchanged today.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I cannot help but observe the indication of the gentleman from Texas (Mr. DOGGETT) that they are going to get 3 gallons, and he repeatedly held up a 1 gallon tank. That is about as accurate as the rest of his statement.

Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. RYAN), a member of the Committee on Ways and Means.

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the gentleman from California (Mr. THOMAS) for yielding the time to me.

Mr. Speaker, the other side has nothing to offer but fear itself. As I watch these public policy debates coming to the floor of Congress, you can see two schools of thought at play here. One seeks to prey on the emotions of fear and envy in the American people and to exploit those emotions to keep more of their hard-earned money in Washington.

The other school of thought, what we are trying to achieve is to appeal to people's emotions of hope, of accomplishment, of success.

We punish success in the Tax Code today. The small businessman, the small businesswoman, the entrepreneur in society today, which is the engine that drives the American economy, is what gives us our jobs in this country; yet, we tax them at punishing tax rates, higher than we tax IBM, Exxon, the multinational corporations in this world.

What we are trying to achieve by lowering the tax rates on entrepreneurs, on small businesses, on the American families, down to 33 percent is to simply say that we recognize that what creates this economy, that what grows this economy, that what creates jobs are small businesses and entrepreneurs.

We need to feed that engine, because if we fall victim to the politics of fear and envy, as the other side is suggesting, we will continue to take more and more dollars out of workers' paychecks. We will continue to raise the bar and the hurdle on what it takes to build a small business, to employ people, to risk-take and become an entrepreneur.

Mr. Speaker, there is a tremendous toll gate in the middle class, on the way to becoming the middle class. We are penalizing success in this country. The other side wants us to continue to penalize success in this country. They want to appeal to the worst emotions in you.

They want to suggest that this is nothing more than a tax cut to Bill Gates' or Sam Walton's heirs. That is not what we are doing here. What we are trying to accomplish is this: You are overpaying your taxes. You ought to get some of your money back. We are protecting Medicare. We are modernizing Medicare. We are protecting Social Security.

We are paying down the national debt as fast as we can. And even after doing all of those things, you are still overpaying your taxes. What we are simply saying is rather than take your money and find new ways to spend it for you here in Washington, we want to give it back to the American people, put the money back into their paychecks as they overpay their taxes, and revive this engine of economic growth, small businesses and entrepreneurs, and prey on people's hopes and dreams and aspirations. That is what this is all about.

That is why it is important to lower that top rate to 33 percent. I know these numbers may be confusing to some. But what it means is whether or not we are going to answer the call to revive this struggling economy, whether or not we are going to put jobs in front of fear and envy, these are the things that are on the line right here. That is why it is important for us to pass this tax bill, because it is our job to grow this economy and save jobs in this country.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am surprised that the gentleman from California (Mr. THOMAS), my distinguished chairman of the Committee on Ways and Means, would ridicule the 1 gallon container that was held by the gentleman from Texas (Mr. DOGGETT), my friend. As a former college professor, he should know that 1 gallon filled three times equals 3 gallons.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MATSUI), a member of the Committee on Ways and Means.

Mr. MATSUI. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL), the ranking Democrat on the Committee on Ways and Means, for yielding this time.

Mr. Speaker, I am kind of surprised that my colleagues on the other side of the aisle keep talking about Democrats bringing up the issue of greed and envy. I thought we were supposed to debate these things and state the facts.

The fact of the matter is, if you took all of the bills that were passed over the last 3 months on the other side of the aisle there, you would find that the top 1 percent of the taxpayers in America, that is, people that file tax returns on the average of $1.1 million a year, their earned income, they get 46 percent of this tax cut.

Mr. Speaker, we cannot change that fact, and I think it is only right that the American public know this fact, the fact that those people that make over a million dollars a year get 46 percent of the benefit.

It seems to me something that everybody should know before they vote on this particular bill. This is not talking about, making discussions about greed and envy; it is just stating a fact.

But rhetoric is always there, and that is what I guess this floor is all about. This is what we are talking about in terms of lowering the rhetoric on the floor of the House.

The fact of the matter is that not only are we talking about where the distribution of this tax cut goes, but there is also something interesting about the so-called surplus. If you recall, we are talking about the basis of this tax cut, $5.6 trillion in surpluses over the next 10 years, of which one-third, or about 30 percent of it, will be in the first 5 years; and then a 70 percent total of this $5.6 trillion will be in the second 5 years.

The same people that predicted this number, the Congressional Budget Office, said that there is only a 50 percent chance of accuracy that the first 5-year projection will be correct.

Then in the last sentence in the same document, the same Congressional Budget Office that made this prediction says they cannot really even make a forecast on 10-year projections. The only reason they do it is because we in Congress mandated it.

We could be talking about $10.9 trillion or $1.6 trillion, or maybe even a deficit, because these numbers are based upon projections. They are projecting, for example, there will be a 4.6 growth rate over the next 10 years.

Mr. Speaker, I would imagine any one of you sitting in the hall here would have to say that you cannot make projections about what your income or your child's income will be 10 years from now. But, nevertheless, we are doing this.

I have to say another thing. This is redistribution. About 60 percent of the $5.6 trillion is in the form of Social Security payroll taxes. Who gets the burden of that? The average American, because it is capped at $76,000 a year.

So we are going to take the payroll taxes and we are going to redistribute it to those people that file income tax returns of $1.1 million a year.

We are playing a gamble with the deficit and with the future of our children, and we are redistributing this tax cut in a way that takes from the average taxpayer or the average worker and gives to the super-rich. This bill should be voted down. The budget is a sham.

Mr. THOMAS. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. MCINNIS), a member of the Committee on Ways and Means.

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Mr. MCINNIS. Mr. Speaker, what a bunch of hogwash. I was just peering over the last few minutes. What is this, Broadway? I am saying this to the Democrats, what is this, Broadway? They have got a Member up here with a gasoline can stomping around trying to use his theatrical props. Before the speaker, before the gas can, we had another Member on the other side of the aisle up here playing with some dice.

This is serious business. We are not on Broadway over here, we are in Washington, D.C. using other people's money. Did my colleagues ever hear of a play on Broadway ''Using Other People's Money''? That is exactly what the Democrats want to do, but they want to use more and more of other people's money.

Their policy is simple: spend, spend, spend. When the American taxpayer, who, by the way, is the American worker and, by the way, men and women that are working out there in that workplace, when they begin to question the liberal Democrats about their policy of spend, spend, spend, they come up with one answer: fear tactics.

I will tell my colleagues, the gentleman from Texas (Mr. DOGGETT), and I question the accuracy of his remarks, in fact, they are inaccurate. Let me quote his remarks: If we pass this, all future needs of this country cannot be met, if you give a tax refund to the taxpayers.

He goes on further: Further, if you give a tax cut to the American taxpayers, no money for education, no student finance assistance, no prescription drugs, no health care, no more money for the Cops on the Street, and once again he summarizes, it stops all future needs of this country.

It is that kind of exaggeration that puts disrespect in Washington, D.C. That is why people are concerned about the integrity of the institution back here. My colleagues are talking about other people's money, and they ought to move it off Broadway and they ought to move it to Main Street.

Those liberal Democrats that want to continue to spend and spend and spend should at least have enough guts to stand up to the people who are working for this money, who are creating jobs in this country, and tell them they want to spend, spend, spend instead of threatening them with their future education for their children or all future needs of this country will not be met if a tax cut goes to the American taxpayer.

Take a look. Everybody on this House floor, all of my colleagues, we do not go out there. Our salary is created by tax dollars. We do not go out and sell more hamburgers or put up a Kool-Aid stand or mow a lawn. We reach into people's pockets and take the money they got for selling a hamburger or setting up a Kool-Aid stand or mowing a lawn.

We take their money, and the first thing we do is pay ourselves. The second thing we do, when we discover there is money left, do not give it back to that person, people at the Kool-Aid stand. Just spend it, spend it, spend it.

When the person at the Kool-Aid stand says, hey, can I have a little back of what I gave you? You have some extra money. No, not if you care about your kids' education. No, not if you care about more cops on the street. No, not if you care about prescription care. In fact, no, not if you care about any future need of the country. What an exaggeration.

The Republicans and the conservative Democrats deserve more from the liberal side of the Democratic party. My colleagues ought to follow the leads of their conservatives over there and give back these taxpayers a little of what they deserve.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. STARK), a senior member of the Committee on Ways and Means.

Mr. STARK. Mr. Speaker, I thank the distinguished ranking member. I like the introduction by the gentleman from Colorado (Mr. MCINNIS). As one of the most conservative Members of the House, as ranked by the Concord Coalition and other groups, I am proud to answer the question of the gentleman from Colorado, because it is true that Democrats have been concerned about spending.

We would like to spend money to see that our parents' Medicare is safe. We would like to spend money to make sure that the checks for Social Security go out each month to those beneficiaries. We would like to spend money to see that teachers can have a reasonable salary. All of those things are purposely being denied in the Republican budget which is driven by this tax cut. This is not Broadway. These are facts.

The Republicans, for example, ran out of money for next year's Medicare payments and had to go through some blue smoke and mirror accounting tricks to find an extra $20 billion yesterday in the Senate bill because, otherwise, they would have had to dip into 2002's Medicare trust fund by 20 billion bucks to balance the budget.

That is how bad this bill is. There is no money left for a pharmaceutical benefit unless, of course, we choose to take it out of Medicare and thereby dismantle the Medicare system which, under the former leadership of Speaker Gingrich, was the Republican plan and still remains the operative policy today.

Privatize Social Security as the Republicans try to have us do, so that we can save that money and give the tax cuts back to the rich.

So make no mistake about it, we conservatives would like to save money. But those of us who have ever run a business and not inherited it from our fathers, or worked all our lives in the public trough would like to see that the poorest of Americans get taken care of. That is the American way. We would like to see that the children's health care is taken care of. We would like to see that Medicare survives. That takes tax dollars.

The fairest way to tax the American people is to let those who are very rich and very wealthy pay a larger percentage. That has been the American way for a long time. We hope, as Democrats, that that continues to be the American way, not the Republican way to give the money back to the rich donors to their campaigns, the huge corporate officers and the beneficiaries of huge stock options, support the people in Aspen who are living the life of luxury, and let the people on Main Street go broke. That is not the Democratic way. That is the Republican way, and we should oppose it.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Texas (Mr. BRADY), a member of the committee.

Mr. BRADY of Texas. Mr. Speaker, I think too many people in Washington are out of touch with the real world and the way families have to struggle these days. It is true that tax relief under this plan starts pretty modestly and grows. It is done so that it increases as we pay off more of our national debt; and as our surplus increases, the tax relief increases. That is the responsible way to do it.

But they will tell us it is only for the wealthy. But if we look at families today, we just had tax freedom day, which meant, from January 1 to May 3, the average American family worked for that time period just to pay their taxes. Starting last week, we started to work for ourselves. No wonder it is so hard for families to make ends meet.

Under the President's proposal and under the Republican proposal here today, in this first year, for a teacher whose husband works at the auto dealership as a mechanic, who has two kids, it means tax relief for about $500 this first year; and it increases each year to about $1,600.

Now, in Washington, people do not think that counts. But I can tell my colleagues, when one is raising children, an extra $120 or $140 a month for school clothes or to fix the car or to pay for utilities or all the things that come up for health care when your child is sick, that is real money.

My colleagues will hear today about a rebate scheme. But let me tell them, they will love the rebate scheme as long as they do not mind overpaying at the cashier, at the counter, and watching the clerk hand the change to the next guy in line. They will love rebates.

But if my colleagues think if one overpays that the change ought to come back to one in proportion of what one overpaid, then my colleagues are going to support the President's plan and the principles in the Republican plan.

What is wrong with eliminating the marriage penalty? What is wrong with not taxing people at death? What is wrong with encouraging small businesses to create new jobs? We know if we head into recession, we will lose 3 million jobs in America. That is 3 million families that are going to hurt very badly. If we can make changes today, maybe we cannot save all those jobs, but we can save some of them, and we ought to try.

Mr. RANGEL. Mr. Speaker, I yield myself 30 seconds to ask the gentleman from Texas (Mr. BRADY) to answer a couple of questions if he has the time, because he talked about helping small businesses. He talked about marriage penalty. I assume he wants estate tax relief.

Where are all these things in this bill that we are talking about today? Where are these things? I am missing it. Where is it?

Mr. BRADY of Texas. Mr. Speaker, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from Texas.

Mr BRADY of Texas. Mr. Speaker, the principles of this bill——

Mr. RANGEL. Mr. Speaker, I advise the gentleman, be careful what word he uses, because he has got the Speaker here. Do not talk about the other body now, but go ahead. Be careful.

Mr. BRADY of Texas. Mr. Speaker, this bill creates the vehicle for tax relief for Americans. As we sent it to the Senate, as we talked through the principal items we talked about, that is what this bill is about. The gentleman knows it and may not like it, but he understands it.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL) for yielding me this time.

Mr. Speaker, this is serious business today. This is a serious debate. That is why today I seriously oppose the majority's tax reconciliation bill before us and strongly support the Democratic substitute which I feel is much more fiscally responsible, long-term in outlook at better enables us to pay down our national debt.

Mr. Speaker, there are a lot of problems with this tax reconciliation bill, not least of which that this is the single most important act we can do if we are interested in setting up for failure future generations of leadership and our children and grandchildren.

The great unspoken truth in this debate is all the focus has been on the next 10 years and projected budget surpluses that may or may not occur, but very little attention has been given to what happens in the second decade with the aging population, the demographic boom, the soon-to-be-retiring baby boom generation. We have serious unfunded liabilities and responsibilities that need to be taken care of. If we want to set up the next generation of leadership and our children for failure, this is the best way of doing it.

Just take this chart, for instance. It shows the Social Security surplus in the trust fund and what it looks like over the next 10 years. Half of the projected surplus in the next 10 years is coming out of the Social Security trust fund which no one here wants to touch. But if we look at the second decade and beyond when the boomers start retiring, we see a sea of red of unfunded liabilities.

If this tax cut the way it is currently drafted passes, it will gradually phase in over the next 10 years and become fully implemented at exactly the same time the baby boomers start to retire. If that is not a recipe for disaster, I do not know what is.

But what else is unspoken is the hidden cost of the budget resolution that is working its way through Congress. Where is AMT relief in this tax bill, the alternative minimum tax? We all know that that is something we are going to have to deal with in the next 10 years. Where are the tax extenders? Where are the projected plus-up in cost for the missile defense shield, for increase in defense spending, for farm relief if the farm economy does not turn around?

These are things that we all know we are going to have to deal with and deal with in a fiscally responsible manner. We nor future Congresses are going to meet those obligations and reduce our national debt with this tax reconciliation bill. So I encourage my colleagues to support the Democratic substitute, which is more fiscally responsible and places a priority on debt reduction and to preserving and protecting Social Security and Medicare for future generations.

Mr. THOMAS. Mr. Speaker, might I inquire about the time remaining on either side.

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from California (Mr. THOMAS) has 6 minutes remaining. The gentleman from New York (Mr. RANGEL) has 7 minutes remaining.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 4 minutes to the gentleman from Louisiana (Mr. MCCRERY), a member of the Committee on Ways and Means.

Mr. MCCRERY. Mr. Speaker, I rise in strong support of H.R. 1836 which continues this body's efforts to quickly enact meaningful tax relief.

While I understand that this bill mainly represents a vehicle to get us to conference with the Senate, I am particularly pleased that the House's reconciliation bill focuses on the most important component of the President's tax cut, a reduction in marginal tax rates.

With almost $960 billion in tax relief, this legislation provides a solid base for addition of other important tax cuts during negotiations with the Senate. As we work to reach agreement with our friends on the other body,

however, I urge the retention of these rate cuts.

First, unlike the tax policy of the prior administration, marginal rate cuts do not discriminate. They do not favor only individuals engaging in activities deemed worthy. They do not use IRS agents as social engineers. Under these marginal rate cuts, if one pays income taxes, one gets a tax cut. It is that simple.

Second, bold marginal rate cuts can help prevent a further slide in our economy. During testimony before the Committee on Ways and Means earlier this year, noted economist Martin Feldstein explained that, ''a large tax cut coming at this time will help to assure a stronger short-term recovery from the current economic slowdown.''

He went on to say that, while adjusting the tax rates cannot eliminate the business cycle, a tax cut now would be useful, as the increase in after-tax incomes and expectations that such increases will continue in the future will boost confidence as well as spending power.

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Increasing the short-term effect by starting the tax cuts at the beginning of the year would reinforce this favorable effect.''

Simply put, the sooner we pass rate reductions, the more likely they are to help address concerns about the softening economy. Arthur Laffer, who advised former President Reagan, said it quite simply, ''George W. Bush's tax cut proposal will benefit the American economy in the near term by bringing the current slowdown to a quick end. In the long run, it could increase the economy's growth rate. Pro-growth tax policies do wonders for the economy.''

Cutting marginal tax rates encourages individuals to work harder and to take risks. For the small businesses who pay taxes on the individual schedule, these tax cuts will make it possible for them to expend the capital necessary for them to continue to grow.

Recent research by Robert Carroll and other economists found tax rate reductions had a significant influence on small business growth and that reducing the top marginal rate down to 33 percent would result in approximately 10 percent higher revenues for those small businesses in the top tax bracket. In another paper, the group found that boosting small businesses' after-tax income by that much would increase their likelihood of adding more employees.

A dynamic analysis of the United States economy done by the Heritage Foundation estimated the rate reductions contained in this legislation would increase the family of four's after-tax budget by $2,624, leading to an increase in consumption while also driving up our anemically-low national savings rate.

In short, Mr. Speaker, let our economy grow. Let us pass this tax bill out of the House today, get into conference with the Senate, give our economy a boost, and get us back on the path to economic growth.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. BECERRA), a member of the Committee on Ways and Means.

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding me this time.

My colleagues, why the need to circumvent the rules of this House and the Senate? Why not follow the legislative process in this Congress? Why do we have this bill, so-called reconciliation bill, before us today? Why, especially when this bill's benefits go mostly to the wealthy and not enough to the rest of middle America?

Why is it that in this proposal the tax cuts that are within it would benefit the richest of Americans; that 1 percent of Americans would get 44 percent of the benefits of this bill and yet 60 percent of Americans earning some $44,000 or less, 60 percent of America, will receive something on the order of about 16 or 17 percent of the entire wealth in this package?

Why are we rushing so quickly to do this? Why must we evade the process? Why can we not go through the committee process? Why can we not have this inspected in the light of day? Why can the sun not shine on what we are doing?

Why can we not, in fact, feel the same urgency for our energy crisis as we apparently feel in this Congress towards giving tax cuts which will benefit mostly the wealthy? If we are in need of acting quickly in any regard in this body at this moment it is in regards to the energy crisis, which will affect middle America today. When those blackouts occur, those who have money can buy their way out of them.

Yet here we are today not following the legislative process that we are accustomed to, to try to rush through a package of benefits that will not help most of middle America. This is a major use of our time, and it is a major use of taxpayers' money, because every day the lights are on here we are spending money.

I would urge my colleagues to use more caution, more prudence in moving forward. Because, quite honestly, if we need to act today, it is on dealing with this energy crisis that will hit every single home of middle America. That is why today it does not make sense for us to evade the process, go around it, circumvent it, not show the American public what we are doing completely, which will not affect most of the people having a chance to watch this debate.

It is time for us to get down to the business this Congress was elected to do. It is time for us to take care of urgent matters, such as the energy crisis now, and deal with tax cuts in a fair and prudent manner for all of America.

The tax proposal that comes in the Democratic alternative is exactly that. It provides immediate relief to all Americans, and it does it in a fair way; and it makes sure that we protect Social Security, Medicare, education, crisis for our farmers in the heartland, and does it in a way that still saves us money to take care of crises like the energy crisis we are facing.

That is where we need to go. And I would hope that this Congress would heed the call of Americans who say, keep my lights on. Give me fair tax relief, but keep my lights on.

Mr. RANGEL. Mr. Speaker, I yield the balance of my time to the gentleman from Pennsylvania (Mr. MURTHA), a distinguished Member of this House that does not ask to speak unless he really believes that it is important to the national security of our great Republic. It is a great and distinct honor for me to yield the remainder of my time to him.

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from New York (Mr. RANGEL) has 4 minutes remaining. The gentleman from Pennsylvania (Mr. MURTHA) is recognized for 4 minutes.

Mr. MURTHA. Mr. Speaker, I am concerned about the way we are doing this. I voted against every tax cut so far. When I go home, and I have been home the last 8 weeks in a row, only one person has brought up to me that we need a tax cut. Only one person has said, and I ask them, How many of you in this room make over $300,000 a year? Not many hands go up in my district.

The point I am making is the way we are doing this is what worries me. We have a pent-up demand in defense; we have promised the troops we are going to give them a 7 to 10 percent pay increase. We have all kinds of weapon systems which are out of date. We have an O&M problem. And all these are outlay problems. We have a procurement problem as far as the ships go in the Navy. I remember back 20 years when half our airplanes were grounded because of lack of spare parts. I remember offering an amendment to put $5 billion in for spare parts; $5 billion for O&M.

Now, I voted for the last tax cut. It was a bipartisan tax cut. When I say the last tax cut, the tax cut that came in the Reagan administration that most of us were convinced by President Reagan and the leadership in the House that this was going to improve things. We ended up with $4 trillion worth of deficit. Now, we can blame it on spend, we can blame it on everything, but the facts are we ended up with a bigger deficit. I worry about the same thing again.

It seems to me that before we take up a tax cut of this size, we should figure out exactly what we are going to

do with the money. When I went down to Austin to visit with President Bush, he asked a number of us what we thought needed to be done. I told him I thought this year alone we needed $30 to $35 billion more for defense alone.

I worry about my district. They just cut off the gas to some of the people that could not pay their bills. In Pennsylvania you cannot turn the gas or electricity off during the wintertime; obviously, people would freeze. But they have now turned it off. They could not afford to pay for prescription drugs and heating; and yet we are passing a tax bill, however it is configured in my estimation. That worries me that we are going to be right back to where we were before.

Now, they assured us that supply-side economics would work. All of us believed that at the time. I remember sitting in a corner and the chairman of the Committee on Ways and Means came back there and said, Look, this is going to work. He said, You need to vote for this tax cut because it will stabilize policy, it will increase economic activity, it will make more money available for investment. Well, as all of us know, for whatever reason, it did not work right.

But my major concern is our national security. I have not seen any of the details of what the President's going to propose. I hear all kinds of rumors. I hear the President saying he is going to spend more money on defense. I listened to him during his campaign. I think most of the people in the military thought that by this time there would be a supplemental appropriation and that there would be more money available for the military.

And I understand that he wants to study the situation. I appreciate that. He has some of the best advisers that any President ever had, and I know he is committed to a strong national defense. But I frankly do not see how we are going to get there. I do not see how we can increase the quality of life for the troops.

I was for the draft, one of the few people in the Congress that voted to continue the draft. I was not for the volunteer army because I knew that personnel costs would be exorbitant, but I thought a cross-section of Americans ought to serve in the military. It turns out it is very expensive. We have to offer bonuses; we have to pay extra money. If we want to keep a quality force, it is essential. Today's force must be a quality force for them to meet the issues that they face today.

So I would urge the Members to vote against this reconciliation bill until we see the details of the budget.

Mr. THOMAS. Mr. Speaker, I yield myself the balance of my time.

I guess everyone is thoroughly confused right now, based upon the statements made by my colleagues on the other side of the aisle: Why do we not do this in the light of day? Do we know where and how we are going to be spending any of this money?

I hate to be the one to tell my colleagues, if they are not aware of it, but the House and the Senate have already passed a budget. That budget takes care of paying down the debt. It covers Medicare. It protects Social Security. It provides more than sufficient money for defense.

I find it ironic they have now reached a point that on a Republican administration, with the former Secretary of Defense as the Vice President, the former military chief of staff as the Secretary of State, and with the honored Donald Rumsfeld as the Secretary of Defense that we are worried about whether or not the defense of this country is going to be taken care of. Where were my colleagues in the last administration based upon the folk who were running the show?

I hate to tell my colleagues this, but we have already passed three tax bills. It was more than a month ago. Even above the Arctic Circle, the sun does not stay up that long. And I know some of my colleagues want to make this a partisan fight, but on one of those tax bills that we passed, the marriage penalty, there were 64 Democrats that agreed with us. We do not call that partisan; we call it bipartisan. On the Estate Tax Bill there were 58 Democrats who voted on that package. We call that bipartisan.

It has been said that my colleagues engage in the politics of envy in an attempt to slow down giving people their money back. And when we hear the other side talk about the fact that only millionaires benefit, we begin to think that maybe that is true. When we say sometimes our colleagues use fear tactics, if we listened to the gentleman from California, who said there were going to be no Social Security checks going out; that, in fact, there was not enough money for prescription drugs for Medicare, I would remind my colleagues that it was this Republican majority that for the first time put preventive and wellness, when we became the majority, provisions into Medicare. Long overdue; not done by the previous majority.

So I guess our concern is that a few months ago we were hearing from the Democratic leadership that we had to get money out into the hands of people. It had to be done fairly quickly. We are on the verge of doing that, and now the statement is this needs to slow down; this needs not to move forward. And at some point, I hope people realize that my colleagues will be arguing the issue of the day when this majority, with right-thinking Democrats, are trying to make sure that programmatic change goes forward and assists the beleaguered chairman of the Federal Reserve Board.

But more importantly, since we have more money than we are spending right now, it is called a surplus, and we need to reduce the taxes that, under a budget we have already passed, takes care of the gentleman from Pennsylvania's concerns, we ought to return some of the taxpayers' money. It is not this bill. We are going to conference to find out what that bill is going to be, and it is time we do that so we can move forward.

Mr. BEREUTER. Mr. Speaker, this Member rises today in support of H.R. 1836, the Economic Growth and Tax Relief Act of 2001, a bold and fair tax relief plan that will reduce the inequities of the current tax code and help ensure that America remains prosperous. This measure will reduce taxes for everyone who pays income taxes, and it will encourage enterprise by lowering marginal tax rates.

This Member strongly believes that some considerable portions of the Federal budget surplus should be returned to the American taxpayer, especially to middle income Americans. And, this Member also believes it is symbolically and financially important to use part of the surplus to at least make significant reductions in the national debt. Therefore, this Member is pleased to support the President's common sense plan that funds our nation's top priorities, pays down our national debt and gives tax relief to every taxpayer. Overcharged taxpayers deserve some of their own money back. It is interesting to note that in the first four months of fiscal year 2001, the surplus generated $74 billion. Clearly, the American people are being taxed too much.

In fact, Federal taxes are at the highest peacetime rate in history. Americans currently pay more in taxes than they spend on food, clothing and housing combined. This year, it will take most Americans more than four months of paychecks to pay their tax burden.

This Member is supportive of this tax cut because George W. Bush is President and we have a Republican Congress to check truly excessive levels of Federal spending. The legislation will help strengthen our economy, create jobs, and put money back in the pockets of those who earned it and need it most.

The measure provides immediate tax relief by reducing the current 15 percent tax rate on the first $12,000 of taxable income for couples ($6,000 for singles). A new 12 percent rate would apply retroactively to the beginning of 2001 and also for 2002. The rate would be reduced even further to 10 percent as follows: 11 percent in 2003 through 2005 and 10 percent in 2006. The reduction in the 15 percent bracket alone provides a tax reduction of up to $360 for couples in 2001 ($180 for singles), increasing to as much as $600 for couples in 2006 ($300 for singles).

Furthermore, in accordance with President Bush's income tax rate reductions, H.R. 1836 reduces other income tax rates and consolidates rate brackets. By 2006, the present-law structure of five income tax rates (15 percent, 28 percent, 31 percent, 36 percent and 39.6 percent) gradually would be reduced to four rates of 10 percent, 15 percent, 25 percent and 33 percent. No American will pay over one-third of his or her income in income taxes.

This Member supports the reduction in the tax rates provided in H.R. 1836 because the bill reduces taxes for all Americans who pay

income taxes, spurs economic and job growth for all Americans and provides an average of $1,600 in tax relief for the average American family (family of four) phased in over a 5-year period. The $1,600 amount represents the average mortgage payment for almost two months, one year's tuition cost at most community colleges, and the average gasoline costs for two cars for one year.

The legislation will also begin to address the growing problem of the alternative minimum tax by repealing the current-law provisions that offset the refundable child credit and the earned income credit by the amount of the alternative minimum tax. In addition, it should be remembered that this is only the first element of the Bush tax plan—additional tax relief is in sight for married couples and others that will benefit from more targeted tax cuts.

According to the non-partisan Joint Committee on Taxation, savings to taxpayers over ten years would be $958 billion under the provisions of H.R. 1836.

In closing, Mr. Speaker, this Member would like to express his appreciation to our President, George W. Bush, for his willingness to steadfastly "demand a refund" for the American taxpayer. This Member urges his colleagues to support H.R. 1836 as an important step toward tax relief for all Americans.

The SPEAKER pro tempore. All time for debate has expired.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. RANGEL

Mr. RANGEL. Mr. Speaker, I offer an amendment in the nature of a substitute.

The SPEAKER pro tempore. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. RANGEL:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the "Tax Reduction Act of 2001".

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) SECTION 15 NOT TO APPLY.—No amendment made by this Act shall be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986.

(d) TABLE OF CONTENTS.—

Sec. 1. Short title.

TITLE I—REFUND OF 2000 INDIVIDUAL INCOME TAXES

Sec. 101. Refund of 2000 individual income taxes.

TITLE II—INDIVIDUAL INCOME TAX RATE REDUCTIONS; EXPANSION OF EARNED INCOME CREDIT ASSISTANCE

Sec. 201. Individual income tax rate reductions.

Sec. 202. Modifications to earned income tax credit.

TITLE III—MARRIAGE PENALTY RELIEF

Sec. 301. Marriage penalty relief.

TITLE I—REFUND OF 2000 INDIVIDUAL INCOME TAXES

SEC. 101. REFUND OF 2000 INDIVIDUAL INCOME TAXES.

(a) IN GENERAL.—Subchapter B of chapter 65 (relating to rules of special application) is amended by adding at the end the following new section:

"SEC. 6428. REFUND OF 2000 INDIVIDUAL INCOME TAXES.

"(a) IN GENERAL.—Except as otherwise provided in this section, each individual shall be treated as having made a payment against the tax imposed by chapter 1 for such individual's first taxable year beginning in 2000 in an amount equal to 100 percent of the amount of such individual's net Federal tax liability for such taxable year.

"(b) MAXIMUM PAYMENT.—The amount treated as paid by reason of this section shall not exceed $300 ($600 in the case of a married couple filing a joint return).

"(c) NET FEDERAL TAX LIABILITY.—For purposes of this section—

"(1) IN GENERAL.—The term 'net Federal tax liability' means the amount equal to the excess (if any) of—

"(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

"(B) the sum of the credits allowable under part IV of subchapter A (other than the credits allowable subpart C thereof, relating to refundable credits).

"(2) FAMILIES WITH CHILDREN.—In the case of a taxpayer with 1 or more qualifying children (as defined in section 32) for the taxpayer's first taxable year beginning in 2000, such taxpayer's net Federal tax liability for such year shall be the amount determined under paragraph (1) increased by 7.65 percent of the taxpayer's taxable earned income for such year. For purposes of the preceding sentence, the term 'taxable earned income' means earned income as defined in section 32 but only to the extent includible in gross income.

"(d) DATE PAYMENT DEEMED MADE.—The payment provided by this section shall be deemed made on the later of—

"(1) the date prescribed by law (determined without extensions) for filing the return of tax imposed by chapter 1 for the taxable year, or

"(2) the date on which the taxpayer files his return of tax imposed by chapter 1 for the taxable year.

"(e) CERTAIN PERSONS NOT ELIGIBLE.—This section shall not apply to—

"(1) any estate or trust, and

"(2) any nonresident alien individual.".

(b) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 65 is amended by adding at the end the following new item:

"Sec. 6428. Refund of 2000 individual income taxes."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning in 2000.

(d) PROTECTION OF SOCIAL SECURITY AND MEDICARE.—The amounts transferred to any trust fund under the Social Security Act shall be determined as if this Act had not been enacted.

TITLE II—INDIVIDUAL INCOME TAX RATE REDUCTIONS; EXPANSION OF EARNED INCOME CREDIT ASSISTANCE

SEC. 201. INDIVIDUAL INCOME TAX RATE REDUCTIONS.

(a) IN GENERAL.—Section 1 is amended by adding at the end the following new subsection:

"(i) 12 PERCENT RATE BRACKET.—

"(1) IN GENERAL.—In the case of taxable years beginning after December 31, 2001—

"(A) the rate of tax under subsections (a), (b), (c), and (d) on taxable income not over the initial bracket amount shall be 12 percent, and

"(B) the 15 percent rate of tax shall apply only to taxable income over the initial bracket amount.

"(2) INITIAL BRACKET AMOUNT.—For purposes of this subsection, the initial bracket amount is—

"(A) $20,000 in the case of subsection (a),

"(B) 80 percent of the dollar amount in subparagraph (A) in the case of subsection (b), and

"(C) 50 percent of the dollar amount in subparagraph (B) in the case of subsections (c) and (d).

"(3) INFLATION ADJUSTMENT.—

"(A) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 2002, the $20,000 amount under paragraph (2)(A)(i) shall be increased by an amount equal to—

"(i) such dollar amount, multiplied by

"(ii) the cost-of-living adjustment determined under subsection (f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2001' for 'calendar year 1992' in subparagraph (B) thereof.

"(B) ROUNDING RULES.—If any amount after adjustment under subparagraph (A) is not a multiple of $50, such amount shall be rounded to the next lowest multiple of $50.

"(4) ADJUSTMENT OF TABLES.—The Secretary shall adjust the tables prescribed under subsection (f) to carry out this subsection."

(b) ADJUSTMENT IN COMPUTATION OF ALTERNATIVE MINIMUM TAX.—Paragraph (2) of section 55(a) is amended to read as follows:

"(2) the sum of—

"(A) the regular tax for the taxable year, plus

"(B) in the case of an individual, 3 percent of so much of the individual's taxable income for the taxable year as is taxed at 12 percent."

(c) REPEAL OF REDUCTION OF REFUNDABLE TAX CREDITS.—

(1) Subsection (d) of section 24 is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(2) Section 32 is amended by striking subsection (h).

(d) CONFORMING AMENDMENT.—Subclause (II) of section 1(g)(7)(B)(ii) is amended by striking "15 percent" and inserting "12 percent".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

(f) PROTECTION OF SOCIAL SECURITY AND MEDICARE.—The amounts transferred to any trust fund under the Social Security Act shall be determined as if this Act had not been enacted.

SEC. 202. MODIFICATIONS TO EARNED INCOME TAX CREDIT.

(a) INCREASES IN PERCENTAGES AND AMOUNTS USED TO DETERMINE CREDIT; MARRIAGE PENALTY RELIEF.—

(1) IN GENERAL.—Subsection (b) of section 32 is amended to read as follows:

"(b) PERCENTAGES AND AMOUNTS.—

"(1) PERCENTAGES.—The credit percentage, the initial phaseout percentage, and the final phaseout percentage shall be determined as follows:

"In the case of an eligible individual with:	The credit percentage is:	The initial phaseout percentage is:	The final phaseout percentage is:
1 qualifying child	34	15.98	18.98
2 or more qualifying children	40	21.06	24.06
No qualifying children	7.65	7.65	7.65

"(2) AMOUNTS.—

"(A) IN GENERAL.—The earned income amount and the initial phaseout amount shall be determined as follows:

"In the case of an eligible individual with:	The earned income amount is:	The initial phaseout amount is:
1 qualifying child	$8,140	$13,470
2 or more qualifying children	$11,120	$13,470
No qualifying children	$4,900	$6,130.

In the case of a joint return where there is at least 1 qualifying child, the initial phaseout amount shall be $2,500 greater than the amount otherwise applicable under the preceding sentence.

"(B) FINAL PHASEOUT AMOUNT.—The final phaseout amount is $26,000 ($28,500 in the case of a joint return)."

(2) MODIFICATION OF COMPUTATION OF PHASEOUT.—Paragraph (2) of section 32(a) is amended to read as follows:

"(2) PHASEOUT OF CREDIT.—The amount of the credit allowable to a taxpayer under paragraph (1) for any taxable year shall be reduced (but not below zero) by the sum of—

"(A) the initial phaseout percentage of so much of the total income (or, if greater, the earned income) of the taxpayer for the taxable year as exceeds the initial phaseout amount but does not exceed the final phaseout amount, plus

"(B) the final phaseout percentage of so much of the total income (or, if greater, the earned income) of the taxpayer for the taxable year as exceeds the final phaseout amount."

(3) TOTAL INCOME.—Paragraph (5) of section 32(c) is amended to read as follows:

"(5) TOTAL INCOME.—The term 'total income' means adjusted gross income determined without regard to—

"(A) the deductions referred to in paragraphs (6), (7), (9), (10), (15), (16), and (17) of section 62(a),

"(B) the deduction allowed by section 162(l), and

"(C) the deduction allowed by section 164(f)."

(4) CONFORMING AMENDMENTS.—

(A) Subsection (j) of section 32 is amended to read as follows:

"(j) INFLATION ADJUSTMENT.—

"(1) IN GENERAL.—In the case of any taxable year beginning after 2002, each of the dollar amounts in subsection (b)(2) shall be increased by an amount equal to—

"(A) such dollar amount, multiplied by

"(B) the cost-of-living adjustment determined under section 1(f)(3), for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2001' for 'calendar year 1992' in subparagraph (B) thereof.

"(2) ROUNDING.—If any dollar amount, after being increased under paragraph (1), is not a multiple of $10, such dollar amount shall be rounded to the nearest multiple of $10."

(B) Subparagraph (C) of section 32(c)(1) is amended by striking "modified adjusted gross income" and inserting "total income".

(C) Paragraph (2) of section 32(f) is amended to read as follows:

"(2) REQUIREMENTS FOR TABLES.—

"(A) IN GENERAL.—The provisions of subsection (a)(1) and the provisions of subsection (a)(2) shall be reflected in separate tables prescribed under paragraph (1).

"(B) SUBSECTION (a)(1) TABLE.—The tables prescribed under paragraph (1) to reflect the provisions of subsection (a)(1) shall have income brackets of not greater than $50 each for earned income between $0 and the earned income amount.

"(C) SUBSECTION (a)(2) TABLE.—The tables prescribed under paragraph (1) to reflect the provisions of subsection (a)(2) shall have income brackets of not greater than $50 each for total income (or, if greater, the earned income) above the initial phaseout threshold."

(b) REPEAL OF DENIAL OF CREDIT WHERE INVESTMENT INCOME.—Section 32 is amended by striking subsection (i).

(c) EARNED INCOME TO INCLUDE ONLY AMOUNTS INCLUDIBLE IN GROSS INCOME.—

(1) IN GENERAL.—Section 32(c)(2)(A)(i) (defining earned income) is amended by inserting ", but only if such amounts are includible in gross income for the taxable year" after "other employee compensation".

(2) CONFORMING AMENDMENT.—Section 32(c)(2)(B) is amended by striking "and" at the end of clause (iv), by striking the period at the end of clause (v) and inserting ", and", and by adding at the end the following new clause:

"(vi) the requirement under subparagraph (A)(i) that an amount be includible in gross income shall not apply if such amount is exempt from tax under section 7873 or is derived directly from restricted and allotted land under the Act of February 8, 1887 (commonly known as the Indian General Allotment Act) (25 U.S.C. 331 et seq.) or from land held under Acts or treaties containing an exception provision similar to the Indian General Allotment Act."

(d) MODIFICATION OF JOINT RETURN REQUIREMENT.—Subsection (d) of section 32 is amended to read as follows:

"(d) MARRIED INDIVIDUALS.—

"(1) IN GENERAL.—If the taxpayer is married at the close of the taxable year, the credit shall be allowed under subsection (a) only if the taxpayer and his spouse file a joint return for the taxable year.

"(2) MARITAL STATUS.—For purposes of paragraph (1), an individual legally separated from his spouse under a decree of divorce or of separate maintenance shall not be considered as married.

"(3) CERTAIN MARRIED INDIVIDUALS LIVING APART.—For purposes of paragraph (1), if—

"(A) an individual —

"(i) is married and files a separate return, and

"(ii) has a qualifying child who is a son, daughter, stepson, or stepdaughter of such individual, and

"(B) during the last 6 months of such taxable year, such individual and such individual's spouse do not have the same principal place of abode,

such individual shall not be considered as married."

(e) EXPANSION OF MATHEMATICAL ERROR AUTHORITY.—Paragraph (2) of section 6213(g) is amended by striking "and" at the end of subparagraph (K), by striking the period at the end of subparagraph (L) and inserting ", and", and by inserting after subparagraph (L) the following new subparagraph:

"(M) the entry on the return claiming the credit under section 32 with respect to a child if, according to the Federal Case Registry of Child Support Orders established under section 453(h) of the Social Security Act, the taxpayer is a noncustodial parent of such child."

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

TITLE III—MARRIAGE PENALTY RELIEF

SEC. 301. MARRIAGE PENALTY RELIEF.

(a) STANDARD DEDUCTION.—

(1) IN GENERAL.—Paragraph (2) of section 63(c) (relating to standard deduction) is amended—

(A) by striking "$5,000" in subparagraph (A) and inserting "twice the dollar amount in effect under subparagraph (C) for the taxable year",

(B) by adding "or" at the end of subparagraph (B),

(C) by striking "in the case of" and all that follows in subparagraph (C) and inserting "in any other case.", and

(D) by striking subparagraph (D).

(2) INCREASE ALLOWED AS DEDUCTION IN DETERMINING MINIMUM TAX.—Subparagraph (E) of section 56(b)(1) is amended by adding at the end the following new sentence: "The preceding sentence shall not apply to so much of the standard deduction under subparagraph (A) of section 63(c)(2) as exceeds the amount which would be such deduction but for the amendment made by section 201(a)(1) of the Tax Reduction Act of 2001.

(3) TECHNICAL AMENDMENTS.—

(A) Subparagraph (B) of section 1(f)(6) is amended by striking "(other than with" and all that follows through "shall be applied" and inserting "(other than with respect to sections 63(c)(4) and 151(d)(4)(A)) shall be applied".

(B) Paragraph (4) of section 63(c) is amended by adding at the end the following flush sentence:

"The preceding sentence shall not apply to the amount referred to in paragraph (2)(A).".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

The SPEAKER pro tempore. Pursuant to House Resolution 142, the gentleman from New York (Mr. RANGEL) and a Member opposed each will control 30 minutes.

Mr. MCCRERY. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Louisiana (Mr. MCCRERY) claims the time in opposition.

The Chair recognizes the gentleman from New York (Mr. RANGEL).

□ 1445

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from California (Mr. THOMAS), the chairman of the Committee on Ways and Means, said the people should be thoroughly confused, and I guess he knows what he is talking about since it is his tax bill that is on the floor. And he talks about all of these tax bills that we passed.

We better get back to how a law is made, because what we pass here, unless it gets over to the other body, it never gets to the President. So forget all of these things that we have passed here. We are not passing any tax law here. We have given up our authority to pass a tax law here. What we pass here are vehicles so the other body will then send to us a tax bill.

Mr. Speaker, I tell the gentleman, when we take over the House and I become chairman of the Committee on Ways and Means, I am anguished to find that we may not have authority to do anything other than ask the other body, what would you like us to send over so we can go into conference?

What does the gentleman mean by ''we''? It is the other body's bill. The gentleman could have taken the estate tax and sent it over there, the child credit and sent it over there, the marriage penalty and sent it over there; but, no, the gentleman says that we are going to send this over there, and is so proud of it.

Mr. Speaker, I hope the gentleman is proud of what they send back over here, because most of us will not be involved in that decision. So if there is confusion, I agree. But my colleagues should understand why. And that is, we are confused because we do not know what the other body is going to send to us as our bill.

Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. NEAL), a distinguished member of the Committee on Ways and Means.

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, the tax vote today is essentially a procedural vote to go to conference, since the only reason we are here is to add a reconciliation instruction to a tax bill to speed up the process in the other body. But that does not mean this is an unimportant vote.

The House should go to conference with the best product, and the best product is the Rangel substitute. It contains rate reductions for the American people, marriage penalty relief, improvements in the earned income tax credit, and a rebate of $600 for married couples. But let me stress this, and my colleagues talk about the juxtaposition of the two political parties, our substitute is affordable. The Republican bill is not. Our substitute is fiscally prudent. The Republican bill is not.

Mr. Speaker, the substitute does not push 10 years into the future tax cuts which we cannot afford today. If we cannot afford them now, why does anyone think we can afford them when the baby-boom generation begins to retire? I would call everyone's attention to that front-page piece in The New York Times yesterday about who is going to get this tax cut. I was mistaken, because I used to argue that the Republican bill would only take care of the wealthy. I discovered yesterday it really takes care of the super-wealthy. That is an extraordinary achievement, even for the other party.

Mr. Speaker, we should be investing in the promotion of retirement savings, and we know that this bill that the Republicans have is deficient on that score. The pension provisions approved by the House lack direct incentives for anyone other than those who least need it to save for retirement. We could have done something about that here with simply spending $100 billion over 10 years. Over 10 years, I emphasize.

The pension provisions produced by the other body are superior in structure to the House pension provisions, but squeezing those provisions into the $40 billion box was done.

At the very least, I would recommend to the conference that they take the House cost figure and spend the additional money on the other body's retirement savings proposal.

Mr. Speaker, let me go back to something. The main point here is that no one in business across this country would use up all of the surplus when they see large investment needs just around the corner. Education, defense, the environment, the retirement of baby-boom generation members are all going to make gigantic demands on the Federal budget beginning in 2012, and we are going to have nothing to offer to those people once this bill goes into effect. The responsible thing to do is to support the Rangel substitute and object to and oppose the irresponsible majority party's position on this tax cut.

Mr. MCCRERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I commend the minority on bringing forward a tax cut to this body. It is not an exercise that they are particularly accustomed to, but I commend them for getting a substitute together to cut taxes for the American people.

Mr. Speaker, I believe that not only the base bill that is before us, H.R. 1836, which is an across-the-board rate cut for the American people, as well as the other tax vehicles, the tax cut provisions that we have passed through this House that will be part of the conference between the House and the Senate, those items being the marriage penalty relief, the increase in the child tax credit, estate tax relief, the Portman-Cardin bill on IRAs and 401(k)s, savings vehicles, will provide the kind of stimulus for savings and investment that we need in this country; whereas the substitute that is offered by the minority, as good as it is, will not do that.

Their bill is more narrowly targeted, to say the least. It will not provide incentives for small businesses or entrepreneurs to increase investment in their businesses, to create more jobs, and to give the economy the kind of kick that we need to continue economic growth in the future.

While I commend the minority for bringing forth a tax cut to this body today in the form of their substitute, I would urge the Members of this House to vote against the substitute and for the underlying bill.

Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. NUSSLE), a distinguished member of the Committee on Ways and Means.

Mr. NUSSLE. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, picture this. Pull into a 7-Eleven late at night. The gentleman tops the gas tank off at the pump. It comes to $18 because of the last 8 years' worth of energy policy that we have had. The gentleman walks into the clerk at the 7-Eleven and hands the clerk $20 for the $18 charge out on the pump. What happens next? What happens next?

Does the clerk take the money and stick it all in the cash drawer and say it is close enough? Does the clerk take the change that is owed and stick it in the little charity box that might be in front of the cash register, as many of the convenience stores have, maybe it is for Muscular Dystrophy, maybe it is for Special Olympics? No. That is not what happens.

Does the clerk look at the person next in line and say, they deserve the money more than you do, so let us give it to somebody else? No, they do not do that. Do they take the extra money, and as the gentleman before me said, we have some investments that we need and so we are going to invest that overcharge in something right here at our local 7-Eleven; thank you very much. No, that is not what they do.

What do they do? They give, my colleagues, their change back. That is what our Federal Government needs to do. We have been overtaxing America for some time now. Americans have been paying the tab. We have bills that we have been able to pay. We have investments that we have met. We have spending that we have taken care of. We have debt that we are paying down. We have set aside Social Security, and there is change left over.

What the Rangel substitute says is we will give part of the gentleman's change back, but we will keep the rest, because we have extra spending that we need or we have extra investments, as the Rangel substitute seems to presuppose.

Mr. Speaker, that is not what we say in our Republican budget, and that is not what we say in this reconciliation bill. We say, just like in Iowa, the clerk would run into the parking lot to give the change. American taxpayers deserve their change back. Vote for the underlying bill and against the Rangel substitute.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it would seem to me if we gave $20 to the guy at the gas station and got $18 worth of gas, and we owed the owner $3.4 trillion in national debt, we would say put the $2 on our account; but that is a different way of doing business.

Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, I had a constituent at a town hall meeting in Washington ask a very interesting question, I thought, about the President's tax cut and energy bill which must be considered together. He asked this question: What earthly good is it to get some very modest tax cut, if every single dollar I get in a tax cut I have to turn around that month and give to an energy company in Texas? Every single dollar I get, I am going to give it to the energy industry which increases electrical bills and gas prices. He is right. What good is it?

Mr. Speaker, what he asked me, if the Republicans want to do that, if they want to take absolutely no action about this energy crisis in the short term, nothing to help people in the short term with energy prices, what he asked me was why do they not just eliminate the middleman. Why not just give all of the tax cut to the energy industry and not have it go through us? I thought about that and thought it is clear.

The Bush energy inaction plan, together with the Bush tax plan, is a giant money-laundering operation. The Republicans are not content to give 43 percent of all the tax cut to the top 1 percent, much of which goes to the wealthy oil barons; they want to make sure all of the money gets to the energy industry oil barons. That is not right.

Why not have a sensible substitute and a sensible energy tax policy? We need a time-out from this madness of having the energy industry increase their prices to my constituents 1,000 percent in 1 year. It is a crime. This simple money-laundering operation to make sure all of the money in this tax vehicle goes to the energy industry is not going to do anybody any good except President George Bush's political friends.

It is time for this President to understand he does not work for the oil industry anymore. He works for us. Reject this bill, pass the Democratic substitute and our energy policy, which will help middle-class Americans.

Mr. McCRERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, with all due respect to the gentleman from Washington, I would hope that he would tell his constituent who asked that question, would he be better off with both higher energy prices and higher taxes, surely not. Surely he realizes that one way we can help that constituent is to cut his taxes, to give him more of his own money to use to meet those high energy bills.

The gentleman should know that the President appointed long ago a task force to come back with recommendations on energy policy, which this country has lacked for a decade and we are very sorely in need of having. So this President is trying to respond to the energy needs of this country, and we expect that report, in fact, tomorrow from the President.

Mr. Speaker, I hope that we can tell the constituent of the gentleman from Washington (Mr. INSLEE) that help is on the way, not only on the energy front but certainly on the tax front, as we have demonstrated by our votes here in this House to cut taxes.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. SAM JOHNSON), a member of the Committee on Ways and Means.

Mr. SAM JOHNSON of Texas. Mr. Speaker, the base bill provides a tax cut to people who pay income taxes. The problem is the Federal Government is collecting too much in income taxes. I think the gentleman from New York (Mr. RANGEL) knows that. The solution is to let the taxpayers keep more of their income rather than sending it to Washington. Providing money to really low-income individuals who do not earn enough money to pay income taxes is not a tax cut. It is simply an excuse for those who do not want tax cuts to spend more money.

□ 1500

When President Clinton and every Democrat voted to pass the largest tax increase in history, they voted to punish hard work, penalize success and tax the American dream. They believed then and still believe now if you work hard and become successful, the government is entitled to over 40 percent of your income. That is just wrong.

Today with this vote, Republicans are saying if you work hard, you get to keep more of your money. I honestly believe if you ask any American, they would agree that the government does not deserve to keep more than one-third of a taxpayer's hard-earned money. The budget surplus we currently enjoy was created because Americans pay too much in taxes. It is a tax surplus. This substitute does not want to give it back to you. The government did not create the surplus, and I do not think the government deserves to keep it.

Every Member should remember this money belongs to the people. If they vote for any substitute, they will deny every American who pays taxes from getting their own money back. Americans want, need, and deserve a tax break. They deserve tax relief because that is what America is all about.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. LEWIS), a distinguished member of the Committee on Ways and Means.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend and my colleague, the gentleman from New York (Mr. RANGEL), for yielding me this time.

Mr. Speaker, this entire process is unbelievable. It is unreal. It is a sham. It is a shame. It is a disgrace. The tone in Washington has not changed and this reconciliation process proves it.

We are passing this bill today so we can rush the Republican tax bill to conference. We are rushing to pass a $1.35 trillion tax bill. That is a lot of money. That is a great deal of money. We cannot afford to be wrong. Somebody needs to tell the American people what would happen if we are wrong. The Republican tax bill is based on a 10-year budget projection that may be wrong. It is going to jeopardize our ability to provide for our senior citizens, jeopardize our ability to invest in priorities like education and prescription drug benefits for all of our citizens, and jeopardize our ability to pay down the national debt, save Social Security, and protect Medicare.

We should be taking care of the basic needs of all of our people and not just some of our people but all of our people and not rushing to pass a tax bill that we cannot afford. This Republican bill is not right for America. It is not fair and it is not just. And this entire process is rotten to the core. Where is the bipartisanship that we hear from the White House, that we hear from the other side? It is not here with this bill. It was not here last week and it is not here today. We have wasted an important opportunity to work together on a bill that is good for all Americans.

I urge all of my colleagues to vote against it and vote for the Democratic substitute. If we want clean water, if we want clean air, if we want safety in the workplace, then support the Democratic substitute.

Mr. McCRERY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington (Ms. DUNN), a member of the Committee on Ways and Means.

Ms. DUNN. Mr. Speaker, one of the previous speakers asked the question, how can we afford the tax cut? Well, I say if we cannot afford the tax cut at this time of surplus, when can we ever afford a tax cut? It is the taxpayers who created this surplus for us and it is they whom we should be rewarding by turning back some of those dollars for them to spend.

Mr. Speaker, I rise in support of the reconciliation measure and in opposition to the substitute motion. President Bush has very wisely made rate reduction the foundation of his tax relief proposal. He wants to help all income tax payers, especially low- and moderate-income tax payers as quickly as possible and this bill embodies his commitment to give Americans broad-based tax relief.

The bill is fair, it is fiscally responsible, and it is good for the economy. Rate reduction is fair. Everybody who pays income taxes will receive tax relief under this proposal. It targets no one in and no one out. In addition, it

provides retroactive tax relief for people in the lowest brackets by reducing the 15 percent rate to 12 percent effective at the beginning of this year.

This tax relief bill takes 6 million people off the tax rolls, and it enables a woman on her own with two children to earn up to $31,000 in a year without having to pay income taxes. Rate reduction is fiscally responsible. The tax cut is phased in over 10 years, and it represents a very small fraction of the estimated $20 trillion the government is expected to take in over the next decade.

And rate reduction will help American families. Once the cuts are fully implemented, an average family of four with $55,000 in income will see $2,000 a year in tax reduction. $2,000 is the same as 10 weeks of groceries, a semester of tuition at a community college, or 2 months' worth of mortgage payments. These are real dollars that should go where the taxpayer chooses to send them.

I urge my colleagues to support the reconciliation bill and reject the substitute.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

The gentlewoman from Washington asks if not now, when could we give a tax cut? I would respond to this rhetorical question, that if you are talking about repealing estate taxes, I would suggest the time would be 2011.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Mrs. THURMAN).

Mrs. THURMAN. Mr. Speaker, we have been hearing an awful lot about the need to pass the biggest tax cut since 1981, and we always seem to go back to 1981. Maybe it was the teacher in me, I am not real sure, but for some reason I thought, well, what exactly happened in 1981?

Well, I got to looking at it, and found out some information. Like this bill, the Reagan tax bill of 1981 was an exploding tax cut. If it had not been changed, CBO estimated that by 1986 it would have reduced revenues by 5.5 percent of the gross domestic product. At today's level, that is about $550 billion per year. And because of these projections, Congress passed legislation in 1982 to raise revenues by a little over 1 percent.

Another part of this history lesson is, it could not come out of the House, it was passed by the Senate under Senator Dole's guidance. Two years later, the Deficit Reduction Act of 1984 raised taxes again. Taxes again were raised in 1987, 1989, 1990, and then in 1993. Taken together, all six of these tax increases reversed about two-thirds of the 1981 Reagan tax cut.

Proponents of the Bush tax cut often argue that the deficits of the 1980s and the early 1990s resulted from surging spending rather than reduced revenues. The figures that they cite on spending are misleading. Why? Because they include soaring interest payments on the national debt. Gee, we have not heard this before. Appropriations declined relative to GDP while our entitlement spending held roughly constant as a share. Tax revenues fell relative to GDP. The result was an increase in the public debt. Remember that thing we keep talking about, the public debt, pay it down, let us get rid of it?

Well, if we do not look at this, we are going to lead ourselves into higher and higher payments on the debt.

Mr. Speaker, I needed to provide this history lesson as a warning. This is an exploding tax bill. Most of its benefits will not take effect for 5 or 10 years. Revenues will be reduced just when the baby boomers retire, and that money will be needed for their retirement and health care. If we pass an irresponsible tax bill, a future Congress, like 1981, 1982, 1983, 1984, will have to find the money for these needs. We need to pass the responsible Rangel substitute.

Mr. MCCRERY. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentleman from Louisiana for yielding me this time, and I thank my friend from Florida for bringing up the 1980s. A key element which Paul Harvey may refer to as the rest of the story, who was the majority in Congress in 1981, 1982, 1983, 1984 but liberal, big-spending Democrats? And what do they do when they get your money? They spend it. Why are they opposed to a tax reduction? Because they believe in their heart of hearts, and this is the crux of the whole matter, the big philosophical, empirical difference between the parties is that in their heart of hearts they believe they can spend your money better than you can. They believe the American people are incapable of spending decisions which might benefit society by creating jobs and creating more tax revenues.

I was speaking at a high school recently and I asked a young lady on the front row of a class how many of you have a job. She had a job. She made $7 an hour. I said, ''So if you work for 2 hours, you make $14.''

She said, ''No, sir, I only get to bring home about $11 because of the taxes.''

I said, ''I knew that. But let us say you do not really object to paying $3 in taxes or $4 in taxes out of your 2 hours that you work, you pay $4 in taxes and that $4 goes to roads, bridges, education, military, Medicare and you don't have a problem with that, right?''

She said, ''No, sir I don't mind that.''

I said, ''What if you knew that instead of $4, that we could run the government on $3.50 out of your earnings, what would you want with the rest of the money, that extra 50 cents? Would you want to keep it or would you want it to go to Washington so you could feel even more patriotic?''

She said, ''That's my 50 cents. I want to keep it.'' That is all that this is about, is saying to the American people, we could run the government on less money. The only question is, who wants the return? Do you want to send it to the government or do you want to keep it yourself? And when you go out as an American taxpayer and you buy washing machines or tires for your cars or clothes or whatever, you create jobs, you stimulate the economy, the economy grows, and it is good for America.

Let the American people spend their own money. Support tax relief.

Mr. RANGEL. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri (Mr. GEPHARDT), the distinguished minority leader.

Mr. GEPHARDT. Mr. Speaker, I rise to urge my colleagues to vote for the Democratic substitute and against the Republican tax bill which I think is fiscally irresponsible and the wrong plan for America. Republicans in the last days are so committed to this massive tax cut for the wealthiest special interests that they are even suggesting that cutting taxes is a substitute for a real energy policy in our country.

This is a full-service operation. To sell a tax plan, they are willing to use any argument that is available to try to convince the country that the tax plan is the right thing to do. First, it was the economy that was in trouble. That is why we needed the tax plan. Now it is the energy problem that causes the need for the tax plan. I fully expect it is going to be suggested as the cure for the common cold.

□ 1515

We should be voting today, rather than on this plan, for immediate relief from soaring electricity prices. We should be directing the Federal Energy Regulatory Commission to do something now to give people in California relief.

This tax bill will not give the ordinary citizens in California, in Oregon, in Washington, and through the rest of the country that are facing huge increases in energy prices any reasonable relief. If milk prices in California had gone up the way energy prices have gone up in California, a gallon of milk in California today would be $190, for a gallon of milk.

This tax bill offers no reasonable relief for the middle-income families and the poor families in California and the West that are facing huge energy price increases. Gasoline in the Midwest in some places has gone to $2.22 a gallon. If you want to know where relief is needed, it is at the pump. And again, this tax bill is so focused on the wealthiest Americans, it does very little for those poor and middle-income Americans who are having to go to the pump today to buy gasoline at $2 and $2.22 a gallon.

We should be passing today a bill that addresses our long-term, short-term, and medium-term energy problems in this country. But Republicans have chosen tax cuts for the wealthy special interests first, second, third, fourth, fifth, and sixth. This is a one-trick pony. The only thing they ever want to talk about on this floor is tax cuts for the wealthiest Americans.

In addition, this bill becomes a budget buster. It is going to cause high deficits. It is going to cause high interest rates and high inflation. We did this in the 1980s; we do not need to do it again. It could very well, alone, wipe out the budget surplus that the people of this country have worked so hard to produce, to keep interest rates down, to keep inflation down. And again, half of it is focused on the wealthiest folks in the country, people who do not even need tax relief, instead of focusing the tax cut, as we do in our substitute, on the hard-working, middle-income families and people trying to get in the middle class.

Now, finally, by passing this tax cut, if that is our choice today, it is so large that it forces things out of our budget that people desperately want. People want money for education, to build new buildings, to help local school districts hire teachers, to have after-school programs and pre-school programs. It will cause us to eliminate all of those efforts in education.

We are going to take up an education bill here in the next few days. It is not going to have any additional money in it, because the budget assigns most of the surplus to this tax cut. It makes impossible a universal Medicare prescription drug program. When I go home now people come up to me and say, where is the drug program? You ran ads for it, the President ran ads for it, all the Democrats and Republicans ran ads saying they were for prescription drugs. Where is it?

Well, I will tell you where it is: it is in this tax cut. There is not going to be a prescription drug program that goes to everybody who needs it in this country, because we have spent the money on the wealthiest special interests, so the people, the senior citizens of this country who want this program, are not going to get it.

Where are the cops-on-the-beat? We are not going to have enough. We are not going to fight crime and prevent crime, because we are squandering too much money on a tax cut for the wealthiest interests. Where are the environmental protections? Where is the research on renewable sources of energy, on fuel cells, on trying to solve this problem in an environmentally-sensitive way? Again, we are spending those dollars in this tax cut.

This is the wrong choice for America today. We could do better than this if we would pass a tax cut that is reasonably priced, that is focused on the people who need it, and will continue the economy we built in this country over the last 10 years.

I urge Members to vote for the Democratic substitute and against this irresponsible tax cut that will wreck the greatest economy we have seen in our lifetime.

Mr. MCCRERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the minority leader has engaged in a tactic that is fairly common around here. It is the tactic of obfuscation. But no amount of obfuscation can get around the fact that the American people today are being taxed more than they have ever been taxed before in peacetime. In fact, as far as the research that I have been able to conduct can uncover, this is the highest rate of taxation for the American people except for one time in our history, which was during World War II. You cannot obfuscate that fact. We are paying more in taxes than we ever have.

And what is the result of that high rate of taxation? We have a surplus. We are taking in more money than we need to run the government. So what are we going to do with that surplus? We are paying down debt as fast as we can. Regardless of all the rhetoric that you just heard, this House and the Senate passed a budget that accounts for this tax cut, that accounts for paying down $2.4 trillion in debt over the next 10 years, that accounts for a prescription drug benefit for seniors, that accounts for Medicare spending and Social Security spending.

Shame on people who say that if we give the American people some of their money back, their hard-earned money, if we let them keep more of the money that they earned, that we are going to throw the elderly into the streets. Shame on them. That is just not the case, and they know it.

For years in this House, years, decades, the Democratic majority passed budgets that not only did not pay down debt, it added to the debt. They spent money willy-nilly while raising taxes in a vain attempt to keep up with their spending habits.

But in the last 6 years, the Republican majority, with spending restraint, has managed to balance the Federal budget and create a surplus. Now we would like to give the American people the rewards of those efforts, and I believe we are going to do it. It is the right thing to do. It is the right thing to do for the American people, it is the right thing to do for economic growth.

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

Mr. MCCRERY. I yield to the gentleman from Georgia.

Mr. COLLINS. Mr. Speaker, I appreciate the gentleman yielding.

Am I understanding the gentleman right that the gentleman is saying that the Democrats in the Congress for years have been on the kick of tax and spend, and that tax and spend was for the purpose of implementing programs, for the purpose thereof of reelection; because over those years there has been a dependency created among some constituency in this country, that those people had to be reelected to go forward with those programs, irregardless of the cost? Is that what I am hearing the gentleman say?

Mr. MCCRERY. Mr. Speaker, reclaiming my time, that may be the interpretation of the gentleman from Georgia (Mr. COLLINS), but I really believe that Democrats are well intentioned. They really believe that the Federal Government ought to spend money for the benefit of people in this country.

Mr. COLLINS. Mr. Speaker, if the gentleman will yield further, I have no doubt of the intent. But my daddy was one of the smartest people that I ever knew. He had less than a third grade education, and I often heard him say that the road to the poorhouse was paved with good intentions.

We have created so many programs in this country, so many programs that have to be funded, that it has created excessive taxation on the American people.

What we are talking about here today, sir, is cash flow. There are people in this Chamber and this body who are concerned about the cash flow of the Treasury of the United States, rather than the cash flow of the constituency at home, who get up every day or work 12 hours, 14 hours, sometimes around the clock, to make ends meet for their families.

But we are taking so much of it. And we also require them to have to shift their cash flow at home to meet necessities, where it used to be they could meet necessities and niceties because they had the money. But today they do not.

It has been mentioned about energy. Yes, gas prices are excessive, and they are going to go even higher. But a lot of it has been due to the recent years of overprotection, overregulating, the lack of providing the facilities and the infrastructure to have the energy necessary to keep this country going, that now the price is out of hand and now some people are getting concerned about it, only because of the cash flow of the Treasury, not the cash flow of people. And when it comes to the charge while operating this government, we have a different charge than the marketplace does. We have a different charge structure than States and local governments do, because when it comes to taxes for local government or taxes for the State, everyone within that State practically pays the same or pays on the same basis. When we go to the marketplace and buy our product, we all pay on the

same price structure. But when it comes to the operation of the government, we have five tiers of price structure, five marginal rates. We only had four prior to the previous administration, but there was a fifth one added in 1993, moving it to 39.6 percent.

That is unfair. This bill allows the removal of some of those marginal rates and consolidation of and lowering of the tax rate on every taxpayer in this country, increasing the cash flow to the family and the private sector, which will result in an increase in the cash flow of the Treasury. We need to be looking at the cash flow of our citizenry, not the cash flow of this Treasury.

Mr. McCRERY. Mr. Speaker, reclaiming my time, I thank the gentleman for his remarks.

Mr. Speaker, let me conclude by pointing out that the minority leader in closing on the Democrat substitute twice mentioned that the Republican underlying bill, the underlying tax cut, is a tax cut for the wealthy special interests. Did Members hear that? The wealthy special interests.

Guess who the underlying bill benefits? Guess who this tax cut that the Republican majority is attempting to past today benefits? It benefits everybody in this country who pays income taxes. That is your special interest. That is your wealthy special interest.

If you pay income taxes, I guess you are a wealthy special interest. So be it; we are going to cut your taxes.

Ms. PELOSI. Mr. Speaker, I rise in strong support of the Democratic alternative and commend our distinguished ranking member for bringing it to the floor and in opposition to the Republican's risky tax cut.

Our best hope for reducing dependence on foreign oil and reducing pollution is through renewable energy and energy efficiency. Yet funding for renewable energy is cut by almost one-half and energy efficiency research and development is cut by over 30 percent.

Mr. Speaker, the Republicans attempt to justify the tax bill by saying it is needed to offset a slow down in the economy.

My colleagues, in case you haven't noticed, the biggest threat to our economy is the energy crises which will be felt throughout the country.

The Republicans are willing to tank the economy with their cavalier attitude toward the energy needs of Western United States.

The Bush budget cuts about one-half billion from energy research into renewable sources which are the wave of the future.

Indeed even without the energy concerns, the Republican tax bill is excessive, which is based on a surplus which we may not have and comes at the expense of investments which are priorities to the American people. Administration have repeatedly spoken of "hard budgeting times" and the need therefore to make difficult choices.

In other words in order to pay for this risky tax cut, Bush's budget cut millions of dollars from breast and cervical cancer even when we know that early detection saves lives.

Cuts in child care block grants, ignoring school modernization needs modernization needs and the cuts in investments go on.

Don't let the Republicans tank the economy——

Vote "no" on their risky tax cut!

Mr. RANGEL. Mr. Speaker, I yield back the balance of my time.

Mr. McCRERY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SWEENEY). Pursuant to House Resolution 142, the previous question is ordered on the bill and the amendment in the nature of a substitute offered by the gentleman from New York (Mr. RANGEL).

The question is on the amendment in the nature of a substitute offered by the gentleman from New York (Mr. RANGEL).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. RANGEL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 188, nays 239, not voting 4, as follows:

[Roll No. 117]

YEAS—188

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velázquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—239

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Condit
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doggett
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter

Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—4

Cramer
Cubin
Napolitano
Phelps

□ 1550

Messrs. SAXTON, KENNEDY of Minnesota, THOMPSON of California, MICA, and SAM JOHNSON of Texas changed their vote from ''yea'' to ''nay.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on rollcall No. 117, the Rangel amendment/substitute, I was detained with constituents and arrived as the roll closed. Had I been present, I would have voted "yea."

The SPEAKER pro tempore (Mr. SWEENEY). 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.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. THOMAS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 230, nays 197, not voting 5, as follows:

[Roll No. 118]

YEAS—230

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cantor
Capito
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Condit
Cox
Cramer
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
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
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—197

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schiff
Scott
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velázquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—5

Cannon
Cooksey
Cubin
Horn
Schakowsky

□ 1610

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HORN. Mr. Speaker, on rollcall No. 118, the Economic Growth and Tax Relief Reconciliation Act, I was on official business to examine the computers that were being demonstrated to assure honest and effective implementation of voting. I strongly support the tax relief provided by this legislation, thus, had I been present, I would have voted "yea."

Mr. COOKSEY. Mr. Speaker, during rollcall vote No. 118, I was unavoidably detained. I strongly support tax relief and had I been present, I would have voted "yea."

Stated against:

Ms. SCHAKOWSKY. Mr. Speaker, on rollcall No. 118, had I been present, I would have voted "nay."

GENERAL LEAVE

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on H.R. 1836.

The SPEAKER pro tempore (Mr. SWEENEY). Is there objection to the request of the gentleman from California?

There was no objection.

MAKING IN ORDER EN BLOC AMENDMENTS TO H.R. 1846, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2002 AND 2003

Mr. HYDE. Mr. Speaker, I ask unanimous consent during further consideration in the Committee of the Whole of H.R. 1646, pursuant to H. Res. 138, that it be in order at any time for the chairman of the Committee on International Relations or a designee to offer en bloc a set of amendments comprising amendments numbered 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 24, 25 and 26 printed in House Report 107–62 or germane modifications of any such amendment; that amendments en bloc pursuant to this order be considered as read, except that modifications be reported, be debatable for 40 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on International

Relations, or their designees, not be subject to amendment and not be subject to a demand for a division of the question in the House or in the Committee of the Whole; that the original proponent of an amendment included in such amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before the disposition of the amendments en bloc.

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

Mr. LAHOOD. Mr. Speaker, reserving the right to object, I only do so in order to ask the gentleman from Illinois (Mr. HYDE) a question.

Mr. Speaker, can the gentleman from Illinois (Mr. HYDE) assure me that the amendment offered by the gentleman from California (Mr. LANTOS), the ranking member of the Committee on International Relations, having to do with Lebanon is not a part of the en bloc amendment, and that that will be considered as a separate amendment?

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

Mr. LAHOOD. I yield to the gentleman from Illinois.

Mr. HYDE. Yes, I can give that assurance to the gentleman.

Mr. LAHOOD. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2002 AND 2003

The SPEAKER pro tempore. Pursuant to House Resolution 138 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. 1646.

□ 1613

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. 1646) to authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes, with Mr. SIMPSON (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole House rose earlier today, amendment No. 4, offered by the gentleman from Illinois (Mr. HYDE), had been disposed of.

Pursuant to the order of the House of today, it shall be in order at any time for the chairman of the Committee on International Relations or a designee to offer amendments en bloc printed in House Report 107–62 or germane modifications of any such amendment.

The amendments en bloc shall be considered read, except that modifications shall be reported, shall be debatable for 40 minutes, equally divided and controlled by the chairman and the ranking minority member, or their designees, shall not be subject to amendment and shall not be subject to a demand for a division of the question.

The original proponent of an amendment included in the amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before disposition of the amendments en bloc.

□ 1615

AMENDMENTS EN BLOC OFFERED BY MR. HYDE

Mr. HYDE. Mr. Chairman, pursuant to the order of the House of today and House Resolution 138, I offer en bloc amendments consisting of the following amendments printed in House Report 107–62: Amendment No. 5; amendment No. 6, as modified; amendments numbered 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 24, 25 and 26.

The CHAIRMAN pro tempore (Mr. SIMPSON). The Clerk will designate the amendments en bloc.

The text of the amendments en bloc is as follows:

Amendments en bloc offered by Mr. HYDE, consisting of the following:

Amendment No. 5 offered by Mr. LAMPSON:
Page 32, after line 5, insert the following:

(c) REPORT ON COMPLIANCE WITH THE HAGUE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION.—Section 2803(a) of the Foreign Affairs Reform and Restructuring Act of 1998 (as contained in division G of Public Law 105–277) is amended in the first sentence by striking ''2001,'' and inserting ''2003,''.

Amendment No. 7 offered by Mr. HYDE:
Page 66, after line 12, add the following:

SEC. 344. CORRECTION OF TIME LIMIT FOR GRIEVANCE FILING.

Section 1104(a) of the Foreign Service Act of 1980 (22 U.S.C. 4134(a)) is amended in the first sentence by striking ''but in no case less than two years after the occurrence giving rise to the grievance'' and inserting ''but in no case more than three years after the occurrence giving rise to the grievance.''.

SEC. 345. CLARIFICATION OF SEPARATION FOR CAUSE.

Section 610(a) of the Foreign Service Act of 1980 (22 U.S.C. 4010(a)) is amended—

(a) in paragraph (1), by inserting ''decide to'' after ''may'';

(b) by striking paragraphs (2), (3), (4), (5) and (6) and inserting the following:

''(2) When the Secretary decides under paragraph (1) to separate, on the basis of misconduct, any member of the service (other than a United States citizen employed under section 311 who is not a family member) who either (A) is serving under a career appointment, or (B) is serving under a limited appointment, the member may not be separated from the Service until the member receives a hearing before the Foreign Service Grievance Board and the Board decides that cause for separation has been established, unless the member waives the right to such a hearing in writing, or the member's appointment has expired, whichever occurs first.

''(3) If the Board decides that cause for separation has not been established, the Board may direct the Department to pay reasonable attorneys fees to the extent and in the manner provided by section 1107(b)(5). A hearing under this paragraph shall be conducted in accordance with the hearing procedures applicable to grievances under section 1106 and shall be in lieu of any other administrative procedure authorized or required by this or any other law. Section 1110 shall apply to proceedings under this paragraph.

''(4) Notwithstanding the hearing required by paragraph (2), when the Secretary decides to separate a member of the Service for cause, the member shall be placed on leave without pay. If the member does not waive the right to a hearing, and the Board decides that cause for separation has not been established, the member shall be reinstated with back pay.''.

Amendment No. 9 offered by Ms. VELÁZQUEZ:
Page 95, after line 3, add the following:

SEC. 706. PARTICIPATION BY SMALL BUSINESSES IN PROCUREMENT CONTRACTS OF USAID.

(a) STUDY.—The Administrator of the United States Agency for International Development shall conduct a study to determine what industries are under-represented by small businesses in the procurement contracts of the Agency.

(b) INITIAL REPORT.—Not later than 120 days after the date of the enactment of this Act, the Administrator shall submit to the designated congressional committees a report that contains the following:

(1) The results of the study conducted pursuant to subsection (a).

(2)(A) A specific plan of outreach to include measurable achievement milestones, to increase both the total numbers of contracts and the percentage of total contract dollars to small business, small disadvantaged business, women-owned businesses (as such terms are defined in the Small Business Act), and small businesses participating in the program under section 8(a) of such Act.

(B) The plan shall include proposals for all contracts (Washington, D.C.-based, field-based, and host country contracts) issued by the Agency or on behalf of the Agency.

(C) The plan shall include proposals and milestones of the Agency to increase the amount of subcontracting to businesses described in subparagraph (A) by the prime contractors of the Agency.

(D) The milestones described in subparagraph (C) shall include a description of how the Agency will use failure to meet goals by prime contractors as a ranking factor in evaluating any other submissions from this vendor for future contracts by the Agency.

(c) SEMIANNUAL REPORT.—The Administrator shall submit to the designated congressional committees on a semiannual basis a report that contains a description of the percentage of total contract dollars awarded and the total numbers of contracts awarded to businesses described in subsection (b)(2)(A), including a description of achievements toward measurable milestones for both direct contracts of the Agency, host country contracts, and for subcontracting by prime contractors of the Agency.

(d) DEFINITION.—In this section, the term ''designated congressional committees'' means—

(1) the Committee on International Relations and the Committee on Small Business of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Small Business of the Senate.

Amendment No. 10 offered by Ms. JACKSON-LEE of Texas:

Page 95, after line 3, add the following:

SEC. 706. ANNUAL HUMAN RIGHTS COUNTRY REPORTS ON CHILD SOLDIERS.

(a) COUNTRIES RECEIVING ECONOMIC ASSISTANCE.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(f)) is amended—

(1) in paragraph (7), by striking ''and'' at the end and inserting a semicolon;

(2) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(9)(A) wherever applicable, a description of the nature and extent of—

''(i) the recruitment and conscription of individuals under the age of 18 by armed forces of the government of the country, government-supported paramilitaries, or other armed groups, and the participation of such individuals in such groups; and

''(ii) the participation of such individuals in conflict;

''(B) what steps, if any, taken by the government of the country to eliminate such practices; and

''(C) such other information related to the use by the country of individuals under the age of 18 as soldiers, as determined to be appropriate by the Secretary of State.''.

(b) COUNTRIES RECEIVING SECURITY ASSISTANCE.—Section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)) is amended by inserting after the sixth sentence the following: ''Each report under this section shall also include (i) wherever applicable, a description of the nature and extent of the recruitment and conscription of individuals under the age of 18 by armed forces of the government of the country, government-supported paramilitaries, or other armed groups, the participation of such individuals in such groups, and the participation of such individuals in conflict, (ii) what steps, if any, taken by the government of the country to eliminate such practices, and (iii) such other information related to the use by the country of individuals under the age of 18 as soldiers, as determined to be appropriate by the Secretary of State.''.

Amendment No. 11 offered by Mr. SANDERS:

Page 95, after line 3, add the following:

SEC. 706. AMENDMENTS TO THE VICTIMS OF TRAFFICKING AND VIOLENCE PROTECTION ACT OF 2000.

(a) ASSISTANCE FOR VICTIMS IN OTHER COUNTRIES.—Section 107(a)(1) of the Victims of Trafficking and Violence Protection Act of 2000 is amended by adding at the end the following: ''In addition, such programs and initiatives shall, to the maximum extent practicable, include the following:

''(A) Support for local in-country nongovernmental organization-operated hotlines, culturally and linguistically appropriate protective shelters, and regional and international nongovernmental organization networks and databases on trafficking, including support to assist nongovernmental organizations in establishing service centers and systems that are mobile and extend beyond large cities.

''(B) Support for nongovernmental organizations and advocates to provide legal, social, and other services and assistance to trafficked individuals, particularly those individuals in detention.

''(C) Education and training for trafficked women and girls upon their return home.

''(D) The safe reintegration of trafficked individuals into an appropriate community or family, with full respect for the wishes, dignity, and safety of the trafficked individual.

''(E) Support for increasing or developing programs to assist families of victims in locating, repatriating, and treating their trafficked family members.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 113 of the Victims of Trafficking and Violence Protection Act of 2000 is amended—

(1) in subsection (a), by striking ''for fiscal year 2002'' and inserting ''for each of the fiscal years 2002 and 2003'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''and $10,000,000 for fiscal year 2002'' and inserting '', $10,000,000 for fiscal year 2002, and $15,000,000 for fiscal year 2003''; and

(B) in paragraph (2), by striking ''for fiscal year 2001'' and inserting ''for each of the fiscal years 2001, 2002, and 2003''; and

(3) in paragraphs (1) and (2) of subsection (e), by striking ''and $10,000,000 for fiscal year 2002'' each place it appears and inserting '', $10,000,000 for fiscal year 2002, and $15,000,000 for fiscal year 2003''.

Amendment No. 12 offered by Mr. MILLER of Florida:

Page 95, after line 3, add the following:

SEC. 706. REPORT ON EXTRADITION EFFORTS BETWEEN THE UNITED STATES AND FOREIGN GOVERNMENTS.

(a) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in conjunction with the Attorney General, shall prepare and submit to the Congress a report on efforts between the United States and the governments of foreign countries to extradite to the United States individuals described in paragraph (2).

(2) INDIVIDUALS DESCRIBED.—An individual described in this paragraph is an individual who is being held in custody by the government of a foreign country (or who is otherwise known to be in the foreign country), and with respect to which a competent authority of the United States—

(A) has charged with a major extraditable offense described in paragraph (3);

(B) has found guilty of committing a major extraditable offense described in paragraph (3); or

(C) is seeking extradition in order to complete a judicially pronounced penalty of deprivation of liberty for a major extraditable offense described in paragraph (3).

(3) MAJOR EXTRADITABLE OFFENSES DESCRIBED.—A major extraditable offense described in this paragraph is an offense of murder, attempted murder, manslaughter, aggravated assault, kidnapping, abduction, or other false imprisonment, drug trafficking, terrorism, or rape.

(b) ADDITIONAL INFORMATION.—The report required under subsection (a) shall also include the following:

(1) The aggregate number of individuals described in subsection (a)(2) who are being held in custody by all governments of foreign countries (or are otherwise known to be in the foreign countries), including the name of each such foreign country and the number of such individuals held in custody by the government of each such foreign country.

(2) The aggregate number of requests by competent authorities of the United States to extradite to the United States such individuals that have been denied by each foreign government, the reasons why such individuals have not been so extradited, and the specific actions the United States has taken to obtain extradition.

(c) ADDITIONAL REQUIREMENT.—In preparing the report under subsection (a), the Secretary of State, in conjunction with the Attorney General—

(1) shall establish procedures under which a competent authority of a State, which is requesting extradition of 1 or more individuals from a foreign country as described in subsection (a)(2) and with respect to which the foreign country has failed to comply with such request, may submit to the Attorney General appropriate information with respect to such extradition request; and

(2) shall include information received under paragraph (1) in the report under subsection (a).

Amendment No. 13 offered by Mr. MANZULLO:

Page 95, after line 3, add the following:

SEC. 706. PAYMENT OF ANTI-TERRORISM JUDGMENTS.

Section 2002(a)(2)(A)(ii) of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386; 114 Stat. 1542)), is amended by inserting ''June 6, 2000,'' after ''March 15, 2000,''.''

Amendment No. 14 offered by Mr. BRADY of Texas:

Page 122, after line 23, insert the following:

SEC. 747. SENSE OF CONGRESS RELATING TO THE NEGOTIATION OF EFFECTIVE EXTRADITION TREATIES.

(a) FINDINGS.—The Congress finds as follows:

(1) According to the Department of Justice, there are approximately 3,000 open extradition cases worldwide at any time.

(2) The United States has extradition treaties with only approximately 60 percent of the worlds nations.

(3) Of such treaties, nearly half were enacted prior to World War II and are seriously out of date.

(4) Treaties enacted prior to the 1970's are basically ineffective because only specific crimes listed in the treaties are extraditable offenses.

(5) Treaties negotiated since the 1970's are much more effective because they are flexible and reflect modern criminal justice issues such as international child abduction and cybercrimes.

(b) SENSE OF CONGRESS.—The Congress calls on the Secretary of State to develop and implement a process for negotiating new effective extradition treaties with countries with which the United States has no current extradition treay, as well as renegotiating old ineffective treaties, and to work closely with the Department of Justice in achieving these objectives.

Amendment No. 15 offered by Mr. FALEOMAVAEGA:

Page 122, after line 23, insert the following:

SEC. 747. SENSE OF THE CONGRESS RELATING TO UPCOMING ELECTIONS IN FIJI, EAST TIMOR, AND PERU.

It is the sense of the Congress that—

(1) the upcoming national elections in Fiji and East Timor in August 2001 and Peru in June 2001 are crucial and should be conducted in a free, fair, and democratic manner; and

(2) the Secretary of State should send election monitors to Fiji, and should offer technical support, as appropriate, to East Timor and Peru, to support free and fair elections in these nations.

Amendment No. 16 offered by Mr. BRADY of Texas:

Page 122, after line 23, insert the following:

SEC. 747. SENSE OF CONGRESS REGARDING THE MURDER OF JOHN M. ALVIS.

(a) FINDINGS.—The Congress makes the following findings:

(1) On November 30, 2000, John M. Alvis was brutally murdered in Baku, Azerbaijan.

(2) John Alvis was serving his final two weeks of a two year full-time commitment to the International Republican Institute, an American nongovernmental organization carrying out assistance projects for the United States Government to help promote democracy and strengthen the rule of law in Azerbaijan.

(3) Almost immediately following the news of the murder of John M. Alvis, our United States Ambassador to Azerbaijan, Ross Wilson, raised the issue with the the President of Azerbaijan and with the Minister of Interior, and was assured that every effort would be made to carry out a prompt and thorough investigation.

(4) After the murder, 18 members of Congress, led by Congressman Kevin Brady and then-Chairman of the House International Relations Committee, Ben Gilman, wrote President Aliyev expressing the commitment of the Congress to seeing John's murder solved, and Senator John McCain wrote former President Clinton's Administration requesting the FBI's involvement.

(5) The United States Ambassador to Azerbaijan continues to raise this issue with Azerbaijani officials.

(6) The Government of Azerbaijan has cooperated with the FBI to find the individual or individuals responsible for killing John Alvis.

(7) United States President George W. Bush wrote Azerbaijan's President Hedar Aliyev and thanked Azerbaijan for its efforts to find the murderer or murderers of John M. Alvis.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States and the Congress is absolutely committed to ensuring that the truth of the murder of John M. Alvis is determined and the individual or individuals responsible for this heinous act are brought to justice; and

(2) the Congress—

(A) appreciates the efforts of the Government of Azerbaijan to find the murderer or murderers of John M. Alvis and urges it to continue to make it a high priority; and

(B) urges the United States Department of State to continue to raise the issue of the murder of John M. Alvis with the Government of Azerbaijan and to make this issue a priority item in relations between the Government of the United States and the Government of Azerbaijan.

Amendment No. 17 offered by Mr. FLAKE:

Page 122, after line 23, insert the following:

SEC. 747. SENSE OF CONGRESS RELATING TO REMARKS BY THE PRESIDENT OF SYRIA CONCERNING ISRAEL.

(a) FINDINGS.—The Congress finds the following:

(1) On March 27, 2001, at the first regular Arab summit gathering in more than 10 years, President Bashar al-Assad used his speech to lash out at Israel.

(2) On March 28, 2001, the New York Times reported, ''In electing Mr. Sharon to be their leader, President Assad said, Israelis had chosen a man who hated anything to do with Arabs and had dedicated his career to killing them.''.

(3) President Assad additionally said, ''We say that the head of the government is a racist, it's a racist government, a racist army and security force,'' he said, adding that by extension, ''It is a racist society and it is even more racist than the Nazis.''.

(4) On March 28, 2001, State Department spokesman Richard Boucher described President Assad's remarks as, ''absolutely wrong...totally unacceptable and inappropriate.''.

(5) On March 29, 2001, the Bush administration's top Middle East diplomat, Assistant Secretary of State Edward Walker, responding to Assad's remarks stated, ''His statement at the Arab League was unacceptable, particularly his reference to Zionism as racism.''.

(6) On May 5, 2001, in his welcoming speech to Pope John Paul II, upon the Pope's arrival in Damascus, President Assad said, ''They, Israelis, try to kill all the principles of divine faiths with the same mentality of betraying Jesus Christ and torturing Him, and in the same way that they tried to commit treachery against Prophet Mohammad.''.

(7) On May 6, 2001, at the Umayyad Mosque, Muhammad Ziyadah, Syria's minister of religious affairs, said, ''We must be fully aware of what the enemies of God and malicious Zionism conspire to commit against Christianity and Islam.''.

(8) On May 7, 2001, State Department spokesman Richard Boucher condemned President Assad's remarks, ''Our view is that these comments are as regrettable as they are unacceptable. There's no place from anyone or from any side for statements that inflame religious passions and hatred.''.

(9) It is only through constructive diplomacy, and not through hateful, counterproductive speech, that peace can possibly be achieved in the Middle East.

(b) SENSE OF CONGRESS.—The Congress—

(1) condemns Syrian President Bashar al-Assad for his inflammatory remarks on March 27, 2001, and May 5, 2001;

(2) expresses its solidarity with the state and people of Israel at this time of crisis;

(3) calls upon President Assad and the Syrian Government to refrain from any future inflammatory remarks;

(4) commends the Administration for its swift response to President Assad's remarks; and

(5) urges the Administration to emphasize to Syrian Government officials the concerns of the United States about the negative impact such remarks make on Middle East peace negotiations.

Amendment No. 19 offered by Mr. UNDERWOOD:

Page 122, after line 23, add the following:

SEC. 747. SENSE OF CONGRESS RELATING TO ENVIRONMENTAL CONTAMINATION AND HEALTH EFFECTS IN THE PHILIPPINES EMANATING FROM FORMER UNITED STATES MILITARY FACILITIES.

It is the sense of the Congress that—

(1) the Secretary of State, in cooperation with the Secretary of Defense, should continue to work with the Government of the Philippines and with appropriate non-governmental organizations in the United States and the Philippines to fully identify and share all relevant information concerning environmental contamination and health effects emanating from former United States military facilities in the Philippines following departure of the United States military forces from the Philippines in 1992;

(2) the United States and the Government of the Philippines should continue to build upon the agreements outlined in the Joint Statement by the United States and the Republic of the Philippines on a Framework for Bilateral Cooperation in the Environment and Public Health signed on July 27, 2000; and

(3) Congress should encourage an objective non-governmental study which would examine environmental contamination and health effects emanating from former United States military facilities in the Philippines, following departure of United States military forces from the Philippines in 1992.

Amendment No. 20 offered by Mr. SHAYS:

Page 122, after line 23, add the following:

SEC. 747. SENSE OF CONGRESS REGARDING THE LOCATION OF PEACE CORPS OFFICES ABROAD.

It is the sense of the Congress that, to the degree permitted by security considerations, the Secretary of State should give favorable consideration to requests by the Director of the Peace Corps that the Secretary exercise his authority under section 606(a)(2)(B) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)(2)(B)) to waive certain requirements of that Act in order to permit the Peace Corps to maintain offices in foreign countries at locations separate from the United States embassy.

Amendment No. 21 offered by Mr. ENGEL:

Page 122, after line 23, insert the following:

SEC. 747. SENSE OF CONGRESS REGARDING THE MISTREATMENT OF UNITED STATES CIVILIAN PRISONERS INCARCERATED BY THE AXIS POWERS DURING WORLD WAR II.

(a) FINDINGS.—The Congress makes the following findings:

(1) The Axis Powers captured and incarcerated 18,745 United States civilians who were living or traveling abroad during World War II, of which 1,704 died or were executed in captivity.

(2) These civilian prisoners of war were subjected to barbaric prison conditions and endured torture, starvation, and disease.

(3) The incarceration of these United States civilians and the conditions of such incarceration violated international human rights principles.

(4) The vast majority of these civilian prisoners of war have never received any formal recognition or compensation for their suffering, despite the physical and emotional trauma they endured.

(5) The incarceration of United States civilians by the Axis Powers during World War II and the conditions of such incarceration violated international human rights principles.

(b) SENSE OF CONGRESS.—The Congress—

(1) extends its sympathies to the brave men and women who endured the terrible hardships of such incarceration and to their families; and

(2) encourages foreign nations that incarcerated United States civilians during World War II to formally apologize to these individuals and their families.

Amendment No. 22 offered by Mr. TRAFICANT:

Page 122, after line 23, add the following:

SEC. 747. SENSE OF CONGRESS REGARDING PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.

In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act (including any amendment made by this Act), it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

Amendment No. 24 offered by Mr. MENENDEZ:

Page 153, after line 23, add the following:

TITLE IX—IRAN NUCLEAR PROLIFERATION PREVENTION ACT OF 2001

SEC. 901. SHORT TITLE.

This title may be cited as the ''Iran Nuclear Proliferation Prevention Act of 2001''.

SEC. 902. WITHHOLDING OF VOLUNTARY CONTRIBUTIONS TO THE INTERNATIONAL ATOMIC ENERGY AGENCY FOR PROGRAMS AND PROJECTS IN IRAN.

Section 307 of the Foreign Assistance Act of 1961 (22 U.S.C. 2227) is amended by adding at the end the following:

''(d) Notwithstanding subsection (c), the limitations of subsection (a) shall apply to programs and projects of the International Atomic Energy Agency in Iran, unless the Secretary of State makes a determination in writing to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate that such programs and projects are consistent with United States nuclear nonproliferation and safety goals, will not provide Iran with training or expertise relevant to the development of nuclear weapons, and are not being used as a cover for the acquisition of sensitive nuclear technology. A determination made by the Secretary of State under the preceding sentence shall be effective for the 1-year period beginning on the date of the determination.''.

SEC. 903. ANNUAL REVIEW BY SECRETARY OF STATE OF PROGRAMS AND PROJECTS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY; UNITED STATES OPPOSITION TO PROGRAMS AND PROJECTS OF THE AGENCY IN IRAN.

(a) ANNUAL REVIEW.—

(1) IN GENERAL.—The Secretary of State shall undertake a comprehensive annual review of all programs and projects of the International Atomic Energy Agency in the countries described in section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)) and shall determine if such programs and projects are consistent with United States nuclear nonproliferation and safety goals.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act and on an annual basis thereafter for 5 years, the Secretary shall prepare and submit to the Congress a report containing the results of the review under paragraph (1).

(b) OPPOSITION TO CERTAIN PROGRAMS AND PROJECTS OF INTERNATIONAL ATOMIC ENERGY AGENCY.—The Secretary of State shall direct the United States representative to the International Atomic Energy Agency to oppose programs of the Agency that are determined by the Secretary under the review conducted under subsection (a)(1) to be inconsistent with nuclear nonproliferation and safety goals of the United States.

SEC. 904. REPORTING REQUIREMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and on an annual basis thereafter for 5 years, the Secretary of State, in consultation with the United States representative to the International Atomic Energy Agency, shall prepare and submit to the Congress a report that—

(1) describes the total amount of annual assistance to Iran from the International Atomic Energy Agency, a list of Iranian officials in leadership positions at the Agency, the expected timeframe for the completion of the nuclear power reactors at the Bushehr nuclear power plant, and a summary of the nuclear materials and technology transferred to Iran from the Agency in the preceding year which could assist in the development of Iran's nuclear weapons program; and

(2) contains a description of all programs and projects of the International Atomic Energy Agency in each country described in section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)) and any inconsistencies between the technical cooperation and assistance programs and projects of the Agency and United States nuclear nonproliferation and safety goals in these countries.

(b) ADDITIONAL REQUIREMENT.—The report required to be submitted under subsection (a) shall be submitted in an unclassified form, to the extent appropriate, but may include a classified annex.

SEC. 905. SENSE OF THE CONGRESS.

It is the sense of the Congress that the United States Government should pursue internal reforms at the International Atomic Energy Agency that will ensure that all programs and projects funded under the Technical Cooperation and Assistance Fund of the Agency are compatible with United States nuclear nonproliferation policy and international nuclear nonproliferation norms.

Amendment No. 25 offered by Mr. LANTOS:

Page 153, after line 23, add the following:

TITLE IX—EAST TIMOR TRANSITION TO INDEPENDENCE ACT OF 2001

SECTION 901. SHORT TITLE.

This title may be cited as the ''East Timor Transition to Independence Act of 2001''.

SEC. 902. FINDINGS.

Congress makes the following findings:

(1) On August 30, 1999, the East Timorese people voted overwhelmingly in favor of independence from Indonesia. Anti-independence militias, with the support of the Indonesian military, attempted to prevent then retaliated against this vote by launching a campaign of terror and violence, displacing 500,000 people and murdering at least 1,000 people.

(2) The violent campaign devastated East Timor's infrastructure, destroyed or severely damaged 60 to 80 percent of public and private property, and resulted in the collapse of virtually all vestiges of government, public services and public security.

(3) The Australian-led International Force for East Timor (INTERFET) entered East Timor in September 1999 and successfully restored order. On October 25, 1999, the United Nations Transitional Administration for East Timor (UNTAET) began to provide overall administration of East Timor, guide the people of East Timor in the establishment of a new democratic government, and maintain security and order.

(4) UNTAET and the East Timorese leadership currently anticipate that East Timor will become an independent nation as early as late 2001.

(5) East Timor is one of the poorest places in Asia. A large percentage of the population live below the poverty line, only 20 percent of East Timor's population is literate, most of East Timor's people remain unemployed, the annual per capita Gross National Product is $340, and life expectancy is only 56 years.

(6) The World Bank and the United Nations have estimated that it will require $300,000,000 in development assistance over the next three years to meet East Timor's basic development needs.

SEC. 903. SENSE OF CONGRESS RELATING TO SUPPORT FOR EAST TIMOR.

It is the sense of Congress that the United States should—

(1) facilitate East Timor's transition to independence, support formation of broad-based democracy in East Timor, help lay the groundwork for East Timor's economic recovery, and strengthen East Timor's security;

(2) help ensure that the nature and pace of the economic transition in East Timor is consistent with the needs and priorities of the East Timorese people, that East Timor develops a strong and independent economic infrastructure, and that the incomes of the East Timorese people rise accordingly;

(3) begin to lay the groundwork, prior to East Timor's independence, for an equitable bilateral trade and investment relationship;

(4)(A) recognize East Timor, and establish diplomatic relations with East Timor, upon its independence;

(B) ensure that a fully functioning, fully staffed, adequately resourced, and securely maintained United States diplomatic mission is accredited to East Timor upon its independence; and

(C) in the period prior to East Timor's independence, ensure that the United States maintains an adequate diplomatic presence in East Timor, with resources sufficient to promote United States political, security, and economic interests with East Timor;

(5) support efforts by the United Nations and East Timor to ensure justice and accountability related to past atrocities in East Timor through—

(A) United Nations investigations;

(B) development of East Timor's judicial system, including appropriate technical assistance to East Timor from the Department of Justice, the Federal Bureau of Investigation, and the Drug Enforcement Administration;

(C) the possible establishment of an international tribunal for East Timor; and

(D) sharing with the United Nations Transitional Administration for East Timor (UNTAET) and East Timorese investigators any unclassified information relevant to past atrocities in East Timor gathered by the United States Government; and

(6)(A) as an interim step, support observer status for an official delegation from East Timor to observe and participate, as appropriate, in all deliberations of the Asia-Pacific Economic Cooperation (APEC) group, the Association of Southeast Asian Nations (ASEAN), and other international institutions; and

(B) after East Timor achieves independence, support full membership for East Timor in these and other international institutions, as appropriate.

SEC. 904. BILATERAL ASSISTANCE.

(a) AUTHORITY.—The President, acting through the Administrator of the United States Agency for International Development, is authorized to—

(1) support the development of civil society, including nongovernmental organizations in East Timor;

(2) promote the development of an independent news media;

(3) support job creation, including support for small business and microenterprise programs, environmental protection, sustainable development, development of East Timor's health care infrastructure, educational programs, and programs strengthening the role of women in society;

(4) promote reconciliation, conflict resolution, and prevention of further conflict with

respect to East Timor, including establishing accountability for past gross human rights violations;

(5) support the voluntary and safe repatriation and reintegration of refugees into East Timor; and

(6) support political party development, voter education, voter registration, and other activities in support of free and fair elections in East Timor.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the President to carry out this section $25,000,000 for fiscal year 2002.

(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.

SEC. 905. MULTILATERAL ASSISTANCE.

The Secretary of the Treasury should instruct the United States executive director at the International Board for Reconstruction and Development and the Asian Development Bank to use the voice, vote, and influence of the United States to support economic and democratic development in East Timor.

SEC. 906. PEACE CORPS ASSISTANCE.

The Director of the Peace Corps is authorized to—

(1) provide English language and other technical training for individuals in East Timor as well as other activities which promote education, economic development, and economic self-sufficiency; and

(2) quickly address immediate assistance needs in East Timor using the Peace Corps Crisis Corps, to the extent practicable.

SEC. 907. TRADE AND INVESTMENT ASSISTANCE.

(a) OPIC.—The President should initiate negotiations with the Government of East Timor (after independence for East Timor)—

(1) to apply to East Timor the existing agreement between the Overseas Private Investment Corporation and Indonesia; or

(2) to enter into a new agreement authorizing the Overseas Private Investment Corporation to carry out programs with respect to East Timor,

in order to expand United States investment in East Timor, emphasizing partnerships with local East Timorese enterprises.

(b) TRADE AND DEVELOPMENT AGENCY.—

(1) IN GENERAL.—The Director of the Trade and Development Agency is authorized to carry out projects in East Timor under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421).

(2) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There are authorized to be appropriated to the Trade and Development Agency to carry out this subsection $1,000,000 for fiscal year 2002.

(B) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subparagraph (A) are authorized to remain available until expended.

(c) EXPORT-IMPORT BANK.—The Export-Import Bank of the United States should expand its activities in connection with exports to East Timor to the extent such activities are requested and to the extent there is a reasonable assurance of repayment.

SEC. 908. GENERALIZED SYSTEM OF PREFERENCES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the President should encourage the Government of East Timor (after independence for East Timor) to seek to become eligible for duty-free treatment under title V of the Trade Act of 1974 (19 U.S.C. 2461 et seq.; relating to generalized system of preferences).

(b) TECHNICAL ASSISTANCE.—The United States Trade Representative and the Commissioner of the United States Customs Service are authorized to provide technical assistance to the Government of East Timor (after independence for East Timor) in order to assist East Timor to become eligible for duty-free treatment under title V of the Trade Act of 1974.

SEC. 909. BILATERAL INVESTMENT TREATY.

It is the sense of Congress that the President should seek to enter into a bilateral investment treaty with the Government of East Timor (after independence for East Timor) in order to establish a more stable legal framework for United States investment in East Timor.

SEC. 910. PLAN FOR ESTABLISHMENT OF DIPLOMATIC FACILITIES IN EAST TIMOR.

(a) DEVELOPMENT OF DETAILED PLAN.—The Secretary of State shall develop a detailed plan for the official establishment of a United States diplomatic mission to East Timor, with a view to—

(1) recognize East Timor, and establish diplomatic relations with East Timor, upon its independence;

(2) ensure that a fully functioning, fully staffed, adequately resourced, and securely maintained United States diplomatic mission is accredited to East Timor upon its independence; and

(3) in the period prior to East Timor's independence, ensure that the United States maintains an adequate diplomatic presence in East Timor, with resources sufficient to promote United States political, security, and economic interests with East Timor.

(b) REPORT.—

(1) IN GENERAL.—Not later than three months after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report that contains the detailed plan described in subsection (a), including a timetable for the official opening of a facility in Dili, East Timor, the personnel requirements for the mission, the estimated costs for establishing the facility, and its security requirements.

(2) FORM OF REPORT.—The report submitted under this subsection shall be in unclassified form, with a classified annex as necessary.

(c) CONSULTATION.—Beginning six months after the submission of the report under subsection (b), and every six months thereafter until January 1, 2004, the Secretary of State shall consult with the chairmen and ranking members of the committees specified in that paragraph on the status of the implementation of the detailed plan described in subsection (a), including any revisions to the plan (including its timetable, costs, or requirements).

SEC. 911. SECURITY ASSISTANCE FOR EAST TIMOR.

(a) STUDY AND REPORT.—

(1) STUDY.—The President shall conduct a study to determine—

(A) the extent to which East Timor's security needs can be met by the transfer of excess defense articles under section 516 of the Foreign Assistance Act of 1961;

(B) the extent to which international military education and training (IMET) assistance will enhance professionalism of the armed forces of East Timor, provide training in human rights, and promote respect for human rights and humanitarian law; and

(C) the terms and conditions under which such defense articles or training, as appropriate, should be provided.

(2) REPORT.—Not later than 3 months after the date of enactment of this Act, the President shall transmit to 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 a report that contains the findings of the study conducted under paragraph (1).

(b) AUTHORIZATION OF ASSISTANCE.—

(1) IN GENERAL.—Beginning on the date on which Congress receives the report transmitted under subsection (a), or the date on which Congress receives the certification transmitted under paragraph (2), whichever occurs later, the President is authorized—

(A) to transfer excess defense articles under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) to East Timor in accordance with such section; and

(B) to provide military education and training under chapter 5 of part II of such Act (22 U.S.C. 2347 et seq.) for the armed forces of East Timor in accordance with such chapter.

(2) CERTIFICATION.—A certification described in this paragraph is a certification that—

(A) East Timor has established an independent armed forces; and

(B) the assistance proposed to be provided pursuant to paragraph (1)—

(i) is in the national security interests of the United States; and

(ii) will promote both human rights in East Timor and the professionalization of the armed forces of East Timor.

SEC. 912. AUTHORITY FOR RADIO BROADCASTING.

The Broadcasting Board of Governors is authorized to further the communication of information and ideas through the increased use of audio broadcasting to East Timor to ensure that radio broadcasting to that country serves as a consistently reliable and authoritative source of accurate, objective, and comprehensive news.

SEC. 913. CONSULTATION REQUIREMENT.

(a) IN GENERAL.—Not later than six months after the date of the enactment of this Act, and every six months thereafter until January 1, 2004, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, the Secretary of the Treasury, the United States Trade Representative, the Secretary of Commerce, the Overseas Private Investment Corporation, the Director of the Trade and Development Agency, the President of the Export-Import Bank of the United States, the Secretary of Agriculture, and the Director of the Peace Corps, shall consult with the Chairman and ranking member of the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate concerning the information described in subsection (b).

(b) INFORMATION.—The information described in this subsection includes—

(1) developments in East Timor's political and economic situation in the period covered by the report, including an evaluation of any elections occurring in East Timor and the refugee reintegration process in East Timor;

(2)(A) in the initial consultation, a 2-year plan for United States foreign assistance to East Timor in accordance with section 904, prepared by the Administrator of the United States Agency for International Development, which outlines the goals for United States foreign assistance to East Timor during the 2-year period; and

(B) in each subsequent consultation, a description in detail of the expenditure of United States bilateral foreign assistance during the period covered by each such consultation;

(3) a description of the activities undertaken in East Timor by the International Bank for Reconstruction and Development, the Asian Development Bank, and other international financial institutions, and an evaluation of the effectiveness of these activities;

(4) an assessment of—

(A) the status of United States trade and investment relations with East Timor, including a detailed analysis of any trade and investment-related activity supported by the Overseas Private Investment Corporation, the Export-Import Bank of the United States, and the Trade and Development Agency during the period of time since the previous consultation; and

(B) the status of any negotiations with the United Nations Transitional Administration for East Timor (UNTAET) or East Timor to facilitate the operation of the United States trade agencies in East Timor;

(5) the nature and extent of United States-East Timor cultural, education, scientific, and academic exchanges, both official and unofficial, and any Peace Corps activities;

(6) a description of local agriculture in East Timor, emerging opportunities for producing, processing, and exporting indigenous agricultural products, and recommendations for appropriate technical assistance from the United States; and

(7) statistical data drawn from other sources on economic growth, health, education, and distribution of resources in East Timor.

Amendment No. 26 offered by Mr. LANTOS:

Page 153, after line 23, add the following:

TITLE IX—FREEDOM INVESTMENT ACT OF 2001

SECTION 901. SHORT TITLE.

This title may be cited as the ''Freedom Investment Act of 2001''.

SEC. 902. FINDINGS.

Congress finds the following:

(1) Supporting human rights is in the national interests of the United States and is consistent with American values and beliefs.

(2) Defenders of human rights are changing our world in many ways, including protecting freedom and dignity, religious liberty, the rights of women and children, freedom of the press, the rights of workers, the environment, and the human rights of all persons.

(3) The United States must match its rhetoric on human rights with action and with sufficient resources to provide meaningful support for human rights and for the defenders of human rights.

(4) Providing one percent of amounts available annually for foreign affairs operations for human rights activities, including human rights monitoring, would be a minimal investment in protecting human rights around the world.

(5) The Department of State should have individuals in positions in foreign countries that are designated for monitoring human rights activities and developments in such countries, including the monitoring of arms exports.

SEC. 903. SALARIES AND EXPENSES OF THE BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.

For fiscal year 2004 and each fiscal year thereafter, not less than 1 percent of the amounts made available to the Department of State under the heading ''Diplomatic and Consular Programs'', other than amounts made available for worldwide security upgrades and information resource management, are authorized to be made available only for salaries and expenses of the Bureau of Democracy, Human Rights, and Labor, including funding of positions at United States missions abroad that are primarily dedicated to following human rights developments in foreign countries and that are assigned at the recommendation of such Bureau in conjunction with the relevant regional bureau.

SEC. 904. HUMAN RIGHTS AND DEMOCRACY FUND.

(a) ESTABLISHMENT OF FUND.—There is established a Human Rights and Democracy Fund (hereinafter in this section referred to as the ''Fund'') to be administered by the Assistant Secretary for Democracy, Human Rights and Labor.

(b) PURPOSES OF FUND.—The purposes of the Fund are—

(1) to support defenders of human rights;

(2) to assist the victims of human rights violations;

(3) to respond to human rights emergencies;

(4) to promote and encourage the growth of democracy, including the support for nongovernmental organizations in other countries; and

(5) to carry out such other related activities as are consistent with paragraphs (1) through (4).

(c) FUNDING.—Of the amounts made available to carry out chapter 1 and chapter 10 of part I of the Foreign Assistance Act of 1961 and chapter 4 of part II of such Act for each of the fiscal years 2002, 2003, and 2004, $27,000,000 for each such fiscal year is authorized to be made available only to the Fund for carrying out the purposes described in subsection (b).

SEC. 905. REPORTS ON ACTIONS TAKEN BY THE UNITED STATES TO ENCOURAGE RESPECT FOR HUMAN RIGHTS.

(a) SECTION 116 REPORT.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)) is amended—

(1) in paragraph (7), by striking ''and'' at the end and inserting a semicolon;

(2) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(9) for each country with respect to which a determination has been made that extrajudicial killings, torture, or other serious violations of human rights have occurred in the country, the extent to which the United States has taken or will take action to encourage an end to such practices in the country.''.

(b) SECTION 502B REPORT.—Section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)) is amended by inserting after the 4th sentence the following: ''Such report shall also include, for each country with respect to which a determination has been made that extrajudicial killings, torture, or other serious violations of human rights have occurred in the country, the extent to which the United States has taken or will take action to encourage an end to such practices in the country.''.

The CHAIRMAN pro tempore. The Clerk will report Amendment No. 6, as modified.

The Clerk read as follows:

Amendment No. 6, as modified, offered by MS. SLAUGHTER:

Page 43, insert the following after line 21:

SEC. 214. REPORT CONCERNING THE GERMAN FOUNDATION "REMEMBRANCE, RESPONSIBILITY, AND THE FUTURE".

(a) REPORT CONCERNING THE GERMAN FOUNDATION ''REMEMBRANCE, RESPONSIBILITY, AND THE FUTURE''.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter until all funds made available to the German Foundation have been disbursed, the Secretary of State shall report to the appropriate congressional committees on the status of the implementation of the Agreement and, to the extent possible, on whether or not—

(1) during the 180-day period preceding the date of the report, the German Bundestag has authorized the allocation of funds to the Foundation, in accordance with section 17 of the law on the creation of the Foundation, enacted by the Federal Republic of Germany on August 8, 2000;

(2) the entire sum of DM 10,000,000,000 has been made available to the German Foundation in accordance with Annex B to the Joint Statement of July 17, 2000;

(3) during the 180-day period preceding the date of the report, any company or companies investigating a claim, who are members of ICHEIC, were required to provide to the claimant, within 90 days after receiving the claim, a status report on the claim, or a decision that included—

(A) an explanation of the decision, pursuant to those standards of ICHEIC to be applied in approving claims;

(B) all documents relevant to the claim that were retrieved in the investigation; and

(C) an explanation of the procedures for appeal of the decision;

(4) during the 180-day period preceding the date of the report, any entity that elected to determine claims under Article 1(4) of the Agreement was required to comply with the standards of proof, criteria for publishing policyholder names, valuation standards, auditing requirements, and decisions of the Chairman of ICHEIC;

(5) during the 180-day period preceding the date of the report, an independent process to appeal decisions made by any entity that elected to determine claims under Article 1(4) of the Agreement was available to and accessible by any claimant wishing to appeal such a decision, and the appellate body had the jurisdiction and resources necessary to fully investigate each claim on appeal and provide a timely response;

(6) an independent audit of compliance by every entity that has elected to determine claims under Article 1(4) of the Agreement has been conducted; and

(7) the administrative and operational expenses incurred by the companies that are members of ICHEIC are appropriate for the administration of claims described in paragraph (3).

The Secretary of State's report shall include the Secretary's justification for each determination under this subsection.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the resolution of slave and forced labor claims is an urgent issue for aging Holocaust survivors, and the German Bundestag should allocate funds for disbursement by the German Foundation to Holocaust survivors as soon as possible; and

(2) ICHEIC should work in consultation with the Secretary of State in gathering the information required for the report under subsection (a).

(c) DEFINITIONS.—In this section:

(1) AGREEMENT.—The term ''Agreement'' means the Agreement between the Government of the United States of America and

the Government of the Federal Republic of Germany concerning the Foundation ''Remembrance, Responsibility and the Future'', done at Berlin July 17, 2000.

(2) ANNEX B TO THE JOINT STATEMENT OF JULY 17, 2000.—The term ''Annex B to the Joint Statement of July 17, 2000'' means Annex B to the Joint Statement on occasion of the final plenary meeting concluding international talks on the preparation of the Federal Foundation ''Remembrance, Responsibility and the Future'', done at Berlin on July 17, 2000.

(3) GERMAN FOUNDATION.—The term ''German Foundation'' means the Foundation ''Remembrance, Responsibility and the Future'' referred to in the Agreement.

(4) ICHEIC.—The term ''ICHEIC'' means the International Commission on Holocaust Era Insurance Claims referred to in Article 1(4) of the Agreement.

Mr. HYDE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment, as modified, be considered as read and printed in the RECORD.

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

There was no objection.

The CHAIRMAN pro tempore. Pursuant to the order of the House of today, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

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

This en bloc amendment, Mr. Chairman, consists of 19 amendments that were made in order by the rule on H.R. 1646. The inclusion of these 19 provisions into this en bloc amendment reflects the concurrence of each sponsor and the gentleman from California (Mr. LANTOS), the ranking Democratic member of the Committee on International Relations.

I assure my fellow Members that these measures are noncontroversial, and I recommend an aye vote on this en bloc amendment. I appreciate very much the cooperation we have received from the sponsors of these amendments and from the gentleman from California (Mr. LANTOS), my Democratic colleague, for working with us to advance these measures in this manner.

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

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

Mr. Chairman, first, let me express my deep appreciation to the gentleman from Illinois (Chairman HYDE) for the extraordinarily cooperative and collegial manner in which he has handled both this matter and all matters that we have dealt with in the committee.

Mr. Chairman, I rise in support of this en bloc amendment. This en bloc amendment includes amendments from both sides of the aisle and includes a technical provision requested by the Department of State.

I would like to highlight several provisions that enjoy broad bipartisan support: the amendment of the gentleman from American Samoa (Mr. FALEOMAVAEGA) supporting free, fair and democratic elections in Fiji, East Timor, and Peru; the amendment of the gentleman from Guam (Mr. UNDERWOOD) on the Philippines; the amendment of the gentlewoman from New York (Ms. VELÁZQUEZ) on small business contracting by AID; the amendment by the gentlewoman from Texas (Ms. JACKSON-LEE) on child soldiers; the amendment by the gentleman from Vermont (Mr. SANDERS) on trafficking; the amendment by the gentleman from New York (Mr. ENGEL) on U.S. civilian prisoners during World War II; and the amendment by the gentleman from New Jersey (Mr. MENENDEZ) on IAEA and Iran.

Mr. Chairman, a provision offered by the gentlewoman from New York (Ms. SLAUGHTER) seeks to ensure congressional oversight and enforcement in the area of Holocaust restitutions by requiring the Secretary of State to determine in a report to Congress whether the foundation established for this purpose is meeting its responsibilities to claimants.

The en bloc amendment also contains the East Timor Transition to Independence Act, legislation I introduced with the gentleman from Rhode Island (Mr. KENNEDY), the gentleman from Massachusetts (Mr. MCGOVERN), the gentleman from New Jersey (Mr. SMITH), and the gentlewoman from New York (Mrs. LOWEY).

I would express my appreciation to the gentleman from Illinois (Chairman HYDE) and the gentleman from Iowa (Mr. LEACH), chairman of the Subcommittee on East Asia and the Pacific, and the gentleman from American Samoa (Mr. FALEOMAVAEGA), ranking Democratic member, for their help on this legislation, along with the East Timor Action Network.

Two years ago, Mr. Chairman, the people of East Timor voted overwhelmingly for independence from Indonesia. In response, anti-independence militias, with the support of the Indonesian military, launched a campaign of terror and violence.

The East Timorese have now won their hard-earned freedom, and the United States is playing a lead role in helping the East Timorese get back on their feet. This legislation provides a 3- to 5-year trade, aid, and security agenda with East Timor so that our Nation remains a key player in helping to rebuild that small and long-suffering country.

It authorizes $25 million in bilateral U.S. assistance to East Timor, authorizes the establishment of a Peace Corps Program in that country, and mandates a series of steps to increase the involvement of U.S. trade and export agencies in East Timor.

I also wish to point to the amendment offered by the gentleman from New Jersey (Mr. SMITH) and myself titled the Freedom Investment Act. This amendment ensures that our human rights and democracy programs are not merely part of our foreign policy rhetoric, but are also part of U.S. foreign policy reality.

If we are to accomplish this, the human rights function within the Department of State must be strengthened appreciably.

This provision provides a permanent authorization for the Bureau of Democracy, Human Rights and Labor equal to 1 percent of the Department's main operating account. This continues specific authorizations that the Congress has provided for the democracy and human rights functions and boosts the human rights and democracy fund.

This fund administered by the Department of State has been crucial to providing small level grants to human rights causes around the globe, and it definitely should be increased.

So I want to reiterate my support, Mr. Chairman, of the en bloc amendment offered by the gentleman from Illinois (Chairman HYDE), and I urge my colleagues to vote for his amendment.

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

Mr. HYDE. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Chairman, I am pleased to join with the gentleman from Texas (Mr. LAMPSON), my good friend, thanking the gentleman from Illinois (Chairman HYDE) for including in his en bloc amendment our amendment, which extends until 2003 the reporting requirement of the State Department on compliance with the provisions of the Convention on the Civil Aspects of International Child Abduction.

My colleagues will recall that the gentleman from Texas (Mr. LAMPSON) and I offered legislation last year adopted in both the House and the Senate that urged compliance by signatory countries with the Hague Convention. The legislation became necessary because, sadly, some Hague signatories consistently fail to comply fully with both the letter and the spirit of their international legal obligations under the Convention.

The Hague Convention establishes reciprocal rights and duties between and among its contracting states to expedite the return of children to the state of their habitual residence as well as to ensure that rights of custody and of access under the laws in one contracting state are respected in other contracting states. Unfortunately, some parties to the Convention have been routine offenders.

My colleagues have often heard me talk about the case of a Cincinnati man, Tom Sylvester, whose then baby daughter, Carina, was abducted by her mother back in 1995 and taken to Austria where she remains today. Six

years after the abduction, the case remains unresolved despite a number of court orders in Mr. Sylvester's favor in both the United States and Austria, including an order all the way up to the Austrian Supreme Court in Mr. Sylvester's favor.

Unfortunately, the Sylvester case is not a rarity. Every year, more and more American parents suffer similar circumstances and face similar obstacles from other nations, many of whom are signatories of the Hague Convention.

This amendment which extends for 2 years the reporting requirements of the Department of State on compliance by Hague signatories is, unfortunately, quite necessary. The continuation of this language in the State Department authorization legislation sends a message to those offending countries who consistently fail to honor their obligations under international law, that the Congress takes their failure to comply very seriously and will continue to pursue efforts to bring our American children home.

I want to commend the gentleman from Texas (Mr. LAMPSON). As chairman of the Congressional Caucus on Missing and Exploited Children, he has done an extraordinary job in bringing national and international attention to this growing problem that devastates so many American families. I urge adoption of the amendment.

Mr. LANTOS. Mr. Chairman, I am happy to yield such time as he may consume to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Chairman, I want to commend the gentleman from Ohio (Mr. CHABOT) and the gentleman from Texas (Mr. LAMPSON) on their continuing efforts on focusing their attention on this very tragic situation that so many parents are in across our Nation. We welcome the opportunity to include this amendment in the en bloc, and I thank the gentleman from Illinois (Chairman HYDE) for including it.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Chairman, part of the en bloc is one that I offer on Iran because I am deeply concerned about U.S. taxpayer dollars being used to support the development of a 1,000 megawatt nuclear power reactor at Bushehr in Iran's Persian Gulf coast. I want specifically to address the role of the International Atomic Energy Agency's technical assistance for this plant, because I believe the agency is indirectly supporting Iran in its well-known endeavors to acquire dangerous nuclear technology.

Iran claims it is merely seeking the wherewithal to meet its publicly desired statement to have a civil nuclear power program to generate electricity, which is suspect in light of Iran's having the world's largest oil and natural gas reserves. But it is no secret that Iran is also pursuing a nuclear weapon's development program.

Last fall, Assistant Secretary of State for Nonproliferation Bob Einhorn stated in testimony before the Senate that the administration opposed construction of the Bushehr plant because, ''it would be used as a cover for maintaining wide-ranging contacts with Russian nuclear entities and for engaging in more sensitive forms of cooperation with more direct applicability to a nuclear weapons program.'' I could not agree more.

Let me suggest to my colleagues that we must decide as a government whether to oppose or acquiesce in the construction of the plant, which is being built with Russian support. I submit to my colleagues that acquiescence in this case is tantamount to our acceptance as inevitable the construction of the nuclear power plant. This is not about safety, this is about operational capacity. If we do not speak out, who will?

My amendment would simply withhold U.S. proportional voluntary assistance to the IAEA for programs and projects of the agency which go for technical assistance for the Bushehr plant. I have no interest in cutting off all IAEA assistance to Iran, but it is ludicrous for the United States taxpayers to support a plant which could pose a threat to the United States and to stability in the Middle East.

Please support my colleagues in supporting the en bloc amendment.

Mr. HYDE. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, the Flake-Gilman-Cantor-Wexler amendment is a bipartisan straightforward resolution condemning the remarks of Syrian President Bashar al-Assad.

On March 27 at the first regular Arab summit gathering in more than 10 years, President Assad used his speech to lash out against Israel.

In electing Mr. Sharon to be their leader, President Assad said Israelis ''had chosen a man who hated anything to do with Arabs and had dedicated his career to killing them.''

President Assad continued by saying, ''We say that the head of the government is a racist, it's a racist government, a racist army and security force.'' ''It is a racist society and it is even more racist than the Nazis.''

Mr. Chairman, as if President Assad's remarks back in March were not enough, he reiterated his anti-Semitic remarks 11 days ago in his welcoming speech to Pope John Paul, II, in Damascus.

In both cases, the administration has been swift to condemn Assad's remarks. The time has now come for Members of the House to go on record condemning these inflammatory remarks and express its support for people of Israel.

Finally, President Assad's remarks illustrate a counterproductive pattern beginning there. These types of actions will only have a negative impact on the region in this time of crisis.

This amendment sends a message that the United States opposes this type of speech by world leaders. For this reason, I urge my colleagues to support the en bloc amendment.

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

Mr. HYDE. Yes, I yield to the gentleman from New York.

□ 1630

Mr. GILMAN. Mr. Chairman, I want to thank the gentleman from Arizona for his cogent remarks with regard to the appalling remarks made by the President of Syria recently. He was criticized by the press, by leaders throughout the world for encouraging and inciting more hostility rather than being a leader for peace.

We had looked to the new President of Syria for greater leadership than he has demonstrated, and we hope he will take a good hard look at what he has done to stir up the problems in the Middle East and recant his statement, and we look forward to hearing from the President of Syria further on this issue.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Chairman, I thank my friend from California, the ranking member, the distinguished gentleman, for yielding time to me.

I certainly agree with the remarks of the gentleman from New York (Mr. GILMAN) and the gentleman from Arizona (Mr. FLAKE) condemning the President of Syria, and I would also add that Syrian troops ought to leave Lebanon as soon as possible.

Mr. Chairman, my amendment, which is rolled into the en bloc amendments, addresses the unfortunate events of World War II in which almost 19,000 American civilians living or traveling abroad were captured by the Axis powers and incarcerated, 1,700 of whom either died in captivity or were executed. It is really a shocking statistic. To date, no formal apology has been offered for these terrible actions.

My amendment would extend the Congress' sympathy to the brave men and women who were incarcerated and their families for the terrible hardships they endured. Also, it encourages foreign nations that incarcerated U.S. civilians during World War II to formally apologize to these individuals and their families.

Passage of this amendment would honor the many who suffered, including Michael Kolanik, Sr., of Westchester County, New York, which I represent. He was captured by Nazi Germany and was a slave laborer for 6

years. Unfortunately, he has already passed away; but his son Mike, Jr., a Vietnam veteran, has been pursuing this issue in honor of his father.

While recognition of their ordeal will not erase the painful reality of their imprisonment, it will provide a sense of closure for them and their families and put to rest a long and drawn-out battle to honor those brave men and women for their suffering.

I know this has bipartisan support, and I thank everybody for that; and I urge my colleagues to vote in favor of this amendment so that we can begin to heal the wounds of the past.

Mr. HYDE. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Chairman, I rise in support of the Flake amendment. In a gesture of interfaith reconciliation, Pope John Paul II recently undertook the first-ever visit by a Pope to Syria where he visited a mosque. I commend the Pope for these historic actions that are in keeping with the finest teachings of our Judeo-Christian heritage. Despite these generous acts, Pope John Paul II was subjected to a primitive anti-Jewish outburst by Syrian President Bashar Assad. President Assad attacked the Jews as a people ''who try to kill the principles of all religions with the same mentality with which they betrayed Jesus Christ, and in the same way they tried to commit treachery against the Prophet Muhammad.''

Later, Pope John Paul II was subjected to a second bigoted tirade, this time by the Syrian Religious Affairs minister, who railed against ''what the enemies of God and malicious Zionism conspire to commit against Christianity and Islam.'' On the second day of the Pope's visit to Syria, a front page editorial in the official government newspaper called Israelis ''the enemies of God and faith.''

These expresses must have been particularly painful to the Pope, in view of the fact that he has worked so long and hard to further increase understanding between Christians and Jews and people of all faiths. The religious bigotry expressed by Syria's president is contrary to America's values of religious tolerance and undermines the chance for peace and poisons relations between people of different faiths.

There have been reports that the Syrian government hopes to improve its relationship with the United States in order to qualify for American financial aid. Such anti-Semitic rhetoric is not a positive step and merely fans the flames of violence.

The Flake amendment would shed light on the actions and statements of high-ranking Syrian government officials and emphasizes the concern of the United States about the negative impact such remarks make on the prospects for Middle East peace. Congress must speak up and act to condemn this hatred. Accordingly, I strongly urge all Members to support this amendment.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

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

Mr. Chairman, time is running out for Germany to provide a measure of justice to the survivors of the Holocaust, 10 to 15 percent of whom are dying every year. I urge passage of the Slaughter-Waxman-Schakowsky amendment to H.R. 1646 that would require the Secretary of State to report to Congress twice a year on the status of the German foundation, Remembrance, Responsibility, and the Future.

The amendment also expresses the sense of Congress regarding the urgency of payments to Holocaust slave and forced labor camp survivors, and encourages the International Commission on Holocaust Era Insurance Claims to work with the Secretary of State in gathering the information required for the report.

Behind this amendment are real faces, faces of survivors from a variety of concentration and forced labor camps. Thousands suffered torture, mental abuse, loss of family, destruction of their culture during the Holocaust; yet they continue to wait on reparations for the suffering they endured so many years ago. Nearly a year after the agreement signed by the United States and Germany establishing the German foundation as the exclusive forum for the resolution of Holocaust-era restitution claims, not one Deutsche Mark has been paid out to a Holocaust survivor.

The German foundation is supposed to be an exclusive remedy. We must make sure it is an effective remedy. This amendment would serve notice to the German foundation that Congress is concerned about Holocaust survivor restitution claims and expects the allocations of funds from the German foundation to go forward without further delay.

During the last Congress, I introduced the Justice for Holocaust Survivors Act, H.R. 271, a bill that would have allowed survivors to pursue reparations from Germany for the unspeakable suffering they endured during the Holocaust. H.R. 271 garnered the support of 96 bipartisan cosponsors. This legislation served as a major catalyst in the talks between the U.S. and Germany to reach a compensation agreement.

On July 17, 2000, the United States and Germany signed an agreement to establish the German Foundation, as the exclusive forum for the resolution of all Holocaust-era personal injury, property loss, and damage claims against German banks, insurers, and companies. In return, the U.S. Department of Justice has urged the U.S. courts to reject all existing and future lawsuits against German companies by slave laborers and other victims of the Nazi era.

However, nearly a year after the agreement's inception, not one Deutsche mark has been paid by the German Foundation to Holocaust survivors. There needs to be more oversight and enforcement of the agreement that was negotiated by the United States. The German Foundation is supposed to be an exclusive remedy; we must make sure it is an effective remedy.

Our amendment would achieve this goal by requiring the Secretary of State to report to Congress on whether the German Foundation is meeting its responsibilities to claimants; insurance companies joining the agreement abide by the same baseline set of standards; and slave and forced labor payments are distributed as soon as possible.

Mr. Chairman, this report would also serve notice to the German Foundation that Congress is concerned about Holocaust survivor claims and expects the allocation of funds from the German Foundation to go forward without further delay.

We must address the current lack of oversight of the German Foundation. I urge my colleagues to join me in calling for this report to Congress on the status of the German Foundation before it is too late to grant justice to our aging Holocaust survivors.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. LAMPSON).

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

Mr. Chairman, I want to thank the chairman of the committee, the gentleman from Illinois (Mr. HYDE), for his willingness to fold the Lampson-Jackson Lee-Chabot amendment regarding international child abduction into his en bloc amendment. I also want to thank the gentleman from Ohio (Mr. CHABOT) and the gentleman from New York (Mr. GILMAN) for their earlier comments and their hard work on this issue that affects so many parents and children in the United States of America.

In the fall of 2000, I wrote to former Secretary of State Albright to express my strong concern regarding the U.S. State Department's adherence to the reports required in section 202 of the consolidated appropriations act of last year. Congress takes this reporting requirement very seriously, as it is designed to strengthen the implementation of the Hague Convention on the Civil Aspects of International Child Abduction.

In the past, the Department of State has submitted reports to Congress that in my mind have not been meeting the statutory requirements required by the reports and has not helped the cause of many parents left behind in the United States.

As H.R. 1646 is currently written, there is no reporting requirement of the U.S. Department of State on the compliance with the provisions of the Convention on Civil Aspects of International Child Abduction done at the Hague in 1980, and this amendment

simply extends the reporting requirement in last year's State Department authorization bill from the current requirement of 2001 for 2 years, to 2003.

The entire purpose of this report is to educate judges, attorneys, and the public to promote remedial actions in current cases and to prevent as many new ones as possible. This depends on full disclosure by the State Department of information sought by Congress and the sort of widespread dissemination of the report that was called for in the last Congress' law.

So again I thank the chairman for accepting this as part of the en bloc amendment, and I urge my colleagues to support it.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to my distinguished colleague, the gentleman from Guam (Mr. UNDERWOOD).

Mr. UNDERWOOD. Mr. Chairman, I thank the ranking member, the gentleman from California (Mr. LANTOS), for yielding me this time; and I thank the gentleman from Illinois (Mr. HYDE) for including this amendment in the en bloc amendment.

I urge my colleagues to support the en bloc amendment, particularly my amendment regarding the former United States military facility in the Philippines. Basically, what my amendment does is support the joint statement by the United States and the Republic of the Philippines on the Framework for Bilateral Cooperation in the Environmental and Public Health, signed on July 27, 2000. This would encourage an objective non-governmental study which would examine the environmental contamination and health effects emanating from the former U.S. facilities in the Philippines following the departure of the U.S. military forces from the Philippines in 1992.

This is good responsible policy. It cements an ongoing dialogue that we have with the Philippines on the results of the contamination which was evident in the military facilities which we left in 1992. This is particularly important at this particular time as we examine our ongoing relationships with the Philippines.

The United States and the Philippines have a long and proud history of friendship and cooperation. We originally acquired the Philippines under the Treaty of Paris in 1898; and frankly, we were engaged in a period of imperialism and forcibly took the Philippines. But since that time, we have helped the Philippines to develop its democratic foundations and its military, as most Philippine military institutions are modeled after the United States. We could consider the Philippines the first pioneer democracy in Asia.

Now, this is particularly important at this time as we have finalized a visiting forces agreement with the Philippines. We continue to understand that in the ongoing environment of Asia we need the Philippines now more than ever. It is time we take a little responsibility for the environmental cleanup and take a good strong look at it. I urge passage of the amendment and again thank the chairman and the ranking member.

Mr. Chairman, I urge my colleagues to support my amendment regarding the former United States military facilities in the Philippines to H.R. 1646, The Foreign Relations Authorization Act for FY 2002.

My amendment would support the Joint statement by the United states and the republic of the Philippines on a Framework for Bilateral Cooperation in the Environmental and Public Health signed on July 27, 2000, which I ask permission to submit for the record; and would encourage an objective non-governmental study which would examine environmental contamination and health effects emanating from the former U.S. military facilities in the Philippines, following departure of U.S. military forces from the Philippines in 1992.

The United States and the Philippines have a long and proud history of friendship and cooperation. Spain ceded the islands to the United States under the terms of the Treaty of Paris signed December 10, 1898, which ended the Spanish-American War. In turn, the United States helped the Philippines to develop its democratic foundations and its military, as most Philippine military institutions were modeled after United States counterparts. Depending upon ones perception of history and definition of democracy, the Philippines could be considered the first pioneer democracy in Asia. In 1906, as a U.S. territory, the Philippines elected two Resident Commissioners to the U.S. Congress. In 1935, the Philippine Islands became the Commonwealth of the Philippines. Between 1907–1946, the Philippines elected 13 different Resident Commissioners to the U.S. Congress. In 1946, the Philippines became fully independent.

The United States and the Philippines maintained their relationship as allies during World War II and the postwar period. In 1941, then President Roosevelt called up members of the Philippine Commonwealth Army into the service of the United States. Over one hundred thousand Filipinos fought alongside the allies to reclaim the Philippine Islands from Japan. This valiant sacrifice and dedication to our shared values during their service in World War II is the foundation of the U.S. and Philippine relationship.

In 1947, the U.S. and the Philippines signed the Military Bases Agreement, which resulted in Clark Air Force Base and Subic Bay Naval Base. Throughout, U.S.-Philippine relations have been and continue to be based on shared history and commitment to democratic principles.

During negotiations between the U.S. and the Philippines in 1991, the Philippine Senate rejected the renewal of the Military Base Agreement. As a result, in 1992, the U.S. withdrew from Clark Air Force Base and Subic Bay Naval Base, thereby ending the almost 100 years of American military presence there. In the haste of our departure, unfortunately little effort was made to provide any environmental restoration in the bases, albeit none was required. This was a result of the 1988 Amendments to the Military Base Agreement.

Moreover, the 1998 Defense Authorization Act specifically states that the armed forces "should not be deployed outside the U.S. to provide assistance to another nation in connection with environmental preservation activities in that nation, unless the Secretary of Defense determines that such activities are necessary for national security purposes." Given this legal and Congressional framework, the U.S. is not legally obligated to provide any environmental restoration in regards to the Philippines. However, I would strongly argue that while both our nations share a profound concern for the quality of the environment, the U.S. has a moral obligation to the Philippines to cooperate in ameliorating this environmental degradation.

Nevertheless, according to the General Accounting Office, the Department of Defense (DOD), and the World Health Organization, at least eighteen contaminated sites on or surrounding these former military installations in the Philippines have been identified. High levels of toxic materials were generated on these sites from over 45 years of intensive military activities, including the production, cleaning, use, and storage of weapons, ordnance, aircraft, naval vessels, land vehicles, and electronic equipment. Wastes were dumped with little regard for the environment as was the norm during the Cold War. As a result of frequent chemical waste dumping, and inadequate sewage and treatment facilities, these toxic materials directly polluted the soil, air, and water.

The urgency of my amendment is shown through the severe illnesses and increasing number of deaths experienced by the current Filipino inhabitants near the former bases. Their health concerns include high rates of urinary tract, reproductive, and nervous system problems, plus high rates of respiratory disorders in children. Various reports have suggested possible connection between these health problems and the drinking water containing heavy metals such as mercury and lead. There has also been a high occurrence of skin diseases, miscarriages, stillbirths, birth defects, various cancers, heart and lung ailments, and leukemia. In only one village where mercury and other contaminants were found in the water, 68 deaths were reported between 1995 and 1999.

Not only are the lives of numerous families at stake, but our actions should be considered within the larger scope of U.S.-Philippines relations. Clark Air Force Base and Subic Bay Naval Base were strategically valuable during the Cold War—especially during the Vietnam and Korean conflicts. The Filipino people have been our loyal allies throughout this century. Therefore we cannot ignore these pressing issues as the daily lives of thousands have been adversely affected from such contamination.

In a positive step forward, in 1999, the U.S. and the Philippines reached agreements to revive the security relationship, which had declined following the U.S. withdrawal from military bases in 1992. The two governments concluded a Visiting Forces Agreement that will

allow U.S. military personnel to enter the Philippines for joint training and other cooperative activities.

In addition, in July of 2000, the U.S. and the Philippines signed a Joint Statement that outlines a cooperative partnership that would include increased sharing of information, best practices and partnerships through ongoing capacity building programs, among government and non-government experts. The goal of this Joint Statement would be to enhance the Philippines' institutional and technical capacity to address environmental and public health problems throughout the Philippines and help coordinate military-to-military consultations to discuss ways to reduce the environmental impacts of peacetime military activities.

I would like to commend the DOD and the State Department for their collaborative efforts in working within the legal framework provided, and cooperating with the Philippines in turning over records and documents via the U.S. Embassy. Moreover, I would like to point out the many successful U.S. inter-agency team visits to the Philippines. In May 2000, officials from DOD, State, the Environmental Protection Agency (EPA), and Department of Energy (DOE) began to discuss the broad environmental issues facing the Philippines. In October 2000, a DOD team began a defense-to-defense environmental information exchange program, and conducted a workshop on hazardous waste management. And, in December of 2000, yet another inter-agency team consisting of DOD, State, EPA, the US Agency for International Development, and US Geological Service conducted more workshops on environmental management systems. My amendment supports these activities and provides further constructive steps by encouraging an objective non-governmental study that would build upon this positive work.

A new study issued May 14th by the Rand organization, entitled "U.S. & Asia—Toward a New U.S. Strategy and Force Posture" reinforces the importance of U.S.-Philippine relations.

This study argues that the conflict between Taiwan and mainland China are key to U.S. security posture in the Pacific and recommends the U.S. engage in new relationships with the Philippines and Guam. Specifically, the study reports that the U.S. should ". . . expand cooperation with the Philippines" and ". . . the Philippines may present an interesting opportunity to enhance Air Force access in the Western Pacific." Moreover, the study suggests that Guam "should be developed into a major hub from which the Air Force and Navy could project power into the South China Sea and elsewhere in Southeast Asia."

Given this analysis of the importance of the Philippines, Congress should seek to encourage better cooperation and increased dialogue between our two countries, which my amendment intends to do.

Passage of this important amendment will also help raise awareness of the environmental contamination and health issues at the former military bases in the Philippines. I urge all Members to support my amendment.

JOINT STATEMENT BY THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES ON FRAMEWORK FOR BILATERAL COOPERATION IN THE ENVIRONMENT AND PUBLIC HEALTH

Whereas the United States of America and the Republic of the Philippines have a long and proud history of friendship and cooperation.

Whereas both nations share a profound concern for the quality of the natural environment and the impact environmental quality has on the health and well-being of our peoples.

Whereas both nations recognize the critical importance that environmental quality plays in the stability and security of nations.

Whereas both nations share a strong interest in working to prevent environmental problems that could threaten public health or the national security of either nation.

Whereas both nations intend to cooperate to help protect air, soil, and water resources, marine and coral reefs, tropical forests, and biological diversity.

And taking note of the joint statement on clean energy and climate change signed by their Energy Departments, both nations do hereby express their intent to reduce industrial and toxic pollution and the emissions of greenhouse gases that can contribute to global climate change, and to enhance local capacities for improved environmental and public health management.

Accordingly, the United States of America and the Republic of the Philippines announce that they intend to jointly expose ways in which this cooperation can further enhance their long tradition of friendship and help ensure the well-being of their peoples and the planet.

This cooperation is envisioned to include increased sharing of information, best practices and partnerships through ongoing capacity building programs, among government and non-governmental experts, directly and by electronic mans. The goal of this cooperation would be to enhance the Philippines' institutional and technical capacity to address environmental and public health problems throughout the Philippines.

In particular, cooperative efforts should be undertaken to build capacity for effective regulation of the competitive electric power industry that will be evolving in the Philippines in order to facilitate the market deployment of energy efficient technologies, renewable energy sources, and less carbon intensive fuels such as natural gas, all of which can help limit emissions of both carbon dioxide and conventional air pollutants.

In addition, these exchanges and consultations may also include cooperation to minimize loss of life and property damage resulting for natural disasters.

Further, in consideration of the treaty alliance between the United States of America and the Republic of the Philippines, and believing strongly in the importance of a close relationship between our armed forces, as part of our cooperative effort, we intend to convene defense-to-defense consultations to discuss ways to reduce the environmental impacts of peacetime military activities.

Further specific priorities for this enhanced framework for cooperation on the environment and public health are to be defined in an ongoing dialogue by interagency teams of both Governments and should build on current bilateral efforts. Through this dialogue, the Philippine side will provide the United States a prioritized list of proposed cooperative activities with a view to achieving the objectives of this Joint Statement.

Washington, DC, July 27, 2000

Mr. LANTOS. Mr. Chairman, I am delighted to yield 2 minutes to my friend, the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the chairman and the ranking member for allowing this amendment to come to the floor. I support the en bloc, and I ask for the support of my colleagues for this amendment that places governments on notice that the United States pays attention to those nations who use children as soldiers.

The amendment mandates that the Department of State annual Human Rights Report for each country, where applicable, include a description of the nature of conscription, and participation of persons under the age of 18 by governmental forces, government-supported paramilitaries, or other armed groups.

Do I need to name the countries? Countries in South America, Sierra Leone in Africa, Sudan, Liberia, and other places where children have been placed into conflicts not of their own choosing. This is important documentation that will tell us a great deal about the real human rights practices that occur when children are absorbed into armed conflict.

The mere compilation of annual country reports regarding this human tragedy will be a critical tool in the United States foreign policy. We must stop children being forced into armed war. An estimated 300,000 children under the age of 18 were engaged in armed military conflicts in more than 30 countries, and they are currently fighting along with the adults in these armed conflicts.

I am gratified that the ranking member, the gentleman from California (Mr. LANTOS), is a cosponsor, as is the gentleman from Georgia (Mr. LEWIS). Far too many of these children have been forcibly conscripted through kidnapping or coercion, and others join because of economic necessity, to avenge the loss of a family member, or for their own personal safety. It is horrific to see children with mutilated hands, but even more so for the children to mutilate those because they are forced to do so.

Listen to the story of a girl from Uganda who was kidnapped, taken away from picking tomatoes in the garden. These soldiers surrounded her, they then took her to her home, killed her mother, and then took her away, leaving behind her little brother and two little sisters. It is a tragedy. And these children try to resist.

This is a good amendment and I ask for support. We must stop the utilization of children for soldiers in armed warfare.

Mr. Chairman, I rise to extend my strong support for the Jackson Lee-Lewis-Lantos amendment to the underlying bill. It would enhance our understanding of the treatment of children being used as soldiers.

In short, the amendment would require annual human rights country reports on children used as soldiers. Nothing in the amendment would require any change in U.S. policy or prohibit any funding through multilateral or bilateral assistance given abroad. Mr. Chairman, the amendment merely places governments on notice that the United States pays attention to those nations who use children as soldiers.

The amendment mandates that the Department of State annual Human Rights Report for each country, where applicable, include a description of the nature of conscription, and participation in of persons under the age of 18 by governmental forces, government supported paramilitaries, or other armed groups; their use in combat; and what steps are being taken by the government of that country to eliminate such practices. This is important documentation that will tell us a great deal about the real human rights practices that occur when children are absorbed into armed conflict. The mere compilation of annual country reports regarding human rights has been a critical tool of American foreign policy under Republican and Democratic Administrations.

An estimated 300,000 children under the age of 18 were engaged in armed military conflicts in more than 30 countries are currently fighting in armed conflicts. Sadly, far too many of these wonderful children are forcibly conscripted through kidnapping or coercion and others joined because of economic necessity, to avenge the loss of a family member or for their own personal safety. There are so many stories of children being abused in this way.

"B." [who wishes to remain unidentified], a 14-year-old young girl, was abducted in Uganda in February 1997: "I had gone to the garden to collect tomatoes at around eight or nine in the morning. Suddenly, I was surrounded by about 50 rebels. They started picking tomatoes and eating them. They arrested me and beat me terribly. Finally, I walked them to my home. We went there and collected my clothes. There, they killed my mother. They made me go, leaving behind my little brother and two little sisters. . . . I was resisting. Then they started beating me until I became unconscious."

War is a daily reality for millions of children. Some have never known any other life—they have grown up in the midst of civil wars, guerrilla wars, guerrilla insurgency, or long-term occupation by a foreign army. For others, the world is suddenly turned upside down when invasion of forced internal displacement drives them on the road of refugees or displaced persons, often separated from their families.

The results are devastating. Children injured in armed conflicts often-innocent bystanders, but some are targeted deliberately by security forces and armed opposition groups, in retribution or to provoke outrage in each other's communities. Some, mainly girls are singled out for sexual abuse. While both boys and girls are used as fighters, girls are at particular risk of rape.

Casualty rates among child soldiers are generally high, because of their inexperience, fearlessness and lack of training, and because they are often used for particularly hazardous assignments, such as intelligence or planting landmines. Both governments and armed groups use children because they are easier to condition into fearless killing and unthinking obedience; child soldiers are sometime provided with drugs and alcohol to overcome their fear or reluctance to fight.

Last year, the United States government signed two landmark Protocols that address prostitution, the impact of pornography on children, and the global practice of child labor. This resolution, in an entirely complimentary way, applauds the decision by the U.S. government to support the Protocol that condemns the use of children as soldiers by government and nongovernment forces. Further, the House passed H. Con. Res. 348, a resolution that condemns the use of children as soldiers. And there is good reason why we did that. This is a common sense step forward.

It is important that the House accept the Jackson Lee-Lewis-Lantos amendment so that the U.S. Department of State may include reports on other countries that use children as soldiers. I urge my colleagues to support this amendment.

□ 1645

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. Mr. Chairman, I thank the gentleman for yielding me this time, and rise to support an amendment which outlines a 3- to 5-year trade, aid and security agenda with East Timor which, as everyone knows, is currently under United Nations control and is scheduled for full independence later this year.

This legislation contained in the en bloc authorizes bilateral U.S. assistance to East Timor in order to promote civil society, independent media, job creation and economic development. It authorizes the establishment of a Peace Corps program in East Timor, requires that a developmental plan to establish full diplomatic facilities in East Timor be accomplished and mandates a series of steps to increase the involvement of U.S. trade and export agencies in East Timor.

I had the honor of having the chance to travel to East Timor with Nobel Prize winner Bishop Carlos Belo, and this was just after he received the Nobel Peace Prize. As my colleagues know, for the last 30 years East Timor has been fighting for its independence. Finally it won it.

Mr. Chairman, now we need to make sure that independence sticks and stability takes hold. In this Congress and many other places, we prepare for war. And when we prepare for war, we make sure that we make an investment in order to win war once we have prepared for it. Now we need to win the peace. We need to make sure that peace takes hold in East Timor. So we also need to make sure that peace takes hold, and this legislation within the en bloc will make that take place.

Mr. Chairman, I encourage my colleagues to join me in support of this very important amendment which will help our relationship with East Timor and help it get underway.

Mr. HYDE. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Chairman, I rise to urge support for two amendments that we have offered as part of the en bloc proposal today. The first deals with fugitives who continue to flee America and American justice. The world has gotten smaller and the number of criminals fleeing America continues to grow. With this amendment, Congress takes another step towards the days when there is nowhere in the world for fugitives to hide.

According to the Department of Justice, more than 3,000 indicted criminals have fled and remain out of our American reach. Their crimes include murder, terrorism, drug trafficking, money laundering, child abduction, financial fraud, and cyber crime. Our extradition agreements are terribly outdated. Half of them predate World War II, and we do not have agreements with over 40 percent of the world, so there are safe havens throughout the globe.

Mr. Chairman, our goal with this amendment is to ensure that the State Department creates a process for updating our outdated extradition agreements and starting a process to incur new agreements to return these criminals to face American justice and to work with the Department of Justice in doing so.

The second amendment is designed to express a sense of our Congress which is absolutely committed to ensuring the truth of the murder of a Texan American, John Elvis, who was brutally murdered last November in Baku, Azerbaijan. He was finishing a 4-year commitment to the International Republican Institute for Fair and Free Elections, and had only 2 weeks left before he returned home to Texas and his family.

We appreciate the support the government of Azerbaijan has provided us, the FBI, and our Ambassador onsite to attempt to solve this murder. This young man was a friend, a colleague and a true freedom fighter for America. President Bush and others continue to urge Azerbaijan to cooperate with us to ultimately find this murderer or murderers, and bring them to justice.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, I rise in strong support of the Slaughter-Waxman-Schakowsky amendment and thank my co-authors for their hard work on this important subject, and I thank the gentleman from California (Mr. LANTOS), the distinguished chairman and ranking Democratic member of the Committee on International Relations.

My district, the Ninth Congressional District of Illinois, includes Skokie

and is home to one of the largest Holocaust survivor populations in this country. With passage, this body will make it clear to Holocaust survivors in my district and throughout the world that the United States places the utmost importance on providing some measure of justice, albeit long overdue, to those who suffered the worst atrocity of the last century.

This amendment also puts it clearly on record in underscoring the critical timing of this issue for the aging Holocaust survivor population, and urges the German Bundestag to provide the funds for disbursement by the German foundation to Holocaust survivors as soon as possible. Holocaust survivors have been waiting more than 50 years. This amendment will help assure that their pain and patience is acknowledged in some small way.

Mr. WAXMAN. Mr. Chairman, I join Representative SLAUGHTER and Representative SCHAKOWSKY today in offering an important amendment to the State Department Authorization Bill, which will enhance U.S. Government oversight of the major Holocaust restitution settlement that created the German Foundation ''Rememberance, Responsibility, and the Future.''

Nearly a year ago, on July 17, 2000, the German Foundation was established to expedite payments to Holocaust survivors who were tortured as slave and forced laborers, and settle claims for banking and insurance policies stolen by the Nazis. Unfortunately, its implementation has fallen far below expectations.

Thousands of aging survivors who suffered through the horrors of concentration camps continue waiting for the distribution of payments months after all of the class action slave and forced labor cases were dismissed or withdrawn from U.S. courts. In the matter of insurance, merely 496 claims out of the 70,000 filed with the International Commission on Holocaust Era Insurance Claims (ICHEIC) have been settled. The rest have been idled or rejected because the companies have largely ignored many of ICHEIC's standards for approving claims and publishing policyholder names.

During the ceremony preceding the announcement of the German Foundation, U.S. Holocaust Envoy Stuart Eizenstat said, ''It is critically important that all German insurance companies cooperate with the process established by the International Commission on Holocaust Era Insurance Claims, or ICHEIC. This includes publishing lists of unpaid insurance policies and subjecting themselves to audit. Unless German insurance companies make these lists available through ICHEIC, potential claimants cannot know their eligibility, and the insurance companies will have failed to assume their moral responsibility.''

We must vigilantly pursue resolution of these issues. The amendment asks the State Department for a status report on the progress of the German Foundation, including verification that all participating insurance companies abide by the same baseline set of claims handling procedures and standards for publishing policyholder names. It is troubling enough that barely half of the modest DM 10 billion designated for the German Foundation has been contributed, but no amount of money is worthwhile unless survivors have meaningful access to the funds.

Congress played a vital role in fostering and facilitating the creation of the German Foundation, and we must be equally devoted to overseeing its proper implementation. We should continue holding congressional hearings on this issue, and briefings to help Members of Congress assist constituents in filing claims as deadlines rapidly approach. The deadline to qualify for slave and forced labor payments is August 11, 2001, and the deadline to file for insurance claims is January 31, 2002.

We must do as much as possible to make sure that the German Foundation offers not just an ''exclusive remedy,'' but the fair and just process that was envisioned.

Mr. SCHROCK, Chairman, I rise today in support of Mr. MANZULLO'S Amendment and in support for a constituent in Virginia's 2nd district who will be directly affected by this amendment.

Ms. Chantal Ganthier was the wife of one of the service men taken hostage on the hijacked TWA flight 847 in 1985. I support Ms. Ganthier becoming eligible for compensation due to the traumatic suffering she and her family has endured since her husband was brutally taken as a hostage in 1985.

I encourage my colleagues to vote yea for the Manzullo amendment. It's time was recognize the legal right of these families, these victims of a terrible hijacking, to become eligible for compensation.

Mr. SMITH of Michigan. Mr. Chairman, I am disappointed that there was not an amendment addressing the Kyoto Protocol language in the State Department reauthorization bill. This language that calls for implementary the protocol will potentially have far-reaching ramifications. An issue of such importance should have been debated before the House.

Under the Kyoto Protocol, by 2008 to 2012 the U.S. would be required to slash emissions of greenhouse gases to seven percent below the 1990 level—a level last achieved in 1979. Based on projections of the future growth in U.S. energy use, this would require a real cut in emissions of over 30 percent. In the meantime, major greenhouse-gas emitters, such as China, India, Mexico, and Brazil, would be able to continue business as usual.

But while the Protocol sets stringent targets and timetables for developed countries, it left the important details of implementation for later negotiations. After three years, these negotiations have gone nowhere, the developing countries have repeatedly refused to even discuss the possibility that targets and timetables might apply to them, as well.

Furthermore, in the recent round of discussions that I attended at The Hague last November, the European Union obstructed any effort to establish a system to account for carbon sinks that take carbon gases out of the air. Some estimates suggest that U.S. carbon sinks—mainly forests and agricultural crop land—offset all of our carbon dioxide emissions in the U.S. As U.S. farmers know, corn, sorghum, wood lots, and other crops take up vast amounts of carbon dioxide. But instead of negotiating in good faith on this and other issues, European governments seemed more intent on using the treaty to weaken America's competitiveness.

The United States Senate has already voted against the treaty. With no realistic hope that the treaty could be salvaged and eventually ratified by the Senate, the Bush Administration did the right thing and rejected the treaty. Although many European governments have expressed bitter disappointment about the U.S. decision, it should be pointed out that Romania is the only developed country to ratify the treaty so far.

We need to reduce emissions of green house gases, and we are doing that but the simple fact is that for the U.S. to achieve the unfair U.S. responsibility set out in the Kyoto treaty, energy costs would have to rise sharply.

Today's high cost of energy provides just a hint of the kinds of price increases we could expect if we agree to the Kyoto treaty. The Energy Information Administration projects that under Kyoto, by 2010 the average cost of a gallon of gasoline, in current dollars, would rise 32 cents. Diesel fuel prices to would rise to an average of $2.18 compared to $1.47 today. Home heating oil also would be expected to rise to $2.10 per gallon, well above last winter's price.

Such price increases would have a devastating impact on the U.S. economy. Good-paying, high-skilled manufacturing jobs in many industries would be lost at investment in American plants dries up and industries relocate to developing countries not subject to the treaty's requirements. The losses suffered in these industries will be felt throughout the economy in lower incomes and fewer jobs.

A study by the well-respected econometrics firm WEFA Inc. estimates that the treaty would lead to a drop in average household income of $2,700 per year. Further, an additional 2.4 million U.S. manufacturing jobs could be expected to move to developing countries where companies could take advantage of cheaper energy. Once these countries became sanctuaries for energy-intensive industries, they would be even less likely to agree to emissions limits in the future.

The treaty also lacks a firm scientific basis. While there is not scientific disagreement that more carbon dioxide and other greenhouse gases are in our atmosphere than before the Industrial Revolution, scientists disagree about the extent man-made gases contribute to global warming, the amount of warming, or even if the planet is warming at all. Some research indicates even warmer global temperatures in the past then what we are experiencing today.

Current computer models predicting warming over the next century may prove to be no more reliable than the five-day weather forecast. But even assuming that these models are right, achieving the emission goals in the treaty would reduce project warming by about two-tenths of a degree by 2050. But that does not mean we should ignore this potential problem.

There are many things about the climate system we still do not understand. That is why I support continued research to increase our

understanding of climate variability and the potential human impact of greenhouse gas emissions. Instead of Kyoto's command and control approach, the Administration and Congress must work to develop new technologies, market-based incentives, and other approaches to increase energy efficiency and reduce greenhouse emissions. I fully support these approaches and urge my colleagues to do so as well.

Mrs. MORELLA. Mr. Chairman, I rise in support of the Sanders-Morella amendment. Last year, Congress passed the landmark Trafficking Victims Protection Act of 2000, authorizing funds through FY 2002. Our amendment authorizes an increase in funds for FY 2003 and makes some technical amendments to the Act's foreign assistance provisions.

The international trafficking of human beings for slavery, forced labor, or prostitution is a growing global problem that affects poor and rich countries alike. The Congressional Research Service estimates that every year two million people are trafficked against their will to work in some form of servitude. The majority of trafficking victims are under the age of 18 and annually, about 50,000 women and girls are trafficked into the United States alone. The International Organization for Migration (IOM) estimates that trafficking in human beings is a $5 to $7 billion industry worldwide.

Women, children, and men are trafficked to work in a variety of settings beyond forced prostitution and pornography. These areas include domestic work, illegal labor in manufacturing, service industries, or farms, bonded labor, servile marriage, false adoption, and street begging to profit traffickers. Women and girls may be initially trafficked to work as sweatshop laborers and then be transferred into prostitution or domestic servitude.

The states of the former Soviet Union and Southeast Asia are principal sources of trafficked women and girls, but women are trafficked from many developing countries. In Southeast Asia, trafficking is responsible for approximately 10% of the region's gross domestic product (GDP).

Ending the global trade in human beings will require a multi-dimensional approach that addresses the causes of trafficking, protects and supports victims, and prosecutes traffickers. Most importantly, women's vulnerability to trafficking is rooted in poverty and their low social status in many nations. Increased education, work skills, business development, and economic opportunity for women and girls will cut trafficking off at its roots. Additionally, training for law enforcement, customs and immigration officials, and courts in source and destination countries can help deter traffickers. International attention is necessary, not only because the United States imports thousands of women and girls but also because, in many cases, police, judges, and elected officials at all levels of government collude with traffickers—making a law enforcement approach alone ineffective.

The United States has and should continue to be active in combating the growing problem of trafficking in humans. I want to thank Chairman HYDE and Congressman SMITH for their dedication to this issue and encourage members to support the Sanders-Morella amendment.

Mrs. THURMAN. Mr. Chairman, I rise in strong support of the Manzullo amendment. Last year, in enacting the Victims of Trafficking and Violence Protection Act, Congress provided relief to Americans victimized in five terrorist incidents sponsored by nation states. One of these incidents involved seven Americans who were taken hostage when TWA flight 847 was hijacked by terrorists allegedly sponsored by Iran. Through an unfortunate error, Congress did not provide compensation to six of the Americans who filed suit against Iran in March 2000. Former Navy diver Ken Bowen, a constituent of mine from Lake City, Florida, is one of those Americans. He and the other military personnel were taken to Lebanon where they were beaten and subjected to mock executions over 17 days before their release. Equity demands that we correct this grave error. As we work toward the Memorial Day recess and the June 14 anniversary of the hijacking, I ask you to please join me in supporting the Manzullo amendment so that Mr. Bowen and the other American victims can receive the compensation they so justly deserve.

Mr. SHAYS. Mr. Chairman, it is my pleasure to address an issue of great importance to the Peace Corps and its many fine Volunteers serving around the world—the potential application of the Secure Embassy Construction and Counterterrorism Act to require Peace Corps to ''collocate'' its offices with embassies abroad.

More than 7,000 Peace Corps Volunteers are currently serving in developing countries around the world. Volunteers give two years of their lives to provide assistance to, and learn from, the people of some of the poorest countries in the world.

Living and working with ordinary people, volunteers contribute in a variety of capacities to improving the lives of those they serve. They also seek to share their understanding of other countries with Americans back home.

For 40 years, Peace Corps offices have existed separately from U.S. embassies in their host country. Volunteers generally reside outside capital cities, often in remote villages at the same economic level as the people to whom they lend their energy, skills, and friendship.

There is a critical security aspect to this arrangement. When Volunteers are recognized as development workers serving a community's needs, they are embraced, supported and protected by the community.

If, on the other hand, a perception arises that Volunteers are serving U.S. political objectives or are possibly connected with intelligence activity, the protection the Peace Corps has traditionally relied upon will erode.

Mr. Chairman, my amendment expresses the sense of the Congress that the Secretary of State should give favorable consideration to requests by the Peace Corps and exercise his waiver authority in order to permit the Peace Corps to maintain offices separate from U.S. embassies abroad.

I offer this amendment because I know firsthand that Volunteers are able to meet their goals only to the extent they are accepted into and trusted by their communities. Significantly increased reliance upon, and contact between, Peace Corps Volunteers and the embassy—an inevitable result of collocation—would compromise that trust.

I would like to thank Chairman HYDE and his staff for their assistance in drafting this amendment and urge my colleagues to support it.

Mr. MANZULLO. Mr. Chairman, I rise in strong support of my amendment to the State Department authorization bill. My amendment is a simple, technical correction to legislation Congress passed and the president signed last fall: H.R. 3244, the Victims of Trafficking and Violence Protection Act of 2000.

In its closing weeks, the 106th Congress passed H.R. 3244 to provide relief to Americans victimized in five terrorist incidents sponsored by nation states. H.R. 3244 permits the payment of anti-terrorism judgments with the frozen assets of countries that sponsor terrorism, such as Iran.

One of the five incidents involved seven Americans, retired and active duty members of the U.S. Navy and U.S. Army, who were taken hostage by terrorists allegedly sponsored by the nation state of Iran when TWA flight 847 was hijacked from Athens, Greece to Beirut, Lebanon airport in 1985. The Americans were tortured and held hostage for 17 days. Of the seven American TWA victims, Robert Stethem was murdered. The remaining six Americans, survived. One of them is my constituent.

Stethem's family members filed suit against Iran in U.S. District Court for the District of Columbia on March 15, 2000, pursuant to the Foreign Sovereign Immunities Act. The remaining six American TWA victims filed a separate but similar suit against Iran in the same court on June 6, 2000. Through inadvertent error, Congress listed only Stethem's suit, not that of the other six American TWA victims, when it provided relief in H.R. 3244 in the closing weeks of the 106th Congress. The two American TWA victim cases are now consolidated and await a joint trial during the summer of 2001.

My amendment would render the six American TWA victims eligible for compensation on the same basis as are complainants associated with the five other complaints listed in H.R. 3244.

This is a matter of fairness. I ask my colleagues for their strong support.

Mr. MCGOVERN. Mr. Chairman, I rise in support of the amendment offered by the Ranking Member of the International Relations Committee that would outline and authorize over three-to-five years a recovery and transition to independence strategy for U.S. aid for East Timor.

I was proud to introduce this legislation as H.R. 675 with my colleagues, Representatives LANTOS (CA) and KENNEDY (RI) in February. I want to express my appreciation for their leadership in designing a bill that looks towards establishing permanent and productive relations with a soon-to-be independent East Timor.

This amendment calls upon the Administration to continue to facilitate East Timor's transition to independence, to support democracy and economic recovery, and to strengthen the security of East Timor. Today, the situation on the border between East and West Timor remains tense and combative. Over 100,000 East Timorese remain trapped in squalid refugee camps just inside the Indonesian territory

of West Timor. Indonesian-supported militia groups during the violence of 1999 forcibly removed most of these people from their homes in East Timor. International humanitarian and refugee organizations are limited or unable to provide these refugees with assistance because of the threatening climate created by Indonesia.

We should recall that three United Nations humanitarian workers were brutally and publicly murdered—stabbed to death—by these militias while Indonesian police and authorities stood by. The individuals who carried out the murders were tried and sentenced to the lightest of sentences, giving official sanction to similar violent acts.

While some areas of reconstruction and recovery have moved ahead in East Timor, a great deal more needs to be done to rebuild this tiny nation which has suffered so much in order to gain its freedom. Current reconstruction and longer-term economic aid should focus on creating employment economic security for the majority of East Timorese. It should include the participation of local communities in the planning and design of projects and help preserve, strengthen and expand local leadership. The people of East Timor are eager and more than capable of rebuilding their homes, businesses and communities. International aid targeted at these tasks should hire and compensate the East Timorese for their productive labor, rather than flowing into the pockets of high-salary consultants and officers of multilateral and other foreign organizations.

This amendment looks ahead to the future of an independent East Timor. It sets forth requirements for the provision of bilateral assistance, multilateral aid, Peace Corps assistance, scholarships for East Timorese students, security assistance, and trade and investment aid.

I can see that future, and I commend the gentleman from California in moving this amendment forward so that it can become a reality.

[From the Boston Sunday Globe, May 5, 2001]

BORN AMID VIOLENCE, AND YET LOOKING TO THE FUTURE

(By Arnold Kohen)

DILI, EAST TIMOR.—Jose Maria Barreto Lobato Goncalves typifies the youth of this country. But his own life is anything but typical.

When he was a toddler, Jose was snatched from the arms of his mother, Isabel, as she faced execution on that day in December 1975 when Indonesian forces invaded this island nation.

The boy—son of Nicolau Lobato, a legendary symbol of resistance—was himself nearly put to death, but at the last moment, the Indonesian commander was persuaded to spare him.

Adopted by his aunt, Olimpia, and her husband, the late Jose Goncalves, the boy was taken to live in the Indonesian capital of Jakarta. Kept unaware of his true parentage (and of his father's death in 1978 in an Indonesian ambush), he was educated in Indonesia's best Jesuit school, later studying computers and management.

Now, at 28, he is back in his homeland, which was freed in late 1999 by international peacekeepers after nearly a quarter-century of harsh Indonesian military control.

Today, Lobato is an assistant to the chief executive at a local relief organization. He displays all the good humor and intellectual nimbleness of the best of his contemporaries anywhere, combined with a spirit of reconciliation that is all the more impressive in light of his family's suffering.

In this way, he is said to take after his father. ''He was a nationalist, a man of rectitude, just and humane,'' says Bishop Carlos Ximenes Belo, the 1996 Nobel Peace Prize colaureate.

Indeed, Lobato's father was a man who refused to seek revenge against Indonesian prisoners or Timorese accused of working for Indonesia, even after nearly all his family members were murdered.

The bishop, a priest in the Salesian Order, noted for its ministry to the young, knows that people like Jose Lobato must be groomed for the task of eventually running this new nation, on a tropical island off northern Australia whose beauty and perfume-scented air belie its tragic history.

It has been estimated that one-third of East Timor's original population of 700,000 perished during the nearly 25-year Indonesian military occupation. On April 2 an East Timor Genocide Documentation Project was launched by Yale University's Genocide Studies Program, adding to existing Yale efforts on Cambodia and Rwanda.

The country, still reeling from its violent past, is struggling to rebuild.

For almost two years, it has been administered by the United Nations, yet border attacks from Indonesian territory continue. Street children are common now, after never before having been a problem in East Timor. Essential systems, such as water and electrical, have been hampered after Indonesian military elements bent on vengeance destroyed the manuals needed to operate them.

The East Timorese are receiving help from the United States. There is a small U.S. military contingent based offshore, called USGET, the U.S. Support Group East Timor, which is by U.S. law operating independently of the United Nations peacekeepers. The USGET presence is an important signal of American backing for the transition to independence. (East Timor had, before its annexation by Indonesia, been a Portuguese colony.) USGET receives periodic help from the Air Force, Army, Marines, and Navy in its work in East Timor, renewing schools, community centers, and repairing power and water lines.

Last month, hundreds of tons of U.S. relief aid were distributed, some of these donations with the help of Jose Lobato and his organization.

Although young Lobato is far too diplomatic to even hint at this, the stability created by sustained American help is seen privately as the least the United States can provide, given the billions of dollars in economic and military aid spent to support Indonesia's military occupation of East Timor. More reconstruction would be possible if Congress increased the modest $25 million if appropriated last year for East Timor.

Many concerned about East Timor's future—Bishop Belo certainly among them—see a continuing international presence as vital. Dire outcomes can be averted with timely initiatives. Like many other things, it is simply a matter of political will.

For his part, Lobato knows he has been blessed with an excellent education, and is eager to advance the prospects of others less privileged. Young leaders like him give strong reason for hope for East Timor's future. The question is whether they will receive the international help they need.

[From the Tablet, Apr. 21, 2001]

HIGH HOPES OF A NEW NATION

(By Arnold Kohen)

Easter is an especially verdant time of the year in East Timor, a tropical island off northern Australia whose beauty belies its tragic history. Regeneration, both within East Timor and of the international networks vital to the sustenance of this martyred land, is urgently needed. Administered by the United Nations since an international peace-keeping force entered the former Portuguese colony in September 1999, East Timor is still reeling from its ordeal. Border attacks from Indonesian territory continue.

Two years ago, the people of East Timor suffered a mounting series of assaults by Indonesian army and local militias, some carried out in and around churches in this predominantly Roman Catholic island nation. After nearly 80 percent of eligible voters opted for independence from Indonesia in a referendum, the territory was subjected to an orgy of violence and destruction spearheaded by these same Indonesian forces. Now, 18 months later, renewal is under way.

The task is immense. Much if not most of the infrastructure was left in ruins. Electrical and water facilities were severely damaged, and even the manuals needed to operate these systems were destroyed by Indonesian military elements bent on vengeance. Many homes and public facilities have yet to be rebuilt. Though the UN presence has created jobs, an estimated 70 percent of East Timor's people are unemployed. Paradoxically, many of those without work at present were among the most committed members of the resistance to the 24-year Indonesian occupation: often they did not pursue their studies or were expelled for their political activities. Their plight must be redressed urgently.

UN-sponsored elections are due on 30 August this year. In these crucial transitional months leading up to the poll, the people of East Timor are under great stress. Yale University medical specialists report that a majority of them are suffering from the aftereffects of the traumatic events surrounding the referendum of 1999. With only minor exceptions, justice has not been forthcoming and will take time to achieve—indeed, is impossible under current conditions, for the Indonesian military is refusing to cooperate with prosecution of those in its ranks seen as the guilty parties. An international tribunal should be established.

Massive reconstruction remains to be done, and many areas need the most fundamental attention such as the cleaning up of garbage and debris. Reforestation, planting of gardens, building or rebuilding of parks and gardens could all be increased to improve the environment and serve as an important psychological boost to a long-suffering population. Beyond such emergency jobs, Bishop Carlos Ximenes Belo, the Nobel peace laureate, has issued a call to all nations to work to create sustainable enterprises to tackle unemployment.

The East Timorese are demonstrating enormous pride and resilience. Bishop Belo has told the young people that this Easter they should become joyful and happy about opportunities now open to them that never before existed. In fact, a vibrant civil society is developing resourceful non-governmental organisations devoted to human rights, women's concerns, the environment, relief and reconstruction and the rest. Most of these groups are led by people under 35, which gives strong reason for hope in the future. Can the world community fulfill its obligation to provide stability and sustained

support—especially those nations that spent decades and billions of dollars of economic and military aid effectively supporting Indonesia's military occupation of the former Portuguese colony? For a start, the UN staff and peacekeeping troops are a force for stability and a bulwark against reinvasion: they should stay for several years.

International financial authorities, the real economic overlords in the territory, have argued that in three or four years East Timor will be simply another poor Pacific island nation and have no special status. But they miss a crucial point: something terrible has happened in East Timor over the past quarter-century that the world must not be allowed to forget. A small but significant step was taken on 2 April in the United States when the East Timor genocide documentation project was launched by Yale University's genocide studies programme, adding to existing Yale efforts on Cambodia and Rwanda.

About a third of East Timor's original population of 700,000 perished from the combined effects of the Indonesian military occupation. As the East Timor resistance leader Xanana Gusmao recently asked two priests who schooled him as a young man, who is going to dry the tears of the widows of the freedom fighters? Who will feed those who struggled for more than two decades? In the light of the special relationship of the Catholic Church with the people of East Timor, it would seem appropriate to request backing from international church authorities so that they may press governments for long-term support for East Timor, in terms of troops, qualified aid workers and finance. Local and foreign church agencies (and private development organizations such as Oxfam) that support East Timor have limited means to address employment or larger economic and political matters, but they have knowledge that should be transmitted to interested parties.

For example, Maryknoll Sisters have medical and psychological expertise, and are specialists on women's health. Agencies associated with Caritas such as Cafod and Trocaire can use their influence in Europe to gather support for East Timor: Cafod staff have travelled widely in hard-hit areas near the border with Indonesia. For its part the Jesuit Refugee Service, led by Fr Frank Brennan, is doing indispensable work assisting East Timorese refugees who remain in West Timor.

The United States bishops can work in Washington, where lawyers for East Timorese victims of the carnage of 1999 recently brought a case against an Indonesian general who was in the chain of command during those events. The testimonies of the Timorese, whose identities were not revealed for their own protection, provided a searing microcosm of what their nation underwent: lives and limbs lost, property and meagre possessions totally destroyed; in some instances families nearly wiped out.

International headlines featuring East Timor these days focus on who will be the first president of this nascent nation, which is expected to become independent next year. But the politics of the moment are far less important than long-term international programmes to help in the country's resurrection. A major danger is that discontent fuelled by East Timorese unemployment will provide fertile ground for subversive forces, some of them linked to Indonesian military elements that were responsible for the tragic events of 1999. Left unchecked, the situation could lead to riots and social breakdown which could sabotage the international peacekeeping mission and UN efforts. But such dire outcomes can be averted with timely initiatives and patience. Like many other things, it is simply a matter of political will.

Mr. MILLER of Florida. Mr. Chairman, I first became involved in extradition reform in 1997 when there was a horrible crime in my district in Sarasota, Florida. Sheila Bellush, a mother of six, was brutally murdered in her home while her 2-year-old quadruplets watched. The murderer, Jose Luis Del Toro, immediately fled to Mexico where he managed to avoid extradition for almost 2 years. The Mexican government demanded that we waive the death penalty in order to have him returned to the U.S. Despite our cooperation, they still held up his extradition for over a year. This kind of policy is not acceptable. We are dealing with cases of Americans, killing other Americans, on American soil. No foreign country has the right to interfere in the just prosecution of these criminals!

Unfortunately, the Del Toro case is not an isolated one. In 1977 in Philadelphia, Ira Einhorn brutally murdered Holly Maddux. He bludgeoned her to death and then shoved her body in a steam chest where she remained in his closet for 18 months. While waiting to stand trial for this heinous crime, Einhorn fled overseas. He is now in France, successfully avoiding extradition by continuously hiding behind false claims regarding his case. In 1977, the death penalty was not legal in Philadelphia, therefore it was never an option in the Einhorn case. Yet, the French use Einhorn as a poster child for their crusade against capitol punishment and are still pursuing all options possible in holding up his extradition to the United States. The French Prime Minister, Lionel Jospin, has signed Einhorn's extradition order, but the appeals process can take an unspecified amount of time and there is no indication that they are interested in expediting the matter. In the meantime, the family of Holly Maddux is in its 24th year of watching and waiting to see if justice will be served.

The more involved I have become in this issue, the more I realize that while the United States may not be to blame for the lack of cooperation from these countries, we certainly have not done our part in formulating a solution. To date, the Department of State has no tracking system for extradition cases. It is absolutely incomprehensible to me that there is no place for anyone, whether a Member of Congress or a family member of a victim, to find simple answers on which countries are extraditing criminals and which ones are not. How can the State Department work effectively with the government of France in getting Einhorn returned, if they have no idea how many similar cases are pending in France. We need to have these answers. If Mexico has 35 outstanding extradition requests from the United States, and 10 have been denied—we need to know that! And we also need to know why!

My amendment will require that the State Department compile this information and submit it to Congress. It will provide a country by country report of the number of Americans being held by foreign governments, the number of extradition requests that the United States has made to such governments, the number of those requests denied, and any reasons for delays. This is not a controversial amendment. It is a matter of ensuring that justice is served. When foreign governments blatantly disregard reasonable and legitimate requests by the United States, our authority is undermined. My amendment would take us one step closer to ending this practice. My thoughts and prayers go out to the Maddux family and any others who have lost a loved one in a tragic murder where the killer remains free in a foreign land. I sincerely hope that you will all see justice served in the near future.

Mr. FALEOMAVAEGA. Mr. Chairman, I rise in support of the en bloc amendment to H.R. 1646 and my amendment which is contained therein.

The amendment I offered is a Sense of Congress provision that recognizes the extraordinary importance of the national elections this year in Fiji, East Timor and Peru, and urges the Secretary of State to support the holding of free and fair elections in these nations.

Mr. Chairman, each of these countries has recently undergone significant political instability and turmoil.

In Fiji, the government of former Prime Minister Mahendra Chaudry, an Indo-Fijian, was deposed by an attempted coup in May of last year. Fiji has long suffered from political and economic tensions between its indigenous Fijian population and the Indo-Fijian community, which is comprised of individuals of Indian descent. I believe much of Fiji's problems today are a tragic result of Great Britain's bitter legacy of colonialism. For a century, Fiji was controlled and ruled by England as a colony. During that period, from 1879 to 1916, the British brought waves of indentured servants and laborers from Indian, another English colony, to work the sugar plantations of Fiji. The colonial policies of transmigration have resulted in a dilemma today for native Fijians who fear they may lose control of their government as well as their homeland.

This August 25th, Fiji's caretaker administration will hold national elections intended to return Fiji to parliamentary government. Both New Zealand and Australia have pledged to assist with Fiji's elections, and the United States should join that effort by providing election monitors to ensure free, fair and democratic elections.

As our colleagues know, when East Timor voted to break away from Indonesia in the August 1999 referendum, it triggered a campaign of killings and destruction by pro-Indonesia militias that devastated the territory. Five hundred thousand East Timorese were made refugees and upwards of 2,000 were murdered.

Under the guidance of the United Nations Transitional Administration, East Timor is slowly recovering stability and progressing towards democracy. A crucial part of that process will take place on August 30th, when East Timor holds its first national election to select the 88-member Constituent Assembly. Once seated, the new parliament will draft a Constitution for an independent and democratic East Timor.

The recent resignations from the National Council, the interim government, by President Xanana Gusmao and Nobel laureate Jose Ramos-Horta is not a good sign, indicating

that problems may surface in the lead up to the elections. The United States should support East Timor and U.N. authorities to ensure that the first national elections are successful in consolidating democratic government for the people of East Timor.

Mr. Chairman, Peru is overcoming 10 years of authoritarian rule under former President Alberto Fujimori, whose administration has increasingly been revealed as crime-ridden, with high-level corruption spanning from top politicians to Supreme Court Justices to military generals. Fujimori's intelligence chief, Vladimiros Montesinos, orchestrated the rigging of elections, bribing of high officials, and plotting against opponents. This culminated last year with Fujimori's fraudulent attempt to win a third term, the collapse of his administration, and the former president fleeing the country in November.

This past month, the interim government of Peru held open and fair presidential elections which I was privileged to witness as an election monitor with a delegation led by former President Jimmy Carter. On June 10th, a runoff election will be held between the two top presidential candidates, Alejandro Toledo and Alex Garcia.

Mr. Chairman, I commend the Peruvian electoral officials for the open and impartial elections held in April and urge that our nation continue to support Peru, as well as Fiji and East Timor, to ensure that the upcoming crucial elections are conducted under free and fair conditions necessary for democracy to flourish.

I thank Chairman HYDE and Ranking Member LANTOS for their support of this provision and urge our colleagues to adopt the en bloc amendment.

Mr. LANTOS. Mr. Chairman, we have no further speakers, and I yield back the balance of my time.

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

The CHAIRMAN pro tempore (Mr. SIMPSON). The question is on the amendments en bloc, as modified, offered by the gentleman from Illinois (Mr. HYDE).

The amendments en bloc, as modified, were agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 8 printed in House Report 107–62.

AMENDMENT NO. 8 OFFERED BY MR. BARTLETT OF MARYLAND

Mr. BARTLETT of Maryland. Mr. Chairman, I offer an amendment made in order by the rule.

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

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. BARTLETT of Maryland:

Page 76, after line 12, insert the following new subsection (and redesignate the subsequent subsections accordingly):

(a) ADDITIONAL RESTRICTION ON RELEASE OF ARREARAGE PAYMENTS RELATING TO GENERAL ACCOUNTING OFFICE REPORT ON UNITED STATES CONTRIBUTIONS TO UNITED NATIONS PEACEKEEPING OPERATIONS.—

(1) In addition to the satisfaction of all other preconditions applicable to the obligation and expenditure of funds authorized to be appropriated by section 911(a)(3) of the United Nations Reform Act of 1999, such funds may not be obligated or expended until the date on which the General Accounting Office submits a report to Congress under paragraph (2) or September 30, 2001, whichever occurs first.

(2) Not later than September 30, 2001, the General Accounting Office, in consultation with the Department of Defense, shall submit to the Congress a detailed accounting of United States contributions to United Nations peacekeeping operations during the period 1990 through 2001, including a review of any reimbursement by the United Nations for such contributions.

The CHAIRMAN pro tempore. Pursuant to House Resolution 138, the gentleman from Maryland (Mr. BARTLETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland (Mr. BARTLETT).

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

Mr. Chairman, first I will include in the RECORD a brief report from GAO called ''U.S. Costs in Support of Haiti, Former Yugoslavia, Somalia, and Rwanda'' for the years 1992 through 1996.

Mr. Chairman, this is a very simple amendment. These documents which will be included in the RECORD indicate that the United States has spent about $18 billion on legitimate U.N. peacekeeping activities. There are reports from CRS, from GAO, and from Department of Defense itself, all corroborating that we have spent about $18 billion on legitimate U.N. peacekeeping activities. Through the years 1992 through 1996, we have been credited for $1.8 billion of that against dues. There has been no other accounting and no other credit with the U.N. for the moneys which we have spent on U.N. peacekeeping activities.

Before these funds are released, our amendment says that the Congress needs to know the cost of peacekeeping activities for which we have not been given credit by the U.N. This report is to be issued on or before September 30, 2001. The funds will be withheld until that date. If the report is issued before that, then the funds can be released before that.

Mr. Chairman, I would note that this sequestering of this payment to the U.N. is a much shorter period of time than the sequestering which has already been accomplished by a prior amendment. Again, this is a very simple amendment which simply intends to inform the Congress and the people of the United States, through a report of the GAO, of all of the moneys that we have spent on legitimate U.N. peacekeeping activities.

My hope is when this report comes to the Congress, that the people of the United States seeing the report of the GAO, and the Congress seeing this report will ask for an accounting; but our amendment does not withhold the payment beyond the issuing of this report or beyond September 30, 2001, whichever occurs first.

The American people need to know the amounts of money that we have spent and not been given credit for. Congress needs to know that the reality is with all of these moneys that we have spent on legitimate U.N. peacekeeping activities, we have paid our dues several times over. But notwithstanding that, this amendment does not prevent the release of this last payment of the dues, it simply withholds it until the report is issued and the Congress and the American people have a chance to look at the report, or September 30, 2001, whichever occurs first.

The report previously referred to is as follows:

[U.S. GAO Report to the Majority Leader, U.S. Senate, March 1996]

PEACE OPERATIONS: U.S. COSTS IN SUPPORT OF HAITI, FORMER YUGOSLAVIA, SOMALIA, AND RWANDA

U.S. GENERAL ACCOUNTING OFFICE,
NATIONAL SECURITY AND INTERNATIONAL AFFAIRS DIVISION,
Washington, DC, March 6, 1996.

Hon. ROBERT DOLE,
Majority Leader, U.S. Senate.

DEAR SENATOR DOLE: As requested, we are providing you information on U.S. agencies' estimated costs for their support of U.N. peace operations in Haiti, the former Yugoslavia, Rwanda, and Somalia for fiscal years 1992 through 1995. For this report, we define peace operations as actions taken in support of U.N. resolutions designed to further peace and security, including observers; monitors; traditional peacekeeping; preventive deployment; peace enforcement; security assistance; the imposition of sanctions; and the provision, protection, and delivery of humanitarian relief.

BACKGROUND

U.S. agencies' costs in support of peace operations are paid from their congressional appropriations. These costs include expenditures for (1) direct participation of U.S. military forces, (2) the U.S. share of U.N. peacekeeping assessments, and (3) humanitarian and related assistance. The Departments of Defense (DOD) and State are the two lead agencies responsible for planning and implementing U.S. participation in peace operations. The U.S. Agency for International Development (USAID) is the primary agency responsible for providing humanitarian assistance, including food donated by the Department of Agriculture, USAID provides humanitarian assistance through the United Nations and private organizations. The Departments of Justice, Commerce, Treasury, Transportation, and Health and Human Services are also involved in activities in support of peace operations. The agencies' specific actions related to the four peace operations are presented in appendix I.

RESULTS IN BRIEF

From fiscal years 1992 through 1995, the incremental cost reported by U.S. government agencies for support of U.N. peace operations in Haiti, the former Yugoslavia, Rwanda, and Somalia was over $6.6 billion (see table 1). The United Nations has reimbursed the United States $79.4 million for some of these costs.

TABLE 1.—REPORTED U.S. COSTS FOR SUPPORT OF SELECTED U.N. PEACE OPERATIONS

[Fiscal years 1992–95, dollars in millions]

Country	Fiscal year—				
	1992	1993	1994	1995	1992–95
Haiti	$79.7	$130.4	$530.8	$875.8	$1,616.7
Former Yugoslavia	126.7	408.7	959.0	692.5	2,186.9
Rwanda	22.1	24.8	261.4	265.4	573.7
Somalia	92.9	1,124.8	913.3	92.1	2,223.1
Total	321.4	1,688.7	2,664.5	1,925.8	6,500.4

Note: As of August 1995, the United Nations had reimbursed the United States $79.4 million for its participation in these operations.

From fiscal years 1992 through 1995, DOD's incremental costs to support the four operations were about $3.4 billion, the State Department's were about $1.8 billion, and USAID's were about $1.3 billion (including $556 million for commodities and transportation). The Departments of Justice, Commerce, Treasury, Transportation, and Health and Human Services reported incremental costs of which totaled about $91 million. Figure 1 shows the percentage distribution of agency costs from fiscal years 1992 through 1995.

FIGURE 1.—DISTRIBUTION OF U.S. AGENCY COSTS IN SUPPORT OF SELECTED PEACE OPERATIONS

[Fiscal years 1992–95]

	Percent
DOD	51.5
State	27.8
USAID	19.3
Other agencies	1.4

AGENCY COMMENTS

The Department of State, DOD, and USAID generally agreed with this report, but each offered some technical and editorial suggestions, which we have incorporated where appropriate. DOD's written comments are reprinted in appendix II; State and USAID provided oral comments.

SCOPE AND METHODOLOGY

We met with officials from DOD, the Departments of State, Agriculture, Justice, Commerce, Transportation, and Health and Human Services, USAID; and the U.S. Mission to the United Nations to obtain information on the costs in support of the four peace operations. We obtained DOD's reported incremental costs for the four operations from fiscal years 1992 through 1995. We also reviewed data supporting DOD's request for supplemental appropriations. For the other agencies and departments, we used a data collection instrument to obtain the cost information, including funds obligated and transferred through lead agencies. We also obtained budget reports and documents from State Department officials and from finance officials at the U.N. Controller's Office and the Department of Peacekeeping Operations.

At all the agencies, we discussed with officials how they budgeted and accounted for peace operations' costs. In addition, we reviewed other GAO reports that previously reported cost data for peace operations. In some cases, the cost data we obtained from participating agencies changed from amounts previously reported because agencies update their costs as more information becomes available. We did not verify the accuracy of the costs reported; however, a forthcoming report will address issues concerning the consistency, accuracy, and reliability of DOD's incremental costs related to contingency operations.

We did our review from February to November 1995 in accordance with generally accepted government auditing standards.

We are sending copies of this report to appropriate congressional committees; the Secretaries of Defense, State, Agriculture, Treasury, Transportation, Justice, Commerce, and Health and Human Services; the Administrator, U.S. Agency for International Development, the Director, Office of Management and Budget; and the Secretary General of the United Nations. Copies will also be made available to others upon request.

Please contact me at (202) 512–4128 if you or your staff have any questions concerning this report. The major contributions to this report were Tetsuo Miyabara, Joseph C. Brown, and Elizabeth Nyang.

Sincerely yours,

HAROLD J. JOHNSON,
Associate Director,
International Relations and Trade Issues.

REPORT TO THE CONGRESS FOR THE FOURTH QUARTER, FISCAL YEAR 1996 IN COMPLIANCE WITH SECTION 8113, DEFENSE APPROPRIATIONS ACT OF 1996

The Defense Appropriations Act for 1996 (Act) requires the Secretary of Defense to submit a report at the end of each quarter indicating ''all costs (including incremental costs) incurred by the Department of Defense (DoD) during the preceding quarter in implementing or supporting resolutions of the United Nations Security Council.'' The data included herein are provided in response to section 8113.

The Defense Finance and Accounting Service (DFAS) compiles incremental costs associated with United States military operations based on data provided by the military departments and defense agencies. These data were modified, as necessary, to properly reflect transfer actions and unreported costs applicable to contingency operations. Data are presented below in both quarterly and cumulative (for the fiscal year) format. It is important to note that DFAS cost reports include information received during a particular quarter of the fiscal year: comprehensive cost data are not available in the immediately succeeding quarter. The Department collects only incremental costs, which are defined as additional costs to the DoD component appropriations that would not have been incurred if a contingency operation had not been supported. All other costs are available by reference to annual appropriations information. All incremental costs included below are current as of 30 September 1996, and are aggregated for FY96, with the exception of reimbursements received for troop contributions (section 2), which are presented individually.

(In thousands of dollars)

Operation/region	Reported for 4Q, FY96	Cumulative for FY 96 through 4Q
Former Yugoslavia Operations:		
Able Sentry (FYROM)	$16,864	$30,929
Deny Flight/Decisive edge	37,516	225,949
Provide Promise	2,005	21,756
Sharp Guard	735	9,275
IFOR Preparation	147	158,437
IFOR Operations	789,564	2,073,052
UNCRO	12	469
Southern Watch (Iraq)	257,943	576,248
Provide Comfort (Iraq)	13,538	88,901
UNMIH (Haiti)	17,821	86,838
Sea Signal (Haitian migrants)	1,894	24,789
Total	1,138,039	3,296,643

REPORT TO THE CONGRESS FOR THE FOURTH QUARTER, FISCAL YEAR 1997 IN COMPLIANCE WITH SECTION 8091, DEFENSE APPROPRIATIONS ACT OF 1997

The DoD Appropriations Act for 1997 (Act) requires the Secretary of Defense to submit a report at the end of each quarter indicating ''all costs (including incremental costs) incurred by the Department of Defense (DoD) during the preceding quarter in implementing or supporting resolutions of the United Nations Security Council.'' The data included herein are provided in response to section 8091.

The Defense Finance and Accounting Services (DFAS) compiles incremental costs associated with United States military operations based on data provided by the military departments and defense agencies. These data were modified, as necessary, to properly reflect transfer actions and unreported costs applicable to support to UN operations. Data are presented below in both quarterly and cumulative (for the fiscal year) format. It is important to note that DFAS cost reports include information received during a particular quarter of the fiscal year: comprehensive cost data are not available in the immediately succeeding quarter. The Department collects only incremental costs, which are defined as additional costs to the DoD component appropriations that would not have been incurred if a contingency operation had not been supported. All incremental costs included below are current as of 30 September 1997, and are aggregated for FY97, and exclude reimbursements received for troop contributions (section 2), which are presented individually.

[In thousands of dollars]

Operation/Region	Reported for 4Q, FY97	Cumulative for FY97 through 4Q
Former Yugoslavia Operations:		
Able Sentry (FYROM)	$2,950	$11,727
Deny Flight/Decisive Edge	30,101	183,266
IFOR/SFOR Operations	779,316	2,087,518
Southern Watch/Vigilant Sentinel (Iraq)	185,499	597,312
Provide Comfort/Northern Watch (Iraq)	20,627	93,115
Total	1,018,493	2,972,938

REPORT TO THE CONGRESS FOR THE FOURTH QUARTER, FISCAL YEAR 1998 IN COMPLIANCE WITH SECTION 8079, DEFENSE APPROPRIATIONS ACT OF 1998

The DoD Appropriations Act for 1998 (Act) requires the Secretary of Defense to submit a report at the end of each quarter indicating ''all costs (including incremental costs) incurred by the Department of Defense (DoD) during the preceding quarter in implementing or supporting resolutions of the United Nations Security Council.'' The data included herein are provided in response to section 8079.

The Defense Finance and Accounting Service (DFAS) compiles incremental costs associated with United States military operations based on data provided by the military departments and defense agencies. These data were modified, as necessary, to properly reflect transfer actions and unreported costs applicable to support to UN operations. Data are presented below in both quarterly and cumulative (for the fiscal year) format. It is important to note that DFAS cost reports include information received during a particular quarter of the fiscal year, but comprehensive cost data are not normally available in the immediately succeeding quarter. This report is prepared as soon as data are compiled. Also, the Department collects only incremental costs, which are defined as additional costs to the DoD component appropriations that would not have been incurred if a contingency operation had not been supported. All incremental costs included below are current as of 30 September 1998, and exclude reimbursements received for troop contributions (section 2), which are presented individually.

[In thousands of dollars]

Operation/Region	Reported for 4Q, FY98	Cumulative for FY98 through 4Q
Former Yugoslavia Operations:		
Able Sentry (FYROM)	(979)	10,466
Deny Flight/Decisive Edge	33,144	159,269
IFOR/SFOR Operations	548,739	1,792,861
Southern Watch (Iraq)	469,874	1,497,242
Northern Watch (Iraq)	31,771	135,976
Total	1,082,549	3,595,814

REPORT TO THE CONGRESS FOR THE FIRST QUARTER, FISCAL YEAR 1999 IN COMPLIANCE WITH SECTION 8073, DEFENSE APPROPRIATIONS ACT OF 1999

The DoD Appropriations Act for 1999 (Act) requires the Secretary of Defense to submit a report at the end of each quarter indicating ''all costs (including incremental costs) incurred by the Department of Defense (DoD) during the preceding quarter in implementing or supporting resolutions of the United Nations Security Council.'' The data included herein are provided in response to section 8073.

The Defense Finance and Accounting Service (DFAS) compiles incremental costs associated with United States military operations based on data provided by the military departments and defense agencies. These data were modified, as necessary, to properly reflect transfer actions and unreported costs applicable to support to UN operations. Data are presented below in both quarterly and cumulative (for the fiscal year) format. It is important to note that DFAS cost reports include information received during a particular quarter of the fiscal year, but comprehensive cost data are not normally available in the immediately succeeding quarter. This report is prepared as soon as data are compiled. Also, the Department collects only incremental costs, which are defined as additional costs to the DoD component appropriations that would not have been incurred if a contingency operation had not been supported. All incremental costs included below are current as of 31 December 1998, and exclude reimbursements received for troop contributions (section 2), which are presented individually.

[In thousand of dollars]

Operation/Region	Reported for 1Q, FY99	Cumulative for FY99 through 1Q
Former Yugoslavia Operations:		
Able Sentry (FYROM)	$2,091	$2,091
Deliberate Forge	40,234	40,234
Joint Forge (SFOR)	264,351	264,351
Southern Watch (Iraq)	230,244	230,244
Northern Watch (Iraq)	28,218	28,218
Total	565,138	565,138

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

The CHAIRMAN pro tempore. Who claims time in opposition to the amendment?

Mr. LANTOS. Mr. Chairman, we are not opposed to the amendment. We deem the amendment redundant and unnecessary, but it will have no practical effect and we are not opposing it.

Mr. EVERETT. Mr. Chairman, I rise in strong support of the Bartlett Amendment to withhold the final payment of $244 million in UN arrearages until the GAO completes a report to Congress relating to the U.S. voluntary contributions to the UN for peacekeeping operations from 1990 to 2001.

I have long been suspicious of the United Nations. In fact, I have long hoped that we would end our membership in the United Nations. Given the recent slaps in the face that the United States has suffered—being voted off the secret ballot from the UN Human Rights Commission and being kicked off the UN International Narcotics Control Board—I am now more convinced than ever that the U.S. should remove itself from the UN and pursue an international agenda dictated by the American people.

The Bartlett Amendment is a common sense addition to this bill that will allow Congress to carefully review and make an informed decision on whether to release these funds to UN. It is important to note that this is only a delay in the funding and should not impact the deal that finally reduces the disproportionate share that the U.S. pays in UN dues. I urge all Members to support this amendment and vote to allow the Congress to see exactly how many millions of dollars for peacekeeping that the U.S. has given voluntarily compared to what the UN says we owe.

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

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

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 18 printed in House Report 107–62.

AMENDMENT NO. 18 OFFERED BY MR. LANTOS

Mr. LANTOS. Mr. Chairman, on behalf of the gentleman from New York (Mr. WEINER), I offer an amendment on his behalf. He will arrive momentarily.

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

The text of the amendment is as follows:

Amendment No. 18 offered by Mr. LANTOS:

Page 122, after line 23, add the following:

SEC. 747. SENSE OF CONGRESS RELATING TO STATE DEPARTMENT TRAVEL WARNINGS FOR ISRAEL, THE WEST BANK AND GAZA.

It is the sense of the Congress that—

(1) the Secretary of State should, in an effort to provide better and more accurate information to American citizens traveling abroad, review the current travel warning in place for Israel, the West Bank and Gaza, to determine which areas present the highest threat to American citizens in the region and which areas may be visited safely; and

(2) the Secretary of State should revise the travel warning for Israel, the West Bank, and Gaza as appropriate based on the above determinations.

The CHAIRMAN pro tempore. Pursuant to House Resolution 138, the gentleman from California (Mr. LANTOS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. LANTOS).

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

Mr. Chairman, the amendment we are discussing was introduced by our colleague, the gentleman from New York (Mr. WEINER), calling for a State Department travel warning to Israel, the West Bank, and Gaza. I commend him for his leadership on this important issue.

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

Mr. LANTOS. I am happy to yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, we have no objection to this amendment. If the gentleman wishes, we gladly accept it.

Mr. LANTOS. Mr. Chairman, I appreciate the gentleman's offer.

Mr. CROWLEY. Mr. Chairman, I rise in strong support of the amendment by my colleague and neighbor Representative ANTHONY WEINER.

In January of this year I had the opportunity to travel to Israel on my third trip to that amazing country with my colleagues ANTHONY WEINER and JERRY NADLER.

While American media has focused on the West Bank and Gaza and attacks carried out by Palestinian terrorists against Israeli military and civilian targets, the media and our own government misses the other part of the story.

Ben Yehuda Street in Jerusalem is not Hebron. Dizengoff Square in Tel Aviv is not the Gaza Strip.

Warnings from the State Department which lump trouble in the West Bank and Gaza Strip into blanket warnings for the entire State of Israel miss the larger picture.

For the majority of Israelis who live inside the 1948 borders of Israel what is known as the Greenline, they live their life every day without disruption.

For visitors to Jerusalem the eternal Capital, to vibrant Tel Aviv and to the Holy Galilee, by exercising common sense, they will have a wonderful, fulfilling visit.

At a time when the U.S. people should be standing with Israel, we do not need alarmist bureaucrats dissuading Americans from visiting the Holy Land.

It is time for the State Department to separate myth from reality. For American visitors travel to the major tourist sites and cities in Israel is safe.

I urge my colleagues to support the Weiner Amendment and to support the State of Israel.

Mr. LANTOS. Mr. Speaker I yield back the balance of my time.

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

The amendment was agreed to.

Mr. LANTOS. Mr. Chairman, I ask unanimous consent that the gentleman from New York (Mr. WEINER) have 2 minutes to explain his amendment we just adopted.

The CHAIRMAN pro tempore. Without objection, the gentleman from New York (Mr. WEINER) may be recognized for 2 minutes, and a Member opposed may be recognized for 2 minutes.

There was no objection.

Mr. WEINER. Mr. Chairman, you will forgive me for being short of breath. I was off the floor at the time my amendment was called.

Mr. Chairman, the State Department has said in a rather comprehensive

fashion that it is unsafe to travel to Israel. It is unsafe to visit there. It is unsafe for our personnel that are stationed there.

This has had a broad and draconian effect on the economy of the State of Israel. Make no mistake, Israel is under almost constant state of siege from terrorists. The terrorists are the Palestinians. They take sniper attacks at small children. They blow up buses. Simply put, they are in a state of war, and terrorism is their tool.

However, as we have often said in this Chamber, the way that you fight terrorism is to be wary, is to be vigilant, but you do not capitulate.

Mr. Chairman, my amendment says to the State Department, let us have a sophisticated way for travelers to know where it is safe and where it is not; but we will not capitulate to terrorists by saying to school groups you should not visit there; saying to businessmen, if you travel there, your travel insurance will not be valid; to simply deal with the true effects of the status that Israel has.

Mr. Chairman, I would say to my colleagues that Israel is not a victim and that they are not cowering to the terrorism. It is a thriving country. It is the birthplace of the major religions of the world. It is a place that is joyous and historic to visit. This amendment asks the State Department to return to the drawing board and give us a comprehensive but fair assessment of where it is safe to travel in Israel and where it might not be.

□ 1700

While we consider this, let us remember that this state of terrorism that exists in Israel should also be addressed by the State Department of why it is the Palestinians do not appear on the terrorism watch list and why it is we continue to believe that terrorism is a state of being rather than something perpetuated on the people of the State of Israel. I thank the chairman and I thank the ranking member for their consideration of this amendment.

The CHAIRMAN pro tempore (Mr. SIMPSON). It is now in order to consider amendment No. 23 printed in House Report 107–62.

AMENDMENT NO. 23 OFFERED BY MR. LANTOS

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

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

The text of the amendment is as follows:

Amendment No. 23 offered by Mr. LANTOS: Page 153, after line 23, add the following:

SEC. 863. ASSISTANCE TO LEBANON.

(a) MILITARY ASSISTANCE.—Notwithstanding any other provision of law, the President shall not provide assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.; relating to international military education and training) to the armed forces of the Government of Lebanon unless the President certifies to the appropriate congressional committees that—

(1) the armed forces of Lebanon have been deployed to the internationally recognized border between Lebanon and Israel; and

(2) the Government of Lebanon is effectively asserting its authority in the area in which such forces have been deployed.

(b) ECONOMIC ASSISTANCE.—If the President has not made the certification described in subsection (a) within 6 months after the date of the enactment of this Act, the President shall provide to the appropriate congressional committees a plan to terminate assistance to Lebanon provided under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund).

Mr. LANTOS. Mr. Chairman, I ask unanimous consent that the time allotted for the discussion of this amendment be extended by an additional 10 minutes equally divided between the proponents and the opponents. I have discussed it with the distinguished chairman who had no objection.

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

Mr. LAHOOD. Mr. Chairman, reserving the right to object, I wonder if the gentleman would allow just an additional 10 minutes on top. There are a number of Members that would like to speak on this amendment and I know that the gentleman did that earlier on with the amendment of the gentleman from Illinois (Mr. HYDE). If the gentleman could extend it by an additional 10 minutes in addition to what he has, we would be grateful to him for that.

Mr. LANTOS. If the gentleman will yield, let me be sure that I understand my friend. I am asking for an additional 10 minutes equally divided between the proponents and the opponents, which I believe is fair.

Mr. LAHOOD. So the total time would be?

Mr. LANTOS. Twenty minutes. Each side would have 10 minutes.

Mr. LAHOOD. So I am asking the ranking member if he would do an additional 5 minutes on each side. I have many Members. It is obviously strictly up to the gentleman from California, but I know for the Hyde amendment, when he had many Members over there, he extended it. I do not think that I am asking for too much.

Mr. LANTOS. I think doubling the original amount is reasonable.

Mr. LAHOOD. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN pro tempore. Pursuant to House Resolution 138, the gentleman from California (Mr. LANTOS) and the gentleman from Illinois (Mr. LAHOOD) each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume. This is a very simple but a very important amendment.

The amendment, Mr. Chairman, has two aspects. The first aspect is by far the most important, and I offered my colleagues on the other side to drop the second aspect because that is not the thrust of the amendment. So let me deal with the first aspect which is critical for preserving peace and stability along the Israeli-Lebanese border. The amendment does not intend to take one thin dime in economic aid going to Lebanon as long as it does not go to the Hezbollah terrorists.

Last summer, Israel withdrew all of its forces from the territory of Lebanon. Lebanon was obligated under U.N. Resolution 425 to deploy its robust army of some 60,000 people on the Lebanese-Israeli border to prevent the recurrence of another war in the area.

As Members will recall, Mr. Chairman, in 1982, terrorists controlled that border, a war ensued, and 17,000 innocent people were killed. A portion of the Lebanese-Israeli border today is controlled by Hezbollah terrorists. This is a well-known fact and the Lebanese Ambassador a few days ago confirmed it to me personally. The Secretary-General of the United Nations, Kofi Annan, made the following statement concerning Lebanon's responsibilities with respect to the deployment of their forces on the border:

''I believe that the time has come to establish the state of affairs envisaged in Resolution 425. This requires first and foremost that the government of Lebanon take effective control of the whole area vacated by Israel last spring and assume its full international responsibilities, including putting an end to the dangerous provocations that have continued across the line.''

Our own Secretary of State last summer made the following statement:

''Those with authority in Lebanon now have a clear responsibility to ensure that the area bordering Israel is not used to launch attacks.'' Attacks, Mr. Chairman, are being launched daily, most recently yesterday. And attacks invite retaliation. The most recent Israeli retaliation resulted in the death of three Syrian soldiers, which indicates the direction in which we are going. There will be more terrorist attacks by Hezbollah, there will be stronger retaliation, and we may be on the verge of yet another military confrontation, a bloodbath in the Middle East, which is the last thing U.S. national interests would call for.

Let me spend a minute or two, Mr. Chairman, on the question of the nature of Hezbollah, the terrorist group which clearly controls a portion of an international border because the Lebanese Army is not deployed there. It is this group, in conjunction with similar terrorist groups, which in recent years was responsible for the murder of 241

American Marines at the Marine barracks in Lebanon, 19 of our military at Khobar Towers, and 17 in the attack on the U.S.S. *Cole*, 277 military who have been forced to give up their lives because of this interlocking, complex web of extremist terrorism. We are now allowing them, unless we pass this amendment, to control a portion of an international border.

Now, no people have suffered more in the last few decades than the Lebanese people as a result of war being waged on their territory. My resolution would secure that border, would eliminate the terrorist presence from that border, and would see to it that just as the Egyptian-Israeli border is now secure, the Jordanian-Israeli border is now secure, even the Syrian-Israeli border is secure, the final border between Lebanon and Israel would be secured on the one side by the Israeli military and on the other side by Lebanon's 60,000-strong military.

It is difficult to fathom who would benefit from allowing a border, an international border in a volatile and fragile and explosive area, being controlled by terrorists who openly and clearly desire no return to the peace process. They want the bloodbath to continue. They would like nothing more but yet another explosion of military hostilities.

I urge all of my colleagues to support this amendment.

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

Mr. LAHOOD. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. I thank the distinguished gentleman from Illinois for yielding me this time.

Mr. Chairman, I appreciate the gentleman from California's intent here. I listened very closely to his remarks. Each one of the incidents of terror and loss of American life which he so adequately described is horrendous, and I join him in condemning every one of those attacks. Any loss of innocent civilian lives is to be highly condemned no matter who the perpetrators.

But I ask my distinguished colleague, Lebanon was not responsible for these acts of terror. As the gentleman has said, the Lebanese themselves have suffered over the last couple of decades. The Lebanese are the victims. Let us face it, the Lebanese are the victims here.

Now, if we cannot take direct aim at Syria itself and, let us face it, Syria is very much a controlling influence in Lebanon, then why should we take aim at the innocent Lebanese government? This amendment attempts to send a message to Syria. It is clear and simple what its intent is concerning the cross-border attacks against Israel, which I condemn as well. But this amendment would not accomplish the intent of securing that border. All it accomplishes is to do more harm to the Lebanese.

Lebanon cannot comply with this amendment that it deploy all of its troops to the southern border between Israel and Lebanon, because Syria will not allow it. I believe that the sponsor of the amendment is fully aware of that.

The administration is against this amendment. Secretary Powell has sent a very strong letter stating what a destabilizing situation would occur in the south if U.S. assistance and its training, both military and economic, were to be cut off. USAID helps send Lebanese children to school through scholarship programs. That is the economic part of it. The IMET training helps train the Lebanese Army so that they can go down into the south and secure the border when given the political go-ahead to do it. I think Secretary Powell and this administration knows well that this amendment would seriously impede the long-term massive effort that has gone into pursuing critical U.S. policy in this area. That is what we should be most concerned with here, U.S. best interests in this region. This amendment does not further the United States' best interests.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 1½ minutes to the distinguished gentleman from New York (Mr. ACKERMAN).

Mr. ACKERMAN. Mr. Chairman, I rise in support of the amendment by the gentleman from California (Mr. LANTOS), the Democratic leader of the Committee on International Relations, and I commend him for his leadership.

I rise as someone who has consistently supported U.S. assistance to Lebanon, but I now believe that the Lantos amendment is necessary and I believe it has been carefully crafted to advance key U.S. foreign policy objectives. The Lantos amendment strikes a careful balance between promoting U.S. interests in Lebanon's recovery and development and the need to provide incentives to the government of Lebanon to address a security problem which, if left unattended, could lead to a regional war.

Mr. Chairman, there is no doubt that Israel has fulfilled its obligations to the Security Council under Resolution 425 and it has fully withdrawn its forces from Lebanese territory. The U.N. Secretary-General has said so and the U.S. has confirmed it. The question is whether Lebanon has fulfilled its obligations under Resolution 425 to resume effective authority in the area bordering the State of Israel.

Unfortunately, the government of Lebanon has not lived up to its requirements, as demonstrated by the ongoing and unimpeded attacks by the Hezbollah from Lebanon's southern border against the State of Israel. The continued absence of the Lebanese Army from the south of Israel is obvious and indicative of the fact that Lebanon is not even trying to keep its own border secured.

Some might argue that providing security to Israel is not a Lebanese obligation. Not only is this assertion wrong, it overlooks a fundamental truth and all nations are responsible for securing their own borders. A secure border with Israel is overwhelmingly in the interest of Lebanon itself.

Lebanese Prime Minister Hariri campaigned and won on a plan for the reconstruction of Lebanon predicated on the active engagement, assistance, and support of the international community. There is no question that Lebanon badly needs foreign assistance to rebuild and recover from decades of strife. But the determining factor in whether or not Lebanon will be able to elicit the outside resources it needs, is whether or not there is peace and stability on the Lebanese-Israeli border.

So far the Lebanese government appears unprepared to take decisive steps to maintain a peaceful and stable border with Israel, as is its responsibility, and thus ensure that the region will not again be pushed into conflict due to cross-border attacks.

Mr. Chairman, I commend my friend the gentleman from California for offering this amendment. I strongly support the Lantos amendment and ask my colleagues as well to give it their strong support.

Mr. LAHOOD. Mr. Chairman, I am pleased to yield 40 seconds to the gentleman from Michigan (Mr. DINGELL), the dean of the House.

Mr. DINGELL. Mr. Chairman, what does this amendment do? It eliminates two items of assistance. The first is $600,000 for the Lebanese Army. The second is $35 million to USAID for humanitarian concern and aid to U.S. educational institutions in Lebanon.

What my good friend, and I express great affection and respect for him, does is he aims at Hezbollah but he lands a haymaker on the person of the innocent Lebanese, USAID and U.S. educational institutions. That is what the amendment does.

If you are for peace in the Middle East, you do not want to hurt those undertakings.

The CHAIRMAN pro tempore. The gentleman's time has expired.

□ 1715

PREFERENTIAL MOTION OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. DINGELL moves that the Committee do now rise and report the bill back to the House with a recommendation that the enacting clause be stricken.

The CHAIRMAN pro tempore (Mr. SIMPSON). The gentleman from Michigan (Mr. DINGELL) is recognized for 5 minutes in support of his motion.

Mr. DINGELL. Mr. Chairman, I will not insist on the motion, but I want my colleagues to understand what this does, and I cannot believe that my good friend from California really

wants the result of what he is going to get.

Now, he has quoted a lot of sources, but I want to read what Colin Powell, the Secretary of State, had to say about this matter. He says, ''The Department opposes the amendment proposed by Representative Lantos to H.R. 1646. If enacted, this amendment would severely impede our ability to pursue the critical U.S. policy objectives in Lebanon and the region, including stabilizing the south and providing a counterweight to the extremist forces.''

If you want to drive the Lebanese into the arms of extremists, the Lantos amendment is the mechanism for doing so.

Now, Kofi Annan has been quoted. What did he have to say? He had this to say about what the Lebanese are doing. ''At present, Lebanese administrators, police, security, and army personnel function throughout the area, southern Lebanon, and their presence and activities continue to grow. They are reestablishing local administration in the villages and have made progress in reintegrating the communications infrastructure, health, and welfare systems with the rest of the country.''

That is what this amendment would bring to a halt. He goes on to say, ''The deployment of both UNIFIL and the Lebanese Joint Security Forces proceeded smoothly, and the return to the Lebanese administration is ongoing. I appeal to donors to help Lebanon meet urgent needs for relief and economic revival in the south, pending the holding of a full-fledged donor conference.''

He has gone on to point out that we should help, not hurt, the Lebanese in these undertakings.

Let us take a look at a little bit more here.

Look at the resolution. I may not have time to put the whole of it in, but it does not call upon the Lebanese to do the kind of thing that the gentleman from California would have them do under penalty of loss of assistance.

I call on my colleagues to remember, this is a haymaker at U.S. policy in the area. It hurts American universities, it hurts humanitarian aid, and it drives the Lebanese into the arms of the extremists and the terrorists. Is that what we want? No.

What we want is peace. American interests in this area are vital to this country and they are vital to us in terms of assuring world peace and to assuring the Arabs that this country wants to be an honest broker in terms of seeing to it that we can sell peace and that we can work together with both sides, with the Israelis and with the Lebanese and with the other Arabs and Muslims and other people in that area.

The amendment, I know the gentleman offers in the best of good faith; but, remember, it is a haymaker at innocent Lebanese, it is a haymaker at American educational institutions, and it drives the Lebanese into the arms of the terrorists. If that is what you want, vote for the Lantos amendment, and that is what you will get. You will have more trouble in South Lebanon that will affect the Israelis adversely and that will fill that area with more enemies of Israel and more terrorists receiving more support from the people in the area.

If you want to restore peace in the area, the small amount of money, which is supported by this administration and which is supported by the U.N., is the way to do it. The Lantos amendment is the way to kill this.

I urge this body to reject what is clearly on its face an amendment which does not look to the U.S. policy or understand what that amendment, in fact, does.

I urge my colleagues to reject this amendment. It is unwise, it is irresponsible, it is destructive of American interests, it is destructive of the interests of the people of Lebanon, and it is destructive not only of these, but also the best interests of the people of Israel and the people of the whole area over there.

If you want peace, if you want this country to work for and be able to effectively lead the people in that area towards peace, if you want to strike a blow at Hezbollah and the others who are causing trouble in that area, reject this amendment. Show the Lebanese people that you are in support of their desire to redevelop a peaceful land. And do something else: Let us show the people in the area that this is a country that wants to be a friend to all parties. I note we have established this for the benefit of our friends in Israel. There is about $5 billion in here for Israel. The amendment offered by my good friend from California would take out $35 million which would go to help the Lebanese.

I urge Members to reject the amendment.

The CHAIRMAN pro tempore. Does any Member claim time in opposition to the preferential motion offered by the gentleman from Michigan (Mr. DINGELL)?

Mr. LANTOS. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. LANTOS. Mr. Chairman, first let me say my amendment has the intent of not withdrawing one single dime of economic and technical assistance to Lebanon. As a matter of fact, I earlier offered to cosponsor with some of the opponents a measure that would increase economic and technical assistance to Lebanon.

My amendment is designed to stop the aid to Hezbollah-controlled communities. It is absurd that American taxpayer funds are used to support Hezbollah activities, which is, in fact, what is taking place as of today. If American taxpayers would know that their funds are used to enhance Hezbollah goals, they would be in revolt against that.

Every dime currently appropriated for economic and technical assistance to Lebanon, I support; and I am ready to increase that amount. But I want to be sure that those funds go to communities, organizations and institutions that are not under the control of Hezbollah.

Mr. Chairman, I yield to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Chairman, I thank the distinguished gentleman from California for yielding to me, and I rise in reluctant opposition to the dean of the House.

Mr. Chairman, this amendment is funded on the principle that peace in the Middle East is based on security and that long-lasting peace in the Middle East cannot be based on Israel's insecurity. As America has subsidized Lebanon, we have a growing insecurity on Israel's northern border, and that does not help the peace process.

This sends a message that Lebanon must control her own border. And let us remove all artifice. There is no such thing as Hezbollah. Hezbollah is a wholly owned subsidiary of the MOIS, the Iranian Intelligence Service. Is time that Iran's control of Lebanon's southern border with Israel ends, and this amendment sends that message.

Mr. LANTOS. Mr. Chairman, I yield to my friend, the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I rise in firm support of the amendment introduced by the gentleman from California (Mr. LANTOS). One year ago, the Israeli government put its own security at risk in the name of cooperation and reconciliation. Israel unilaterally withdrew its armed forces from the security zone on the Lebanese-Israeli border. The hope for a reciprocal response from Beirut never occurred.

In conjunction with the Israeli withdrawal, the Lebanese Army was responsible for filling the vacuum left by the Israeli troops. In a location where law and order was meant to prevail under the watchful eye of the Lebanese Army, now exists chaos, disorder and lawlessness. The northern border zone is now occupied by Hezbollah troops, who filled the void when the Lebanese refused to take the action required by U.N. Security Council Resolution 425.

Two weeks ago, I stood alongside families of three Israeli soldiers abducted by Hezbollah along the Lebanese-Israeli border. It is the Lebanese inaction that allowed that to take place.

The State of Israel will continue to be at risk until Lebanon fulfills its obligation to the international community. I believe that this amendment is

a proportional response to the current stance taken by the Lebanese government.

It is an honor to train with American troops. That privilege should continue to be extended to those who play by the rules. That is a message this amendment will convey, and I encourage my colleagues to join me in supporting it.

Mr. LANTOS. Mr. Chairman, I am pleased to yield to the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I rise in support of this amendment prohibiting the IMET funding for the Lebanese Armed Forces in response to Lebanon's failure to keep its border with Israel free of Hezbollah terrorists.

One year ago, Israel unilaterally withdrew from southern Lebanon. U.N. Secretary General Kofi Annan certified Israel's complete withdrawal from Lebanon and its full compliance with U.N. Security Council Resolution 425. This is the same resolution that commits Lebanon to deploy its security forces in order to secure its border with Israel.

However, Lebanon has not lived up to its obligation. Israel continues to face attacks, kidnappings and the prospect of rocket attacks from the north. Today, hundreds of thousands of Israelis live within range of Hezbollah Katusha rockets.

This amendment sends a very important message. If we are to treat Lebanon as a sovereign nation, it must fulfill its obligations. Lebanon must deploy its army to the Israeli border and fill the vacuum that is currently being filled by Hezbollah terrorists. The Lebanese-Israeli border should be more stable, not less stable, since Israel's withdrawal. Hezbollah terrorists continue to operate in southern Lebanon because the government of Lebanon refuses to assert its effective authority in the area.

Mr. Chairman, I urge my colleagues to join me in supporting this amendment.

The CHAIRMAN pro tempore. All time for debate on the preferential motion has expired.

Mr. DINGELL. Mr. Chairman, I withdraw my preferential motion.

The CHAIRMAN pro tempore. Without objection, the preferential motion is withdrawn.

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Illinois (Mr. LAHOOD) has 7⅓ minutes remaining and the gentleman from California (Mr. LANTOS) has 2 minutes remaining.

Mr. LAHOOD. Mr. Chairman, I yield 20 seconds to the gentleman from Michigan (Mr. DINGELL), the dean of the House.

Mr. DINGELL. Mr. Chairman, it is with profound regret that I read to my good friend from California the language of his amendment, which concludes with saying that the President shall commit to the Congressional committees a plan to terminate assistance to Lebanon provided under chapter 24, part 2, of the Foreign Assistance Act, et cetera.

What the gentleman does is terminates all assistance, military and economic and humanitarian. I think with a more careful reading, perhaps the good author of the amendment would join me in opposition to it.

Mr. LAHOOD. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. KOLBE), the distinguished chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations.

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

Mr. Chairman, I rise to oppose the amendment offered by the gentleman from California, not because I oppose the goal of extending Lebanese government control to south Lebanon, but because I believe this amendment would be counterproductive to that goal.

I agree that the Lebanese Army needs to secure its border with Israel to prevent attacks against Israeli soldiers and civilians, but the key to achieving this is to extract more cooperation from the Syrians. We should not be punishing Lebanon for the sins of Syria and the Hezbollah.

I also think that threatening to eliminate our foreign assistance program for Lebanon is the wrong way to go about this. All of the $35 million that we allocate to Lebanon in fiscal year 2001 is provided to none-governmental organizations, private, voluntary organizations, contractors. They implement our assistance program for Lebanon.

Not a penny of it goes to the government, and $3 million to the American University of Beirut and the Lebanese-American University to help with education. The largest program is the Rural Development Clusters program, which helps rural villages in Lebanon. It has been focused on the south in an effort to provide an alternative to the economic and social development activities of the Hezbollah.

Punishing the villagers of south Lebanon by withdrawing this program is not going to do anything to assist in the effort to persuade the Lebanese government to remove its security forces.

I urge my colleagues to vote against this amendment. It is not in the interests of Lebanon, Israel, or the United States.

Mr. LAHOOD. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. BONIOR), the distinguished Democratic whip.

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

Mr. Chairman, let me just say that I have a deep respect for the gentleman from California (Mr. LANTOS) and how he has handled this bill, but I do rise in opposition to his amendment.

Next week marks one year since the withdrawal of Israeli troops from southern Lebanon. The Lantos amendment on the face of it cuts funding for the Lebanese military, education and training, but as the dean of the House has just told us, if you look a little closer at the amendment, it sets in motion to cut all aid to Lebanon in 6 months after the passage.

□ 1730

Discontent in the Middle East has taken a tremendous toll on Lebanese infrastructure, and this is not the time to remove our efforts toward stability in the region. Our aid package is funneled through USAID, American NGOs, and not through the government; and it is directed at, as we have heard several times from the floor from the gentleman from West Virginia (Mr. RAHALL), from the gentleman from Michigan (Mr. DINGELL), it is directed toward building civilian infrastructure.

Secretary Powell has said that he opposes this amendment. He has also said we are hurting the ability of those nongovernmental organizations to provide the service that the people need. That sentiment has been echoed on this floor. I urge my colleagues to vote ''no'' on the amendment.

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

Mr. LAHOOD. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. ISSA).

Mr. ISSA. Mr. Chairman, I rise today to strongly oppose the Lantos amendment, which represents a major step backward in Lebanese-American relations.

The aid which we provide Lebanon is an investment in a future stability of Lebanon and the well-being of a people who only wish peace in the Middle East.

I share with the gentleman from California (Mr. LANTOS) the feeling of frustration that the south of Lebanon is today not secure and that, in fact, the south of Lebanon is being operated often by terrorists; but I must remind the gentleman from California that for over 20 years, the best trained and best equipped army in the Middle East, the Israeli Army, with billions of dollars of resources, was unable to completely quiet that aggression originating out of Iran. How would we expect an army that we fund at $600,000 to do so?

After the defeat of this amendment, I strongly hope the gentleman from California and I can work together to develop a funding package for Lebanon that would enable it to make some real dent in enforcing its borders.

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

Mr. LAHOOD. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore (Mr. SIMPSON). The gentleman from Illinois (Mr. LAHOOD) has 4 minutes remaining.

Mr. LAHOOD. Mr. Chairman, does the gentleman from California (Mr. LANTOS) close on this amendment?

The CHAIRMAN pro tempore. The gentleman from California has the right to close.

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

This is far from a simple amendment. The idea that this is a simple amendment is simply not true. This is a slap at the face of the people of Lebanon, the Government of Lebanon. The gentleman met with the prime minister when he was here, and the gentleman heard him say that they are trying to forge a peace in Lebanon. The prime minister met with the President of the United States; the Vice President; the Secretary of State; Condoleeza Rice, the National Security Advisor; the Secretary of Defense. This is no way to treat Lebanon, and I guarantee my colleagues, this House would never pass an amendment like this against Israel, against Palestine, against Jordan, against any of the countries in the Middle East. We would not do this.

This is a slap in the face to not only the peace process, but a small country who is trying to get its act together, and they are trying to get their act together economically, they are trying to get their act together as a democracy. They work very hard at it.

When the prime minister was here, he said they are working very hard to get their act together. Is it perfect? Of course not. It is an intolerable situation in the region with many people getting killed. This amendment does not help anyone. It does not send the signal that the gentleman wants it to send. It really hurts the process. It really hurts our government's ability to be in that region and get the people to work together.

Now, this amendment is opposed by the administration. The Secretary of State spoke out against it at the Subcommittee on Foreign Operations; and the chairman of this committee, the distinguished gentleman from Illinois (Mr. HYDE), is also opposed to this amendment, as well as the Dean of the House.

The gentleman is not accomplishing what he wants to do here; and I wish, and this in no way diminishes my respect for the gentleman, the gentleman knows that I respect him. And I know the gentleman visited the region, and I know the gentleman has been to Lebanon. This hurts the country that the gentleman is trying to send a message to. I ask the gentleman, really, the gentleman still has time here to ask unanimous consent to withdraw this amendment, because the gentleman is sending the wrong message, not only to our government, but all over this region. This simply is wrong. It is wrong-headed, and it does not help.

The money that we are allocating here is walking-around change in this House, compared to what we give to so many other countries in that region, including Egypt and Jordan and so many other countries in that region. This helps people get an education. It helps rebuild the country. Gosh darn it, it is about time we help a country like this. This is our way of doing it. This is our way of encouraging peace. I would encourage the gentleman, to ask to withdraw the amendment, because it is hurtful and it does not help the process.

All this talk around here about Hezbollah and trying to create some kind of a one-headed monster out of Lebanon is wrong; it is nonsense. We should not be doing that. We should not be doing it to a country like Lebanon. It just does not make any sense to do it.

Mr. Chairman, I urge every Member of the House who has people of Lebanese descent in their districts, and I know there are people watching this on C–SPAN, and I know there are staff people; this is an amendment that hurts the process. If my colleagues have people that they are representing of Lebanese descent and of Arab descent, vote against this amendment and send a message that the United States is for peace. We are for bringing people together. We do not want to hurt the country of Lebanon. We want to bring the process together. This pittance amount of money absolutely is a drop in the bucket compared to all of the other resources that we are spending there. But it is the message that is being sent.

So I urge Members to look carefully at this. This is not about Israel. This is about what we can do for Lebanon and the peace process.

So I urge the gentleman from California (Mr. LANTOS) to give consideration to withdrawing this amendment. The gentleman will send a message that he is for peace; he will send a message that he cares about Lebanon. If the gentleman cannot do that, then I ask all Members to defeat this amendment and send a message that we are for peace, true peace, and that Lebanon is a country that we can count on.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Chairman, I thank the gentleman for yielding to me, and I rise in support of his amendment.

U.N. Security Council Resolution 520 expresses strong support for Lebanese sovereignty ''under the sole and exclusive authority of the Government of Lebanon through the Lebanese Army throughout Lebanon.'' It is time that the Lebanese Government abides by the call of the Security Council and deploys its military throughout the country.

It is inexcusable that in the wake of the complete Israeli withdrawal, southern Lebanon remains under the control of the terrorist organization called Hezbollah. I will not stand idly by while the United States provides military support to a government which refuses to halt acts of terror on a neighbor.

I still favor humanitarian and educational assistance to Lebanon. I hope in conference we can continue economic assistance to Lebanon. But such assistance is put in jeopardy by the inaction of the Lebanese Government to control Hezbollah.

Mr. Chairman, I strongly support Lebanon. The Lebanese people have suffered enough. Syria, Hezbollah and all terrorist organizations need to get out of Lebanon now. It is not enough for the Government of Lebanon to wring their hands and claim that they have no maneuverability. They need to attempt at least to take strong actions now.

Mr. Chairman, I urge my colleagues to vote for this amendment.

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume, before yielding to our closing speaker, to just say, if my colleagues wish to see the terrorist organization Hezbollah control an international border and provide the opportunity for further bloodshed in the region, vote against this amendment. If my colleagues want peace in the Middle East and a stable border, vote for my amendment.

Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Chairman, I rise in support of the amendment. American domestic policy is built on the twin foundations of opportunity and responsibility. Our foreign policy should be built on no less of a strong foundation.

The opposition objects that Lebanon is not responsible, and this is precisely the problem. Lebanon has not taken responsibility for its own borders, and we ought to use whatever leverage device we have to require them to take control of their own borders.

The objection has been made that we will give greater rein to Hezbollah and terrorism, and yet Hezbollah already has a free run on the border. What greater rein could be given to the Hezbollah?

Finally, the opposition argues that this will not accomplish what it has set out to do, and yet the opposition has no alternative to recommend, no alternative. If we cannot use the power of our purse and our financial support to force the Lebanese Government to exercise its own sovereignty, what else will work? Nothing. I urge Members' support.

Mr. HALL of Ohio. Mr. Chairman, I rise in opposition to the Lantos amendment which

has the potential to cut off all economic aid to Lebanon. While I share Representative LANTOS' goal for stability on the Israel/Lebanon border and end to Hezbullah terrorist attacks on Israel, I do not believe this amendment is the best approach. This amendment would hurt the peace process between Israel/Lebanon, would strain the U.S. bilateral relationship with Lebanon, and would cut humanitarian assistance to those in need.

Secretary of State Colin Powell has made it clear that the Administration opposes this amendment. He stated,

We don't support that particular amendment. And a lot of the aid that being spoken of its distributed to non-governmental organizations. So you're hurting the ability of these non-governmental organizations to provide the service to people in need.

I agree with the Secretary of State that this amendment would have the effect of hurting innocent people. I would urge my colleagues to vote against it.

The CHAIRMAN pro tempore. All time has expired. The question is on the amendment offered by the gentleman from California (Mr. LANTOS).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 216, noes 210, not voting 5, as follows:

[Roll No. 119]

AYES—216

Ackerman
Andrews
Armey
Bachus
Ballenger
Bartlett
Bentsen
Berkley
Berman
Bilirakis
Bishop
Blagojevich
Blunt
Bonilla
Boswell
Boyd
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Camp
Cantor
Cardin
Carson (OK)
Chabot
Clyburn
Coble
Condit
Costello
Coyne
Cramer
Crenshaw
Crowley
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dooley
Doyle
Duncan
Edwards
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Frost
Gallegly
Gilman
Gonzalez
Goode
Gordon
Graham
Graves
Green (TX)
Grucci
Gutierrez
Hall (TX)
Harman
Hart
Hastings (FL)
Hayworth
Hefley
Hill
Hilleary
Hilliard
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inslee
Israel
Istook
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, Sam
Jones (OH)
Kelly
Kennedy (RI)
King (NY)
Kingston
Kirk
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lewis (GA)
LoBiondo
Lowey
Lucas (KY)
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (NY)
McCollum
McInnis
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Moore
Moran (KS)
Morella
Nadler
Neal
Nussle
Ose
Otter
Owens
Pallone
Pastor
Paul
Pence
Peterson (MN)
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Ramstad
Rangel
Reyes
Reynolds
Riley
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roukema
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Shadegg
Shaw
Shays
Sherman
Sherwood
Shows
Skelton
Slaughter
Smith (NJ)
Solis
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stupak
Sweeney
Tancredo
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thune
Thurman
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Velázquez
Visclosky
Vitter
Walden
Wamp
Waxman
Weiner
Weller
Wexler
Wu
Wynn

NOES—210

Abercrombie
Aderholt
Akin
Allen
Baca
Baird
Baker
Baldacci
Baldwin
Barcia
Barr
Barrett
Barton
Bass
Becerra
Bereuter
Berry
Biggert
Blumenauer
Boehlert
Boehner
Bonior
Bono
Boucher
Brady (TX)
Burton
Buyer
Callahan
Calvert
Cannon
Capito
Capps
Capuano
Carson (IN)
Castle
Chambliss
Clay
Clayton
Clement
Collins
Combest
Conyers
Cooksey
Cox
Crane
Culberson
Cummings
Davis (IL)
DeFazio
DeMint
Dicks
Dingell
Doggett
Doolittle
Dreier
Dunn
Ehlers
Eshoo
Everett
Farr
Ford
Frank
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Goodlatte
Goss
Granger
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hansen
Hastings (WA)
Hayes
Herger
Hinchey
Hinojosa
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hutchinson
Hyde
Isakson
Issa
Jackson (IL)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kerns
Kildee
Kilpatrick
Kind (WI)
Kleczka
Knollenberg
Kolbe
Kucinich
LaHood
Largent
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lucas (OK)
Luther
McCarthy (MO)
McCrery
McDermott
McGovern
McHugh
McKeon
McKinney
Mica
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moran (VA)
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Oberstar
Obey
Olver
Ortiz
Osborne
Oxley
Pascrell
Payne
Pelosi
Peterson (PA)
Petri
Pomeroy
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Rivers
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sawyer
Serrano
Sessions
Shimkus
Simmons
Simpson
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Stark
Stump
Sununu
Tanner
Tauzin
Taylor (NC)
Thomas
Thompson (MS)
Thornberry
Tierney
Toomey
Traficant
Upton
Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson
Wolf
Woolsey
Young (AK)
Young (FL)

NOT VOTING—5

Borski
Brady (PA)
Cubin
Moakley
Skeen

□ 1806

Ms. LOFGREN, Ms. ESHOO, Ms. McCARTHY of Missouri, Messrs. EHLERS, OLVER, LARGENT and BERRY changed their vote from ''aye to ''no.''

Ms. SLAUGHTER, Ms. BROWN of Florida, Ms. HART, Messrs. CAMP, GOODE, WALDEN of OREGON, HILLEARY, COBLE, BARTLETT of Maryland, SHAYS, PICKERING, GALLEGLY, GUTIERREZ, HOBSON, CUNNINGHAM, VITTER and TANCREDO 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. SKEEN. Mr. Chairman, on rollcall No. 119 I was inadvertently detained. Had I been present, I would have voted "Aye."

Mr. PETERSON of Pennsylvania. Mr. Chairman, on rollcall No. 119 I inadvertently pressed the "No" button. I meant to vote "Aye."

Ms. JACKSON-LEE of Texas. Mr. Chairman, I ask unanimous consent to address the Committee for 1 minute.

Mr. FOLEY. I object, Mr. Chairman.

The CHAIRMAN pro tempore (Mr. SIMPSON). Objection is heard.

Ms. HARMAN. Mr. Chairman, I rise today in support of the Lee Amendment, a provision in this bill included by my friend and colleague from California, BARBARA LEE.

I would like to begin by reminding my colleagues that since 1973, no U.S. dollars have been used to pay for the performance of an abortion as a method of family planning or for involuntary sterilizations overseas—None!

The Lee provision does not alter that restriction, but instead restores U.S. support for international family planning organizations. In my view the best way to reduce the number of abortions worldwide, a goal we all share, is to ensure access to family planning. Yet, supporters of the so-called Mexico City policy claim that we must limit all funds to prevent United States dollars from being used in clinics that only inform their patients on the option of abortion—including clinics in countries where abortion is legal.

Turning this into a vote about abortion does a disservice to the millions of women throughout the world who do not have access to the health care and reproductive services, education and treatment that women in this country take for granted.

Mr. Chairman, I support a woman's right to choose whether or not to have a child. I also recognize that for some women, that choice is about whether or not to give birth to a healthy child. More than 600,000 infants become infected with HIV each year worldwide. That is appalling. How can we possibly claim to be working to prevent the spread of HIV if we do

not offer counsel and education in family planning? It seems to me that it is an oxymoron to be both anti-abortion and anti-family planning. Only through family planning efforts can we reduce the number of unwanted pregnancies—a result always preferable to abortion.

The Lee provision will prevent international family planning groups from being denied lifesaving funds to carry out their work—both in preventing unintended pregnancies and the spread of the deadly HIV/AIDS disease.

We have the chance to really make a difference for millions of women worldwide. Let's give women the opportunity to make informed and educated decisions about their reproductive health. Vote for to keep the Lee provision.

Ms. JACKSON-LEE of Texas. Mr. Chairman, as we consider the authorization bills for our foreign policy agenda, it is necessary to recognize the continuing human rights abuses practiced by governments in the Horn of Africa, particularly in Ethiopia. The U.S. Department of State must carefully investigate the continuing human rights abuses in Ethiopia.

Just recently, I am outraged by the recent violence in Addis Ababa, Ethiopia, especially the loss of life in the face of peaceful demonstrations on the campus at Addis Ababa University on April 11th. I am deeply disturbed that police forces used excessive force to prevent students from vocalizing their discontent in an academic setting. I understand that as many as 41 brave individuals were killed on or near the campus at Addis Ababa University, while another 250 persons were injured in an indiscriminate attack by the police forces. The recent action taken by police forces can never be justified.

Although I have strongly spoken out against human rights abuses in Ethiopia before, I wholeheartedly join the Ethiopian community in the United States in denouncing the indiscriminate killings that recently occurred in Ethiopia. Justice must be served swiftly and fairly even though the brutal attack has already exacted an unimaginable toll. Further, I am somewhat relieved that approximately 2,000 students who were detained by police have now been released. That is not enough, however. As some of you may know, the U.S. Department of State is concerned that dozens of persons who were arrested without warrant remain detained. The United States Government must vigorously call upon the government of Ethiopia to promptly and unconditionally release all the students that remain in detention. Their freedom cannot be denied.

In the past, I successfully fought for a legislative measure that would prohibit the government of Ethiopia from receiving aid until human rights abuses are eliminated. We must do more. The people of Ethiopia deserve to be treated humanely by their government.

Mr. Chairman, in the words of Franklin Delano Roosevelt, "We believe that the only whole man is a free man." I hope we can support efforts to bring human rights abuses by government actors in Ethiopia to a halt.

Mrs. MINK of Hawaii. Mr. Chairman, I rise today to thank the Members of the House Committee on International Relations for including $13.5 million for the East-West Center in the FY2002 State Department Authorization bill. An amendment to delete this funding was overwhelming defeated in Committee on a vote of 6 yeas to 30 noes.

The last time we considered the State Department Authorization bill in July 1999, we had to defeat an amendment on the floor to reduce the funding authorization for the East-West Center, North-South Center, and the Asia Foundation. That amendment was defeated on a vote of 180 yeas to 237 noes. I am very pleased that we face no such amendment this year.

The East-West Center is an internationally respected research and educational institution based in Hawaii with a 40-year record of achievement. It is an important forum for the development of policies to promote stability and economic and social development in the Asia-Pacific region. Established in 1960 through a bipartisan effort of the Eisenhower Administration and the Congress, the Center has worked to promote better relations and understanding between the United States and the nations and peoples of Asia and the Pacific through cooperative study, training, and research. Presidents, prime ministers, ambassadors, scholars, business executives, and journalists from all over the Asia-Pacific region have used the Center as a forum to advance international cooperation.

The Asia-Pacific region accounts for more than half the world's population, about a third of the world's economy, and vast marine and land resources. The United States has vital national interests in connecting itself in partnership with the region. As the Asia-Pacific region continues to develop and change, it is essential that the United States be seen as a part of the region rather than an outsider. The most powerful force of U.S. influence in the Asia-Pacific region has been our ideas, and the East-West Center is the only program that has a strategic mission of developing a consensus on key policy issues in U.S.-Asia-Pacific relations through intensive cooperative research and training.

I want to thank my colleagues for supporting the mission of the Center with this authorization and I ask that the Commerce, Justice, State Appropriations Subcommittee fully fund this important national program.

Mr. STARK. Mr. Chairman, I rise in opposition to H.R. 1646 the Foreign Relations Authorization. When this bill was placed on the floor of this House, I was surprised to see such a reasonable piece of legislation. For several years now this bill has been used to advance a conservative agenda including restrictions on international family planning activities, refusals to pay our commitments to international organizations, and fund totaling billions of dollars in direct military and economic aid to other countries.

I am encouraged that there is not a multi-billion dollar package of military and economic aid to other countries in this bill. It is foolish to help train and equip other countries for war when there are so many people here at home who need help to obtain prescription drugs, lift their families out of poverty, and educate our children. Unfortunately, the amendment process has overridden my earlier support. This bill now restricts international organizations, cuts funding to these organizations, and re-implements draconian restrictions on international family planning activities abroad.

The first amendment passed by the House provided special protections from international prosecution to U.S. forces engaged in human rights abuses. The International Criminal Court (ICC) was created to ensure that those people who violate internationally recognized human rights would suffer consequences for doing so. By providing special protection from prosecution to U.S. forces we are telling the world community that Human Rights are not important to the United States and that we should not have to abide by the same rules as the rest of the world. This is wrong and I am disappointed that so many of my colleagues supported this language.

The second amendment passed by the House halted repayment of our back dues to the United Nations until we are given a seat on the UN Human Rights Commission (UNHRC). I disagree fundamentally with this decision and was dismayed that a majority of my colleagues supported this amendment too. This body has passed numerous bills and resolutions supporting democracy throughout the world. Unfortunately, when three other countries were democratically elected to the UNHRC rather than the United States, a majority of this House voted against democracy because we didn't win the election. It's an infantile reaction and I oppose it.

The third amendment passed by the House re-affirms President Bush's implementation of the Mexico City provisions which prohibit U.S. funding to organizations who mention abortion in their counseling of people seeking family planning services. Existing law has prohibited these groups from using U.S. dollars to conduct abortions. This bill does nothing more than eliminate important services to people around the world, including access to contraception and other family planning services which reduce the number of abortions by decreasing the number of unwanted pregnancies. I strongly oppose its inclusion in this bill.

I am disappointed in the bill as amended. It has gone back to advancing a conservative agenda when it should advance a free and democratic agenda. I oppose this bill and the principles it now supports.

The CHAIRMAN pro tempore. There being no further amendments in order, under the rule the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GIBBONS) having assumed the chair, Mr. SIMPSON, Chairman pro tempore 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. 1646) to authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes, pursuant to House Resolution 138, he reported the bill back to the House with an amendment 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 to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was 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.

MOTION TO RECOMMIT OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HASTINGS of Florida. Mr. Speaker, I am, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HASTINGS of Florida moves to recommit the bill H.R. 1646 to the Committee on International Relations with instructions to report the same back to the House forthwith with the following amendment:

Page 58, after line 20, insert the following:

SEC. 306. UNITED STATES SPECIAL COORDINATOR FOR KOREA.

(a) STATEMENT OF POLICY.—It shall be the policy of the United States to engage diplomatically with the Government of the Democratic People's Republic of Korea in order to reduce the threats from such government and to improve the stability of the Korean peninsula and surrounding countries until such time as the United States concludes that such efforts are no longer productive.

(b) ESTABLISHMENT—There shall be within the Department of State a United States Special Coordinator for Korea who shall be designated by the Secretary of State.

(c) CONSULTATION.—The Secretary of State shall consult with the chairman and ranking minority member of the appropriate congressional committees prior to the designation of the special coordinator.

(d) CENTRAL OBJECTIVES.—The central objectives of the special coordinator are as follows:

(1) To seek to reduce or eliminate the missile program of the Democratic People's Republic of Korea and its export of ballistic missile technology through steps that include resumption of the discussions between the United States and the Democratic People's Republic of Korea regarding a binding and verifiable agreement.

(2) To ensure the compliance of the Democratic People's Republic of Korea with the Non-Proliferation Treaty and the International Atomic Energy Agency agreement and increase the transparency of its nuclear activities.

(3) To reduce the conventional military threat of the Democratic People's Republic of Korea to the Republic of Korea.

(e) DUTIES AND RESPONSIBILITIES.—The special coordinator shall—

(1) serve as the primary advisor to the Secretary of State on security issues on the Korean Peninsula, including the central objectives outlined in subsection (d);

(2) coordinate United States Government policies, programs, and projects concerning security issues on the Korean Peninsula;

(3) oversee discussions and negotiations on issues concerning the central objectives in subsection (d);

(4) consult with the Governments of the Republic of Korea and Japan to coordinate negotiating strategy and overall policy toward the Democratic People's Republic of Korea;

(5) serve as the primary liaison to Congress on issues relating to the central objectives in subsection (d); and

(6) take all appropriate steps to ensure adequate resources, staff, and bureaucratic support to fulfill the responsibilities of the special coordinator.

Mr. HASTINGS of Florida (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. HASTINGS) is recognized for 5 minutes in support of the motion.

Mr. HASTINGS of Florida. Mr. Speaker, as good as this bill is that is presently before us, I think this motion to recommit with instructions would make it even stronger.

Mr. Speaker, there are several realities upon which we can all agree. Security and stability on the Korean Peninsula is a matter of vital national interest to the United States.

Mr. Speaker, reducing and eliminating the North Korean long-range missile threat is a vital national interest of the United States.

Mr. Speaker, eliminating any vestiges of a North Korean nuclear weapons program is a vital national interest of the United States.

The motion that the gentleman from Maine (Mr. ALLEN) and I have drafted would create a special coordinator position within the Department of State for Korea. This official would be charged with serving as the primary advisor to the Secretary of State on security issues on the Korean Peninsula; coordinate United States Government policies, programs and projects; oversee discussions and negotiations with North Korea; consult with the governments of the Republic of Korea and Japan to coordinate negotiating strategy and overall policy towards the Democratic People's Republic of Korea; and serve as the primary liaison to Congress on issues related to North Korea.

The previous administration had a special envoy on North Korea. This administration cannot afford to reduce the level of institutional attention to these matters by not creating a similar position.

Indeed, our colleagues in Europe in the European Union have already begun to fill the void that we have created. Mr. Speaker, we must not allow ourselves to be losing opportunities to shape the future of this region which is so vital to our national security.

Mr. Speaker, the North Korean threat to the United States and its allies in the region is too great to downgrade its management to lower-level officials.

Mr. Speaker, I urge my colleagues to support this motion and allow it to be included as part of the underlying bill. It does not change the structural underlying portion of the bill.

Mr. Speaker, I yield to the gentleman from Maine (Mr. ALLEN), my good friend, who is a cosponsor of this motion.

Mr. ALLEN. Mr. Speaker, I thank the gentleman from Florida (Mr. HASTINGS) for yielding, and I rise in support of the motion to recommit the bill to create the special position of special coordinator for Korea.

North Korea tested a missile in August 1998. They have not tested a missile since, because the Clinton administration successfully negotiated a moratorium on their test program.

□ 1815

North Korea has voluntarily continued this moratorium through 2003. If they cannot test their missiles, they cannot deploy their missiles to threaten us. President Bush, Mr. Speaker, has refused to continue negotiations with the North Koreans.

Mr. Speaker, we can negotiate away the North Korean missile threat but only if we sit down at the table to discuss the subject. That is why we need a special coordinator for Korea. President Bush appears to be more interested in justifying a technologically unproven missile defense than in eliminating the missiles themselves. It is easier to defend against the missile that is never launched than one that is.

Let us seize this opportunity to negotiate an end to the North Korean missile threat. I urge my colleagues to support the motion to recommit.

Mr. HASTINGS of Florida. Mr. Speaker, I yield back the balance of my time.

Mr. HYDE. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore (Mr. GIBBONS). The gentleman from Illinois (Mr. HYDE) is recognized for 5 minutes.

Mr. HYDE. Mr. Speaker, the amendment made in order by this motion would require the creation of a special office in the Department of State to carry out negotiations with North Korea. It mandates that the person appointed to that office, and I quote, must oversee discussions and negotiations with North Korea regarding missile proliferation and other matters.

It does not mandate negotiations, and that is what the gentleman said we want. It does not do anything except say hire somebody and give them a

title and he should oversee negotiations.

This is micromanagement gone mad. We should not be telling a new State Department, a new administration what personnel it should have and what they should do. There will be somebody overseeing negotiations in North Korea. It may be the Secretary of State who is a general of some accomplishment. It may be the Deputy Secretary of State. It may be an Assistant Secretary of State. It may be lots of people.

But to set up a special office and give him a title and he is to oversee discussions and negotiations is micromanagement, and the administration should be given the opportunity to do this in its own way. If we do not like what they are doing, we can criticize it. But to micromanage the Department of State and tell them they must hire somebody, give them the title, and then he should oversee negotiations is just a tad arrogant. I would trust Secretary Powell to do the right thing.

So I hope my colleagues will vote this down. We can pass this bill and get on to other matters.

Mr. GEPHARDT. Mr. Speaker: this motion to recommit symbolizes the direction I believe we should be steering U.S. national security policy in the 21st century.

Last year, our diplomats made significant progress, negotiating an agreement with North Korea in which it would end its ballistic missile program.

Unfortunately, President Bush has backed away from these discussions, publicly telling South Korean President Kim Dae Jung that the North Koreans could not be trusted.

Meanwhile, the administration is proceeding full speed ahead with plans for a costly missile defense system, whose initial purpose is to defend against ballistic missiles from North Korea.

These actions and others strongly suggest that the Bush administration is taking us down the wrong path: toward a policy of isolationism, unilateralism, and disengagement that jeopardizes our security and undermines our leadership role in the world.

We must resist this direction. Instead, we should convince the Administration that there is a better way to serve our interests and enhance the security of our citizens.

We must choose leadership over isolation. We must work to shape the international security environment rather than simply insulate ourselves from it by relying excessively on a defensive shield.

We should choose cooperation over unilateralism, and collaborate with our allies like South Korea, not alienate them.

Finally, we should choose engagement over disengagement, and pursue verifiable agreements like the one with North Korea that can eliminate real threats to our security.

By adopting this motion, we will demonstrate our commitment to reducing threats to the United States, at their source, before they spread to other unfriendly nations or are launched against us.

And we will indicate that we want our foreign and defense policies to go in the direction of preserving America's security through leadership, engagement and cooperation.

Mr. HYDE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 189, noes 239, not voting 3, as follows:

[Roll No. 120]

AYES—189

Abercrombie
Ackerman
Allen
Andrews
Baca
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Bonior
Boswell
Boucher
Boyd
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Moore
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velázquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—239

Aderholt
Akin
Armey
Bachus
Baird
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jackson (IL)
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
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Matsui
McCrery
McHugh
McInnis
McKeon
McNulty
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rivers
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—3

Borski
Brady (PA)
Cubin

□ 1837

Mr. THOMPSON of California and Mr. GORDON changed their vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. GIBBONS). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. PAUL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 352, noes 73, not voting 6, as follows:

[Roll No. 121]

AYES—352

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (OK)
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dingell
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
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)
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Kolbe
LaFalce
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Moore
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pitts
Platts
Pomeroy
Portman
Price (NC)
Pryce (OH)
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)
Ryun (KS)
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Schrock
Scott
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stenholm
Strickland
Stump
Stupak
Sweeney
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (NM)
Velázquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—73

Akin
Baird
Barr
Berry
Blunt
Bonior
Carson (IN)
Castle
Clay
Combest
Conyers
Cummings
Davis (IL)
DeFazio
DeGette
Dicks
Doolittle
Duncan
Emerson
Everett
Filner
Flake
Goode
Hefley
Hostettler
Inslee
Issa
Jackson (IL)
Jones (NC)
Jones (OH)
Kerns
Kilpatrick
Kleczka
Knollenberg
Kucinich
LaHood
Lee
Lucas (OK)
McDermott
McInnis
McKinney
Meeks (NY)
Mollohan
Moran (KS)
Moran (VA)
Otter
Paul
Payne
Pence
Petri
Pombo
Putnam
Rahall
Roemer
Rohrabacher
Royce
Sanders
Schaffer
Sensenbrenner
Slaughter
Solis
Stark
Stearns
Sununu
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (MS)
Udall (CO)
Upton
Watkins
Weldon (FL)

NOT VOTING—6

Borski
Brady (PA)
Cubin
Sabo
Shaw
Smith (TX)

□ 1848

Messrs. ROYCE, BAIRD, and JACKSON of Illinois changed their vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1646, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2002 AND 2003

Mr. HYDE. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 1646, the Clerk be authorized to correct section numbers, cross-references, and punctuation, and to make such stylistic, clerical, technical, conforming, and other changes as may be necessary to reflect the actions of the House in amending the bill.

The SPEAKER pro tempore (Mr. GIBBONS). Is there objection to the request of the gentleman from Illinois?

There was no objection.

HUMAN RIGHTS VIOLATIONS IN ETHIOPIA

(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, just a few minutes ago on this floor I attempted to rise and speak out about the outrage of human rights violations in the country of Ethiopia. Unfortunately, it was objected to.

Mr. Speaker, what I cannot understand is how this House can ignore the fact that police forces use excessive force to prevent students from vocalizing their discontent in an academic setting. I understand that 41 brave individuals were killed on or near the campus in Addis Ababa. Two thousand students were detained.

It is imperative that as we talk about human rights around the world, that we are ultimately concerned that people who are our brothers and sisters are treated fairly. I am glad to know that the 2,000 students have been released, but this is not enough. There are dozens of persons arrested without warrant, and they remain detained.

It is extremely important that we say to Ethiopia that freedom cannot be denied, and it is extremely important that this floor and this House and Members of this House allow those of us who are concerned about human rights violations in Ethiopia to get on the floor of the House and debate it and ask that, in fact, we support human rights around this Nation. Mr. Speaker, I ask this Congress to act on the human rights violations in Ethiopia.

Mr. Speaker, as we consider the authorization bills for our foreign policy agenda, it is necessary to recognize the continuing human rights abuses practiced by governments in the Horn of Africa, particularly in Ethiopia. The United States Department of State must carefully investigate the continuing human rights abuses in Ethiopia.

Just recently, I am outraged by the recent violence in Addis Ababa, Ethiopia, especially the loss of life in the face of peaceful demonstrations on the campus at Addis Ababa University on April 11th.

I am deeply disturbed that police forces used excessive force to prevent students from vocalizing their discontent in an academic setting. I understand that as many as 41 brave individuals were killed on or near the campus at Addis Ababa University, while another 250 persons were injured in an indiscriminate attack by the police forces. The recent action taken by police forces can never be justified.

Although I have strongly spoken out against human rights abuses in Ethiopia before, I wholeheartedly join the Ethiopian community in the United States in denouncing the indiscriminate killings that recently occurred in Ethiopia. Justice must be served swiftly and fairly even though the brutal attack has already exacted an unimaginable toll.

Further, I am somewhat relieved that approximately 2,000 students who were detained by police have now been released. That is not enough, however. As some of you may know, the U.S. Department of State is concerned that dozens of persons who were arrested without warrant remain detained. The United States Government must vigorously call upon the Government of Ethiopia to promptly and unconditionally release all the students that remain in detention. Their freedom cannot be denied.

In the past, I successfully fought for a legislative measure that would prohibit the Government of Ethiopia from receiving aid until human rights abuses are eliminated. We must do more. The people of Ethiopia deserve to be treated humanely by their government.

Mr. Speaker, in the words of Franklin Delano Roosevelt, "We believe that the only whole man is a free man." I hope we can support efforts to bring human rights abuses by government actors in Ethiopia to a halt.

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.

RICH SANCHEZ LEAVES WSVN AND MOVES TO MSNBC

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, today I would like to congratulate Rick Sanchez, a beloved television anchor in my district who is leaving WSVN Channel 7 to move on to even greater challenges nationally at MSNBC.

I am sure that many of my colleagues across the Nation have seen Rick's reporting. My colleagues would have seen it years ago when watching an energetic reporter ride along with police to get the real story. My colleagues would have seen it when they watched a young roving reporter absolutely transform a newscast. My colleagues have seen it when they have watched a professional and genuine, but unusual, piece of reporting and thought, ''What the heck is happening here?''

That is Rick Sanchez; Rick Sanchez, doing an unconventional but honest and impassioned style of reporting before that came into current fashion.

Perhaps the name ''Rick'' really stands for ''maverick,'' for that is what he always has been. His unconventional ways are always talked about. His high-energy, in-your-face style, his use of expressive body language, his colorful adjectives, and his penchant for visual aids brought an interesting element to the traditional newscast.

City Link Magazine voted him the best newscaster ever, saying that ''TV has come around to Rick's style. He asks the best questions, and he is not afraid to speak his mind.''

Runaway Rick has never shied from danger. He began behind-the-scenes police beat reporting before there was a show which seemed to start that trend. ''Maverick Rick'' has always been a man of firsts. He was the youngest reporter and anchor hired in south Florida, brought on as a 21-year-old, right out of the University of Minnesota in 1982.

He was the first-ever Cuban American main anchor in south Florida, with the highest-rated newscast among all 10 o'clock newscasts in the Nation. He was the first to have a south Florida talk show. He was the youngest to win an Emmy for his five-part documentary, which aired nationwide, on Cuban American exiles. He has covered world news stories from Nicaragua, Cuba, Haiti, and Grenada.

Even when reporting just from back home, Rick's unique style transformed you to a new place. Who can forget turning on Channel 7 just to see what props Rick had this week? Who can forget the places he has been to, and the places he has taken us to?

This has been quite a journey for the son of a factory worker and a dishwasher, who was born in Havana and came to Miami when he was only 2 years old.

Although his high-profile status has made him a local celebrity, Rick has remained humble and appreciative. He has been the station spokesperson for wonderful organizations such as Habitat for Humanity and DARE, the program to keep kids off drugs.

Rick was honored by the Florida Broadcasters Association and the George Bush White House for his coverage of and his relief effort after Hurricane Andrew. Rick spearheaded an effort to move 60,000 tons of relief supplies while coordinating it with the U.S. Customs and U.S. Coast Guard.

At heart, Rick is a nice guy and a hungry reporter whose hard work and determination has made him the success story that he is today. I have had the pleasure of knowing Rick for years and watching him grow up on television. I have seen his work. I know of his dedication to his family and of his deep service to our community.

Mr. Speaker, as his 20-year south Florida locally based career comes to a close, Rick will not be forgotten by our local area. Now he will be shared by millions nationwide. Rick Sanchez has never been afraid to ask tough questions, say what is on his mind, and do whatever it takes to get the story and get people to speak.

Thank you, Rick Sanchez, for taking your job seriously and making the news so interesting for us to watch each and every night. I wish you and your family, your wife Suzanne, your sons Ricky, Jr., Robert and Remmington, and your newly arrived daughter Savannah, a smooth transition and the best of luck.

Rick, Felicidades! Y muchas gracias por tu servicio. (Thank you for your service.)

MACEDONIAN GOVERNMENT MUST MAKE A CHOICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. BONIOR) is recognized for 5 minutes.

Mr. BONIOR. Mr. Speaker, I think all of us grew up in families where we were taught from an early age to be proud of our ethnic heritage. Millions of Americans were raised in homes where it was not uncommon to hear relatives speak Polish or Italian or Yiddish or Chinese or Urdu or Arabic or any one of dozens of other tongues. But we always understood that no matter what language our family spoke and what their ethnicity, at the core we were all Americans.

Imagine if it were different. Imagine if because your family spoke a different language or honored different traditions, you were barred from being a police officer or working for the Postal Service or even attending college. Imagine for a moment that this bigotry was not only sanctioned by the government but it was actually written into the Constitution.

If my colleagues can imagine that, then they have a pretty good idea what it is like to be an ethnic Albanian living in Macedonia today. Today the Macedonian government is being applauded by leaders worldwide; but has it truly earned its praise? Yes, the creation of the unity government was a step in the right direction. But it was a very small step in a time that calls for great strides, strides that can only begin with acknowledging the reality of today's Macedonia. It is a country whose constitution disenfranchises 33 to 40 percent of Macedonians who are ethnic Albanians.

Mr. Speaker, in any true democracy, equality is conferred by citizenship, not by ethnicity or by religion. That is why the Macedonian government must make a choice. Are they committed to

true democracy or to a sham democracy on the order of the one that distinguished South Africa throughout the era of apartheid?

□ 1900

It is a question we have yet to hear a satisfactory response to.

What we do know is that today ethnic Albanians are treated like second-class citizens in their own country. We know they are denied the same educational and job opportunities enjoyed by Slavic Macedonians. We know that Slavic Macedonians hold 90 percent of the public sector jobs and they compose 90 percent of the police force and that 90 percent of the university students are Slavic Macedonians. We know that Albanians are even penalized for speaking their own language. Universities which use the Albanian language are actually denied public funds.

Macedonians and Albanians should both have equal opportunities to use their native languages. Albanians are made to suffer in poorly funded schools and universities because they speak, quote, the wrong language. But that is not all. Ethnic Albanians not only have second- and third-rate schools, they have bad roads and inadequate health care.

There might be a time when Macedonia earns our applause, Mr. Speaker, but that time has not arrived and it will not until all of its people are treated equally. It will not until their constitution recognizes ethnic Albanians as citizens of Macedonia. It will not until ethnic Albanians have the right to use their own language. It will not until ethnic Albanians have the right to preserve their own cultural heritage.

Power sharing is not just about who holds the positions in the government. It is about who has what status in a society as a whole.

This is no time for baby steps or token gestures. This is the time for the Macedonian government to take action to remove the institutional discrimination against Albanian Macedonians. This is the time for the Macedonian government to take on initiatives that make amends to the Albanian people.

The challenge of democracy is that it does not ask leaders to do what is easy. It challenges them to stand up and do what is right.

Mr. Speaker, in conclusion let me say that I hope that this ethnic violence in Macedonia will cease and it can only cease when equality is brought to all of its people.

INTRODUCTION OF RESOLUTION IMPROVING THE WAY WE MEMORIALIZE OUR FALLEN HEROES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. GRUCCI) is recognized for 5 minutes.

Mr. GRUCCI. Mr. Speaker, with Memorial Day only 12 days from today, veterans' graves are graced with our Nation's flag on Memorial Day in my district as is customary across our Nation since the end of the Civil War.

However, too often these flags are removed immediately after the Monday observation of Memorial Day, not giving the sufficient recognition deserved these fallen heroes. The original intent of Memorial Day was for it to be a time of reflection on our hard-earned freedom and to pay our respects to those men and to those women who made the ultimate sacrifice for the citizens of our Nation and gave their lives to preserve that freedom. Yet today the true meaning of Memorial Day is often lost to a sense of commercialism.

For this reason, local veterans organizations within my district have partnered with one of our national cemeteries, Calverton National Cemetery, to improve the way we memorialize our fallen veterans. They leave the American flags in place until May 31 so that they fly in honor of our brave service men and women through to the original date of Decoration Day, May 30.

The flag is the symbol of America's greatness and all of its compassion, perseverance and values. It is part of the tapestry that has been woven with the lives and the efforts of our men and our women in uniform during times of crises that makes America what it is. It honors those brave service men and women who have made the ultimate sacrifice so that freedom, peace and democracy can be assured to all of us here in this great Nation.

I and my colleagues from both sides of the aisle have sponsored House Resolution 120 which urges all cemeteries to institute this policy of maintaining the flags placed on the grave sites of American veterans on Memorial Day through at least May 31.

Mr. Speaker, I call upon my colleagues to please join me in honoring those men and women who gave their lives to preserve our freedoms.

NATIONAL SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. WELDON) is recognized for 5 minutes.

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to share with my colleagues two items of concern relative to our national security. First of all, about this time last year, we heard a lot of ranting and raving in this Chamber and on national TV, allegations of massive fraud in our missile testing program. In fact, Mr. Speaker, 53 of our colleagues signed a letter to the FBI demanding an investigation of a fraud that was alleged by an MIT professor. The MIT professor said there was abuse, there was waste, that the Defense Department deliberately lied and so did TRW.

We said let us get to the bottom because the investigation of this issue was done before. We have not heard anything from those 53 of our colleagues, Mr. Speaker, but a front page story in Bloomberg Press by Tony Capaccio cites the FBI in February throwing the whole thing out, saying it was nothing but a bunch of hogwash.

Mr. Speaker, I include for the RECORD the Bloomberg news story, ''FBI Clears TRW of Fraud Charge in Missile Defense Test,'' and the actual FBI document. The Department of Defense has been completely exonerated. For those 53 colleagues and for Ted Postol, I think you owe the Department of Defense an apology.

[From Bloomberg.com: Top Financial News, May 2001]

FBI CLEARS TRW INC. OF FRAUD CHARGE IN MISSILE DEFENSE TEST

(By Tony Capaccio)

Washington, May 4, (Bloomberg)—The Federal Bureau of Investigation cleared TRW Inc., of allegations it manipulated the test results in a program for the U.S. missile defense system, according to a government document.

It's the second time the allegation has been dismissed. A 1999 review by the Justice and Defense departments in a separate whistleblower lawsuit dealing with the same charge also found no basis for fraud in TRW's testing.

Last June, 53 members of the U.S. Congress asked the FBI to investigate charges by Massachusetts Institute of Technology professor Theodore Postol that TRW and Pentagon officials committed ''fraud and cover-up,'' by tampering with the results of program's first test flight to conceal that company's warhead can't distinguish between decoys and the real thing.

Postol and another antimissile critic, Dr. Nira Schwartz, alleged that TRW and the Pentagon manipulated the results of a June 1997 flight test. Military and TRW officials said the company's warhead succeeded.

Postol and Schwartz claimed the data was manipulated to indicate success after the test failed. The test was conducted in a competition between TRW and Raytheon Co., which TRW eventually lost. Their charges were aired in March and June 2000 front page New York Times articles that became the basis for the congressional request and fodder for arms control critics.

The FBI closed the case in late February, saying Postol's charges were ''a scientific dispute and Postol's attempts to raise it to the level of criminal conduct had no basis in fact.''

The FBI's action removes a cloud over the missile defense program just as the Bush administration presses ahead with plans to expand it.

A spokesman for TRW said the company hadn't been told of the finding and is ''delighted'' if it's true. Both Postol and Rep. Dennis Kucinich, an Ohio Democrat who organized the congressional opposition, said they too were unaware.

TRW'S ROLE

TRW is a top subcontractor on the National Missile Defense program managed by Boeing Co. TRW provides the command and control system, or electronic brains, that receive and process target information to missile interceptors carrying Raytheon Co. hit-to-kill warheads.

The TRW system has performed well in the three missile intercept tests to date, though two of them ended in failure after glitches in technology unrelated to the basic system.

Postol argues the Pentagon's system is fundamentally flawed and is incapable of distinguishing decoys from real warheads. He alleged the Pentagon watered down its decoy testing, substituting simpler and fewer decoys that were easier for the warhead to recognize. The Pentagon has acknowledged shortcomings in its decoy testing and says it plans improvements.

''The program needs to ensure the ability of the system to deal with likely countermeasures,'' Pentagon program manager Army Gen. Willie Nance wrote in an April 12 review.

'No Federal Violation'

''The investigation failed to disclose evidence that a federal violation has been committed,'' the FBI said in a February 26 memo to the Justice Department, ''Since all logical investigation has been completed, this matter is being closed.''

The allegation was first made by Schwartz in an April 1996 False Claims Act whistleblower suit. Schwartz was a senior staff engineer who worked on the project for 40 hours, according to TRW. The federal government declined to join her lawsuit after determining there was no evidence to support criminal charges. The case is pending. Schwartz would received a monetary award if TRW was found guilty.

Schwartz alleged that TRW ''knowingly and falsely certified'' as effective discrimination technology that was ''incapable of performing its intended purpose.''

''Dr. Schwartz's allegations were scientific in nature and concerned false claims made by TRW regarding the data obtained from the first test flight,'' said the FBI memo. ''Postol expanded Schwartz's allegations to include criminal conduct. Investigation revealed that Postol's claim that data had been altered was unfounded.''

GAO Review

Postol said in an interview he was surprised by the FBI's decision because he was under the impression that the Bureau would wait to wrap up its review until the General Accounting Office completed a separate noncriminal technical review of the charges.

The GAO review, which was requested by two Democrats, Representative Ed Markey of Massachusetts and Howard Berman of California, won't be finished until later this year.

I am amazed the FBI would have done this without checking with the GAO,'' Postol said. ''It looks to me that the FBI was simply not interested in doing anything except covering its back.''

Kucinich, who organized the June letter that prompted the FBI inquiry, said he hadn't heard of the FBI's conclusion.

''It is interesting that the day after the president announced plans to spend billions more dollars on a missile defense system, it's revealed that the FBI had terminated its fraud investigation of the missile defense program—despite plain proof this technology doesn't work and substantial evidence suggesting that the Ballistic Missile Defense Organization covered it up,'' he said in a statement.

Kucinich was referring to President George W. Bush's May 1 speech outlining his plans for a missile defense shield that will likely include the ground-based system.

TRW spokesman Darryl Fraser in a statement said ''if this report is accurate, we are delighted to hear that the FBI has vindicated TRW for the years of hard work.''

[U.S. Department of Justice, Federal Bureau of Investigation, Feb. 26, 2001, Washington, DC]

NATIONAL MISSILE DEFENSE SYSTEM FRAUD AGAINST THE GOVERNMENT—DEPARTMENT OF DEFENSE

In a June 15, 2000, letter to Director Freeh, Dennis J. Kucinich, U.S. House of Representatives, and 52 other members of Congress requested an FBI investigation into allegations that the Department of Defense (DOD) covered up fraud relevant to the experimental failure of testing involving the National Missile Defense System. This anti-missile defense system is designed to defeat nuclear warheads launched at the United States by inexperienced nuclear powers such as Iran, Iraq and North Korea by intercepting the warhead carrying missiles in the air.

Specifically the Congressional letter detailed allegations by anti-missile critic Dr. Theodore Postol, a respected scientist from the Massachusetts Institute of Technology, that not only is the $50 billion National Missile Defense System incapable of distinguishing between warheads of incoming missiles and decoys, but the DOD and its contractors have altered data to hide the failure. Dr. Postol also contended that his letter to the White House, its attachments, and all the information and data he used to draw his conclusions of fraud and coverup, were derived from unclassified material and were subsequently classified by the DOD in an effort to conceal the fraud and wrongdoing.

The Washington Field Office (WFO) of the FBI opened a preliminary inquiry into allegations of fraud in the National Missile Defense System to specifically address the following items: (1) coordinate with Defense Criminal Investigative Service (DCIS) and obtain copies of material alleging fraud and coverup prepared by Dr. Postol; (2) address DOD's justification for classifying Dr. Postol's information and; (3) obtain details of a DCIS Qui Tam inquiry that precipitated Dr. Postol's criticism of the National Missile Defense System.

WFO opened up a preliminary inquiry into allegations of fraud in the National Missile Defense System on July 25, 2000. Contact was made with the DCIS who agreed to work jointly with the FBI in conducting the preliminary inquiry. WFO obtained a copy of Dr. Theodore Postol's letter to the White House from Philip Coyle, Director, Operational Test and Evaluation, at the Pentagon. Postol had sent Coyle a copy of his letter to the White House.

The Director of Security for the Ballistic Missile Defense Organization (BMDO) requested a line by line review of Postol's package when it was suggested that classified material may be attached to Postol's letter. This line by line review revealed that four pages of Attachment B to Postol's letter contained previously classified data, and Attachment D contained 12 previously classified figures and one classified table. All this material had been previously classified and was not newly classified. Postol had obtained this information from other individuals involved in a Qui Tam law suit against TRW. Those involved in the Qui Tam suit believed that the information they had was unclassified. A good faith effort had been made by a DCIS investigator to declassify a report that had been previously classified. In the process, certain classified information was inadvertently left in the report. Postol used this information believing it to be unclassified.

Postol's information was based on data he received from Dr. Nira Schwartz, a scientist and former employee of TRW, a defense contractor involved with BMDO. Schwartz had filed a Qui Tam action in the Western District of California alleging wrongful termination and false claims on the part of TRW. Dr. Schwartz's allegations were scientific in nature and concerned false claims made by TRW regarding the data obtained from the first test flight, IFT–1A. Postol expanded Schwartz's allegations to include criminal conduct. Investigation revealed that Postol's claim that data had been altered was unfounded. As to Postol's claim that the system is incapable of distinguishing between warheads and decoys, there is a dispute among scientists about the ability of the system to discriminate based on scientific grounds. This is a scientific dispute and Postol's attempt to raise it to the level of criminal conduct had no basis in fact. A Department of Justice civil attorney and an Assistant United States Attorney in the Central District of California, both advised that during the Qui Tam investigation, there was no indication of fraud or criminal activity.

The joint FBI/DCIS investigation failed to disclose evidence that a federal violation has been committed. Since all logical investigation has been completed, this matter is being closed.

Mr. Speaker, I also want to point my colleagues to a story that ran just the last few days where we now have seen that Danny Stillman has evidence and material he collected that shows that the Chinese were aggressively trying to acquire supercomputers so that they could miniaturize their nuclear weapons. Up until 1996, China had no supercomputers. That was the year President Clinton lowered the standard and within 2 years China acquired 700 supercomputers. The information Danny Stillman allegedly has gives us the details as to how China uses the supercomputers we gave them to build miniature weapons, nuclear weapons to be used against us and our allies.

Right now, the Department of Defense and Department of Energy are refusing to allow Danny Stillman's notes to be made public. I am today writing Secretary Rumsfeld and the administration to demand that these questions be answered. As a member of the Cox Committee that looked at this issue in depth, we need to know for sure what impact the President's decision in 1996 had to allow China to develop miniature nuclear weapons which they could use against America today.

Mr. Speaker, I include for the RECORD the letter to Secretary Rumsfeld.

MAY 3, 2001.

DONALD H. RUMSFELD,
Secretary of Defense, Defense Pentagon, Washington, DC.

DEAR SECRETARY RUMSFELD: I am writing with regard to today's article in the Washington Post entitled, ''U.S. Blocks Memoir of Scientist Who Gathered Trove of Information.'' As a member of the Select Committee on U.S. National Security and Military/Commercial Concerns with the People's Republic of China, I am alarmed and concerned that the Committee was never informed about Danny B. Stillman or provided with the materials he collected over the years.

The article states:

Stillman said Chinese physicists told him that they had begun research on miniaturization during the 1970s, but could not complete it because they lacked the computing power to carry out massive calculations. When the Chinese physicists got access to supercomputers, they pulled out their old research, ran the numbers and designed the new devices.

These supercomputers not only benefited the Chinese advanced conventional weapons programs but also their weapons of mass destruction programs. Now these weapons are targeted at the United States and our friends and allies in the region.

Please answer the following questions:

1. Where did the Chinese get the supercomputers?
2. What other weapons systems did they use the supercomputers on?
3. Were export control officers made aware of the importance of supercomputers to the Chinese weapons programs?
4. When did the previous Administration learn of this?
5. Why was Congress not informed?

The article also states:

In all, Stillman said he collected the names of more than 2,000 Chinese scientists working at nuclear weapons facilities, recorded detailed histories of the Chinese program from top scientists, inspected nuclear weapons labs and bomb testing sites, interviewed Chinese weapons designers, photographed nuclear facilities—and then, each time he returned home, passed the information along to U.S. intelligence debriefers.

Please provide to me Stillman's trip reports, notes, photographs, videos, the list of Chinese scientists and a draft of his book. Along with a list of all DOE employees who have visited Chinese nuclear weapons facilities.

Sincerely.

IN SEARCH OF THE DEFENSE SUPPLEMENTAL APPROPRIATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. SKELTON) is recognized for 5 minutes.

Mr. SKELTON. Mr. Speaker, has anyone seen the defense supplemental appropriation? I seem to recall that during the recent Presidential election, much was made of the needs of our men and women in uniform. ''Help,'' we were told, ''is on the way.''

Now we know of helicopters that cannot fly, roofs on family housing leaking, training missions being canceled or deferred, and even major procurements being modified, all because the supplemental that was promised, the supplemental that was planned for, has not arrived.

I know that Secretary Rumsfeld is in the middle of a wide-ranging strategy review and I know that he has put most of the Department of Defense on hold while the review runs its course. I will have more to say about that soon in another venue.

But a supplemental appropriation has nothing to do with our future strategy. The shape of tomorrow's force is not the issue. The supplemental is supposed to pay for what our military has already done.

So surely, Mr. Speaker, there must be a supplemental around here somewhere, and I would appreciate hearing from any other Member who happens to stumble over it. I have risen on this floor several times in the Congress to point out the need for such a supplemental. Even the commitment to having one would be enough to let commanders carry on, secure in the knowledge that their costs would be reimbursed later. But even that simple assurance has not been forthcoming. And our military services are paying the price today. Readiness is lower, aircraft are being scavenged for parts, and all because we cannot find that darn supplemental.

Mr. Speaker, if you see it, would you please let me know?

AIDS IN AFRICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RUSH) is recognized for 5 minutes.

Mr. RUSH. Mr. Speaker, each day, 16,000 more people become infected with HIV/AIDS. Nowhere is this staggering figure more apparent than sub-Saharan Africa, where 25 million people are HIV positive. Last year alone, 2.4 million sub-Saharan Africans died of HIV/AIDS. One particular group deserves our particular attention and assistance due to the disproportionate burden that they have borne, that is, the women of sub-Saharan Africa.

Sub-Saharan African women are now the fastest growing HIV population in Africa. They constitute 55 percent of all adult HIV infections in the entire region. Most disturbing, sub-Saharan African women are becoming infected at earlier ages than their male counterparts. Teenage girls are infected at a rate five to six times greater than their male counterparts. Of course, the escalation of HIV/AIDS among sub-Saharan African women has a direct and important impact upon the most vulnerable population in the sub-Saharan region, its impact on children. Two-thirds of the 500,000 orphaned children in Africa lost parents to HIV/AIDS. Over 30 percent of children born to HIV positive women will develop pediatric AIDS.

□ 1915

I have personally witnessed the orphanages overflowing with children who have lost parents to this disease, and it is both astonishing and heart-wrenching.

Mr. Speaker, many social factors have resulted in these staggering statistics. Sub-Saharan African women often suffer from lower social status and lower economic status. They are economically dependent on males in their society. Many do not have the same access to health care or education as their male counterparts.

Also, despite the fact that many women are primary sources of income for their families, poverty abounds and abounds and abounds and abounds. This pervasive policy of poverty forces many women into vocations which make them more susceptible to HIV/AIDS.

These inequalities, Mr. Speaker, begin early in life. Young girls are less likely to be informed about the risks and dangers of HIV/AIDS and also far more likely than boys to be coerced or even raped. Even when they are taught about prevention, they are often unable to avoid unsafe sexual practices because of their lack of social influence.

Mr. Speaker, many of us may ask, what can we in this country do to change the status of women in sub-Saharan Africa? Well, there are many things that we can do. There are many things that we can and must do right now.

Right now, Mr. Speaker, we must focus national and international policies toward the eradication of poverty in order to empower women. Right now, Mr. Speaker, we must affirm the human rights of girls and women to equal access to education, skills training and employment opportunities. Right now, Mr. Speaker, we must intensify efforts to determine the best policies and programs to prevent women and young girls from becoming infected with HIV/AIDS.

Mr. Speaker, there is a lot we can do and we must do it right now.

DEVELOPING A COMMONSENSE, COMPREHENSIVE NATIONAL ENERGY POLICY

The SPEAKER pro tempore (Mr. KIRK). Under a previous order of the House, the gentleman from Utah (Mr. MATHESON) is recognized for 5 minutes.

Mr. MATHESON. Mr. Speaker, this week there will be a number of different energy policy proposals that will be introduced, a number of events that will attract a lot of attention, attract a lot of press; and we are at the outset of a time when Congress will be asked to take on the very difficult task of trying to develop a commonsense, comprehensive national energy policy.

This is a complicated issue, and we really should not take a simplistic approach. In that context, we should not take a simplistic partisan approach. Energy should not be a partisan issue. We should find a common ground within this body to tackle such a complicated issue.

We are going to hear concerns about this issue, where we talk about some short-term issues and some long-term issues, and it is important to consider both of those time frames in terms of making good public policy decisions.

The short-term is the set of issues that we can all relate to the most, because we are all consumers in this

country and we have all felt the pain of the gas pump. We have all seen our electric bills come in at higher prices. We have all seen our gas bills come in at higher prices.

The short-term issue is the more tangible issue. Although it is the more tangible issue, it is also one that is very complicated to solve, because there are not too many options we have right now. But we should recognize that consumers are feeling the pinch.

We should promote policies that encourage any potential incremental production that we can accelerate quickly to bring to market, and we also need to encourage policies that are going to encourage efficiency and better use of our energy supplies.

That is really the best weapon we have got in terms of short-term solutions to our energy supply problems, because if you really want to take a step back and talk about the problem, as I said, it is very complicated in nature. It comes down to where we have a supply and demand imbalance. And in the short-term, supply is going to be very hard to affect so we really need to take a look at the demand side and see what we can do.

There are a lot of technologies out there right now. This is not something where we have to come up with something new. These technologies exist today, they are proven, and we have to be smart about how we use energy in our country.

But let me shift to the long-term issues, which get to be a broader range of issues we need to talk about. We need to talk about ways to enhance our supplies; there is no question about it. We need to do this in a comprehensive, balanced way. We need to rely on technology to give us the best available options for creating additional energy supplies.

From a public policy perspective here in Congress, we need to try to create a more predictable policy environment. I used to work in the energy business. I know how complicated it can be when you want to site a power plant and you are trying to figure out, what are the rules? I have to play by the rules, but I do not know what they are.

We need to create a situation where we have more transparent rules, a more transparent situation, so people can make informed decision, because we are talking about investments of hundreds of millions of dollars in an individual energy facility. If we are going to make those types of investment decisions, we have to have a predictable future about what the marketplace is going to look like and what the rules of the game are going to.

So I call on Congress to make sure that as we make these policy decisions, we do not make the situation more complicated. We need to pursue something where we are clear and predictable in the policy environment.

Energy should not be characterized as a partisan issue. Our constituents expect more of us. Our constituents recognize how difficult energy policy can be. They are also feeling the pinch today. I think as we sit here at the outset, it is important for us to take a step back and make a commitment to take a good balanced comprehensive approach, looking at both supply and demand, and address this in as comprehensive a manner as possible.

EXCHANGE OF SPECIAL ORDER TIME

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent to reclaim the time of the gentleman from Oregon (Mr. DEFAZIO) in order to present my 5-minute special order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

REPORT OF CHURCH LEADER DELEGATION TO MEXICO WITH REGARD TO EFFECTS OF NAFTA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I wish to extend my sincere appreciation to the gentleman from Tennessee (Mr. DUNCAN) for allowing me to precede him here this evening. He is always very gracious and accommodating to other Members.

Mr. Speaker, this evening I begin what will be a series of 5-minute speeches to place in the RECORD information about a very important trip on our continent that was taken by religious leaders of Canada to Mexico in a fact-finding trip subsequent to the passage of the North American Free Trade Agreement, NAFTA.

They traveled there in late March and early April, and in fact have produced probably one of the finest documents I have had the opportunity to read regarding what has happened in the last 7 years post-NAFTA. The delegation included representatives of the Presbyterian Church, the Roman Catholic Church, the Anglican Church, the United Church of Canada, the Canadian Religious Conference, and the Inter-Church Committee on Human Rights in Latin America. They traveled throughout Mexico to all different regions, and this evening I will only talk about a few of the areas that they visited.

The compelling report that they have produced tells all of us who are going to be faced very shortly with a vote on fast-track extension, to move NAFTA to expand its concepts to all of Latin America, to think twice about what we are doing and to go back and redress some of the horrendous conditions that the original NAFTA agreement has created in our own country and in the other two major nations on this continent, Canada and Mexico.

The group first visited the Sierra Tarahumara, which is in the central part of the country in the region of Chihuahua, and I will only read parts of their written report. They begin saying, ''In the once densely forested mountains of the Tarahumara Sierra, we met with the indigenous communities of San Alonso, who gave us a letter for our government, signed with their thumbprints that pleads for 'an end to the impoverishment of our people.' ''

They said, ''People here once lived from agriculture and from selling small amounts of timber, but changes to forestry controls under free trade have brought multinational corporations and clear-cutting. Soils for food crops are eroding,'' and it is important to say the soil layer in Mexico is very thin. For them, it is survival.

They said, ''Laws have been imposed that favor companies from other countries. The local Catholic Church referred to legislation that had preceded NAFTA's passage, and said these laws have enabled much wealth to be taken from the Sierra, leaving behind growing poverty.''

They said, ''We saw the impact of this in the ulcerated sightless corneas of a child, whose mother had nothing to feed him now, but a soup of ground corn. We sat with an indigenous woman who had brought her dying baby to a dispensary run by nuns, and heard that 48 percent of infants in the Sierra die before the age of 5 because of chronic malnutrition. Other than suicide, a new phenomenon in these indigenous communities, the nuns told us, many see only two alternatives: To cultivate marijuana or poppies for drug traffickers or to migrate north in search of work, abandoning ancestral land, breaking up families and splintering communities.''

They said, ''In the community of Baborigame, we heard how 48 percent of children die before the age of 5 from poverty-induced chronic malnutrition. We personally witnessed the desperation of mothers of children who had died. The Carmelite Sisters told us that the situation is worsening. Indigenous people who once were able to eat corn and beans now often can only afford to eat a soup of ground corn, and lately they also have witnessed a new cause of death previously unheard of in these historic indigenous communities, suicides due to sheer hopelessness.''

The report goes on to talk about policies associated with NAFTA have effectively privatized what were once community lands, or ejido lands, that provided rural and indigenous communities with guaranteed land in perpetuity. Unable to get a just price for

their products and saddled with overwhelming and unpayable debts, Mexican farmers are increasingly being forced to sell those lands, leading to a growing concentration of land in few hands.

They say those buying up the land and who are renting from farmers unable to make a go of it, including multinationals like PepsiCo, have basically used the land now to produce potatoes for the fast food market in our three countries.

Mr. Speaker, I will continue in the future. I will enter this particular report in the RECORD.

REPORT OF THE ECUMENICAL CHURCH LEADERS DELEGATION TO MEXICO—MARCH 28–APRIL 6, 2001

INTRODUCTION

From March 28 to April 6, 2001, five Canadian church leaders travelled to Mexico as part of an ecumenical fact-finding delegation organized by the Inter-Church Committee on Human Rights in Latin America (ICCHRLA). The delegation was made up of: Rev. Glen Davis, Moderator of the Presbyterian Church of Canada; Mgr. Jean Gagnon, Auxiliary Bishop of Quebec City; Archbishop Thomas Morgan, Anglican Diocese of Saskatoon; the Very Rev. Robert Smith, former Moderator of the United Church of Canada; Sr. Priscilla Solomon, Canadian Religious Conference; Suzanne Rumsey and Kathy Price, Inter-Church Committee on Human Rights in Latin America.

The delegation's mission was to explore the impact of the North American Free Trade Agreement—along with free trade policies and legislative changes that were implemented prior to 1994 in order to make Mexico ''NAFTA-ready''—on human rights. The delegation's time in Mexico focused on three areas: visits with indigenous and non-indigenous communities in the Sierra Tarahumara; visits with communities of small farmers in Central Chihuahua; visits with workers and migrants in the Special Border Zone of Ciudad Juarez.

THE SIERRA TARAHUMARA

In the southern mountain region of the state of Chihuahua, known as the Sierra Tarahumara, our delegation visited indigenous communities where we heard how privatization of state Forestry Services and the lifting of controls over logging—policies implemented in the lead up to the signing of the North American Free Trade Agreement—have coincided with the arrival of transnational forestry companies and intensive, largely unregulated logging. This has resulted in the denuding of forests that once provided edible plants, medicinal herbs and a livelihood to the Tepahuane, Raramuri and Huichol indigenous peoples, along with growing desertification, depletion of soils and shrinking of agricultural harvests. Meanwhile, we were told that NAFTA has enabled cheap wood imports to enter Mexico from countries such as the United States, Chile, Brazil and even Russia (via the U.S.), driving down the price that indigenous communities can obtain for the timber resources on their land, contributing to growing poverty as well as pressure to cut down more and more trees in order to make a living.

''We want the impoverishment of our people to end,'' states a simple yet eloquent letter we were given, signed by 73 members of the indigenous community of San Alonso, who asked us to pass it on to you. We have attached their letter to ours and ask you to read its urgent plea for controls to stop the degradation of their environment by the rapacious operations of multinational corporations. Efforts by communities to halt these practices have been largely ignored, or worse still, met with threats and violence.

The Catholic Diocese of the Tarahumara told us in unequivocal terms that NAFTA is to blame for the increased clearcutting by multinational companies that are destroying the region's forests. Indeed, the Diocese told us they have brought a complaint to the Commission for Environmental Cooperation in Montreal citing violations of Articles 14 and 15 of the NAFTA side agreement but to no avail. In ''Our Word About the Destruction of the Forest'' the Diocese states: ''Laws have been imposed that favour companies from other countries . . . These laws have enabled much wealth to leave the Sierra, leaving behind growing poverty . . . Exploitation of the forest has brought no benefits to the majority of the inhabitants of the Sierra . . . If we do not halt the destruction, we are heading for death.''

In the community of Baborigame, we heard how 48 percent of children die before the age of five from preventable diseases that result from poverty-induced chronic malnutrition. We personally witnessed the desperation of a mother whose baby would have died, had the Carmelite sisters, who run a small dispensary, not taken him to the nearest hospital, three hours away. The Carmelite sisters also told us that the situation is worsening; indigenous people who once ate corn and beans, now often can only afford to eat a soup of ground corn and lately they have witnessed a new cause of death, previously unheard of in indigenous communities; suicides due to sheer hopelessness.

In such a context, many indigenous inhabitants feel they have little option but to choose between two terrible alternatives: abandon their land and migrate north in search of work (a process that is causing family, community and cultural disintegration) or turn to cultivating drugs like marijuana and poppies, illicit crops which unlike others, fetch a price that enables them to feed their families. Drug trafficking is present throughout the Sierra because there is no work, we were told by the Diocese of Tarahumara. ''The people need to survive in this impoverished mountain region.'' We were outraged at the price these people are paying for their survival.

We also heard from the respected, church-based Commission for Solidarity and the Defence of Human Rights (COSYDDHAC) how instead of providing solutions to the hard economic realities and growing poverty that have forced some into drug cultivation, the Mexican government has militarized the region. COSYDDHAC has documented arbitrary detentions, torture, disappearances and assassinations committed by the police and military, who justify their actions in the name of the ''war on drugs''. In a joint letter to the Mexican government that was shared with us, Bishop Jose Luis Dibildox and 28 priests, religious and lay workers stated: ''The methods used by the army create a doubt in the minds of the public as to what is the real aim of their actions, which in some instances seem to be responding to other interests, such as the militarization of Mexico, especially in indigenous regions.''

In Baborigame, we witnessed the trauma and terror that repression by state security forces is causing amongst inhabitants of the community. We witnessed the pain of people whose relatives were shot down in cold blood, victims who included a local indigenous leader. We share the grave concern of the Tarahumara Diocese that ''instead of seeking ways to ease tensions, and bring about well-being and peace, we see actions that will bring war and death.''

THE FARMING REGION OF CENTRAL CHIHUAHUA

In rural communities in the state of Chihuahua, we witnessed the terrible human impact on small farmers of policies that have consciously neglected and excluded them. Since the implementation of policies that were entrenched in NAFTA, communities where families once made a living from farming basic grains for local markets and their own consumption have found it increasingly difficult to survive. As a result, men of working age are forced to abandon their farms and migrate north in search of temporary jobs. Many of them work illegally in the United States, having been unable to obtain a work visa. As a result, they are paid exploitative wages and denied the rights and benefits accorded to others.

The suffering caused by these realities was evident in our conversations with inhabitants of the communities we visited. ''We have become half men because we are no longer able to provide for our families. We can no longer be husbands to our wives, or fathers to our children,'' we were told by small farmers who must leave their communities in search of work for 4 to 5 months at a time. This means the women, as they told us, ''are left to assume the roles of both women and men'', taking on a triple work load of caring for their homes and families, looking after their farms, and often seeking paid work in order to feed their children.

The exodus from the countryside, as we were told by the respected Democratic Campesino Organization, as well as many of the farming families we met with, is a direct result of economic policies that were enacted to make Mexico NAFTA-ready. Unlike in the United States—and to a lesser extent in Canada—where basic grains producers continue to be subsidized for the costs of production, subisidies to corn producers in Mexico were competely phased out in 1997, 12 years ahead of schedule, thus creating an unlevel playing field. Moreover, since NAFTA came into effect in 1994, tariffs have been lifted and cheap corn and beans from the U.S. have flooded the Mexican market, making it impossible for Mexico producers to compete. In addition, free market policies that began prior to 1994 but which have been made permanent in NAFTA, have resulted in the elimination of credit for small farmers, leaving them at the mercy of local loan sharks who charge usurious interest rates.

All of these policies have had a predictable effect, one which was impossible to ignore in the faces of those we met with: increasing poverty and increasing desperation as families worry how they will get by from one day to the next. As in the Sierra Tarahumara, we heard of families reduced to a diet of cornmeal soup, and of the existence of preventable diseases due to chronic malnutrition. It is this situation, in which vast numbers are robbed of their very dignity, that is forcing people to leave in search of other means to survive, provoking family and community disintegration in the process.

Policies associated with NAFTA have also effectively privatized what were once communal or ejido lands, that provided rural and indigenous communities with a guaranteed land base in perpetuity. Unable to get a just price for their products and saddled with overwhelming and unpayable debts, Mexican farmers are increasingly being forced to sell

those lands, leading to growing concentration of land in few hands. Those buying up the land or renting from farmers unable to make a go of it,—including multinationals like PepsiCo—have used vast extensions to produce potatoes for the fast food markets of the three NAFTA countries. In an arid state where we were told that ''water is gold,'' PepsiCo was able to obtain access to wells, which small farmers had been denied, and its large scale irrigation has reduced the already alarmingly low water table. This, together with extensive use of chemical fertilizers and pesticides has meant that arable land is being destroyed, and with it, the means for rural Mexicans to be guaranteed the basic human right to adequate nutrition and food security.

It is clear to us that one of the factors that is fueling this crisis in the countryside is that a significant proportion of Mexico's gross domestic product is being used to service its foreign debt. We wish to share with you what we were told by the Democratic Campeesino Organization, a position which we support: ''Developing countries like Mexico need to have food security and policies that guarantee that security, because if they don't, the 40 million people who live in poverty and the 20 million people who live in extreme poverty in Mexico will continue to migrate north.''

CIUDAD JUAREZ

In the border city of Ciudad Juarez—home to 397 maquila factories employing 281,000 workers that assemble electronics products and car parts for export to the United States and Canada—we saw where many whose means of survival has been eliminated under free trade in the Tarahumara Sierra, or the failed farms of the plains of Chihuahua, end up. It is a reality we would not wish on anyone. The political leaders of this hemisphere have, on numerous occasions, told their citizens it will take time for the benefits of free trade to be realized and equitably shared. In Ciudad Juarez we came face to face with what 30 years of free trade has wrought on countless human lives. That is because the city has operated as a free trade zone since the 1970s, when the first maquila assembly factories were established under rules that provide generous incentives for foreign investors, while workers are paid what can only be called exploitative wages and denied rights which Canadian workers take for granted. What we saw in Cuidad Juarez is nothing less than economic slavery.

Until the recent recession in the United States, unemployment in Cuidad Juarez stood at an astonishing 0 percent. Yet 58 percent of those fully employed workers and their families live below the poverty line. Of that total 18 percent live in poverty and 40 percent live in extreme poverty. In 1976, a maquila worker earned a salary in pesos that was the equivalent of US$11 a day, yet the value of that salary is now as little as just US$4.50 a day, due to currency devaluations under free trade. As one maquila worker put it, ''You have the choice to clothe yourself or to feed yourself.''

What does a maquila salary buy? We visited several colonias where maquila workers have no choice but to live and this was how one member of our delegation described his reaction: ''I stood in the dust and saw houses pulled together, framed with packing pallets from the maquila, and covered with cardboard. I saw the barrels that once carried chemicals to the maquilas with their dwindling supply of tepid, unpotable water. And you know what I discovered? I discovered that these people are employed 10 to 16 hours a day producing cheap microwaves, cheap TVs, cheap computers for Canada. And our government says, ''NAFTA is a good deal for Canada!' Mr. Prime Minister, you have not been to this shantytown. A day's work for a salary equivalent to the cost of a jug of milk is not a good deal for anyone! If my car is cheaper because of what I saw here, that is unacceptable.''

In Juarez, we saw with our own eyes what a local priest had told us, you can work for a Fortune 500 company and live in a cardboard house. Indeed, we were appalled at the living conditions of thousands upon thousands of people who exist without decent housing, and without access to essential social services like water, sanitation, health care, and education.

Time and again, we heard from young workers about the dehumanizing impact of the highly controlled environment of the maquilas. Assembly lines are often sped up by supervisors in order to meet high production quotas, approval must be obtained for bathroom breaks, which are carefully timed and future breaks denied if the time is exceeded. Workers told us they are treated ''like a machine, a cog in the wheel.'' Exhausted young women workers, demoralized by salaries that do not afford the means for anything more than basic survival, added: ''The maquilas have robbed us of our dreams for a better future.''

Workers also told us they are fearful about the long term effects of being exposed to chemical solvents without adequate protection, in denial of their right to a healthy work environment. As we heard repeatedly: ''The only right people have here is the right of a job. But in reality that's nothing more than the right to be exploited.''

None of the maquila workers we spoke to in Juarez had the right to unionize freely to defend their rights. The experience of workers who have tried to challenge such a situation was brought home painfully to us by the testimony we received from maquila worker, Pedro Lopez, from the state of Tamaulipas. Mr. Lopez told us about his experience trying to help organize an independence union at the Duro Bag Company, a maquila where labour rights were routinely violated. The first such initiative to occur under the new administration of President Vicente Fox, the vote took place on March 2, in what can only be described as conditions of fear, intimidation and violence. Workers were locked inside the factory and had to declare their vote verbally (rather than a secret ballot) in the presence of heavily armed men (who the day before had entered the plant with machine guns), hired by the ''official'' union affiliated with Mexico's former ruling PRI party. International and Mexican observers were not allowed to enter. Needless to say, the independent union lost the vote. The following day, Mr. Lopez had to be hospitalized when his vehicle was forced off the road by two others, the ''accident'' leaving a scar still visible on his face.

The 3 metre high fence that runs along the border with the United States—a sign that desperate people from other parts of Mexico can come to Juarez to be a source of cheap labour in the maquila factories but are not welcome any further north—was always visible during our stay. Visible too was the militarized U.S. border patrol, posted along the fence at regular intervals. Borders between Canada, the United States and Mexico under NAFTA have been opened to the free passage of goods and capital but not to people.

It is deeply troubling to us that a wall has been erected on the border between the United States and Mexico under NAFTA, in contrast to the experience of Europe, where the Berlin Wall has been dismantled and the European Union has opened up its borders to increased movement of workers between member countries. As we heard from social organizations in Juarez, militarizing the border does not stop those desperate for the means to adequately provide for their families from trying to get across. It only makes the crossing more dangerous, as those attempting to get into the US take greater risks, such as picking routes that require days walking in the desert or other hazards. A study by the University of Houston recorded over 300 deaths during border crossings in 2000.

A VISIT TO NORTHERN MEXICO SHOWS JUST HOW BADLY ECONOMIC DEMOCRACY IS NEEDED—BUT WILL THE SUMMIT OF THE AMERICAS ADDRESS THAT CHALLENGE?—APRIL 2001

Mexican President Vicente Fox's arrival in Canada is sure to occasion, on the part of apologists eager to have the Summit of the Americas extend free market policies, rhetoric that would be more suitable for the Second Coming. For they regard it as gospel that it was the North American Free Trade Agreement that brought democracy—and President Fox—to Mexico.

Fox is, by all accounts, a gifted and concerned leader, but I'd like to ask him and his NAFTA partners how they square the supposed arrival of democracy with the fence—steel, chain-linked, three metres high and guarded by armed Border Patrols at regular intervals—that I saw along Mexico's border with the United States.

It's a strange, capricious fence. Trucks roar through its gates night and day, loaded with goods. Money floods over it; investments heading south, profits heading north. Canadians and Americans pass through, with only a cursory glance from officials. For Mexicans—at least, for the now 58 percent of Mexicans who live in grinding poverty despite their country's ''rapid economic growth''—it's a different story. The fence is there to keep them out.

Earlier this month, I travelled to northern Mexico with other Canadian church leaders to see what has happened to those the fence was built to retain.

In the once densely-forested mountains of the Tarahumara Sierra, we met with the indigenous community of San Alonso who gave us a letter for our government, signed with their thumbprints, that pleads for ''an end to the impoverishment of our people''. People here once lived from agriculture and from selling small amounts of timber. But changes to forestry controls under free trade have brought multinational companies and clear cutting. Soils for food crops are eroding. ''Laws have been imposed that favour companies from other countries,'' says the local Catholic Church, referring to legislation that paved the way for NAFTA. ''These laws have enabled much wealth to be taken from the Sierra, leaving behind growing poverty.''

We saw the impact in the ulcerated, sightless corneas of a child whose mother had nothing to feed him but a soup of ground corn. We sat with an indigenous woman who had brought her dying baby to a dispensary run by nuns, and heard that 48 percent of infants in the Sierra die before the age of five because of chronic malnutrition. Other than suicide—a new phenomenon in indigenous communities, the nuns told us—many see only two alternatives: cultivate marijuana

or poppies for drug traffickers or migrate north in search of work, abandoning ancestral land, breaking up families, and splintering communities.

In the farmland of Chihuahua, families who used to make a living growing corn and beans have also seen their livelihood destroyed by so-called free trade. Promised that NAFTA would greatly improve their lot, Mexican corn producers saw subsidies eliminated by 1997—12 years ahead of schedule—along with credit for small farmers. Meanwhile, the lifting of tariffs has allowed a flood of cheap corn and beans from the U.S., where farmers can access 5 percent loans and subsidies at 46 percent of the cost of production. Unable to compete, Mexican farming families are struggling to survive. Once again, we heard how people are reduced to eating little other than corn and we witnessed the agony of families torn asunder, communities dispersed, as former farmers are forced north to the squalor of the border or the perils of crossing illegally into the United States, in search of the means to sustain their children.

Our last stop was Juarez, on the border with Texas, a city rapidly expanding with newcomers from the Sierra, from abandoned farms, and other parts of Mexico that have only got poorer under NAFTA. Many have been lured by the promise of a job in one of some 400 maquila factories that assemble car parts or electronics for Fortune 500 companies selling to North American consumers. ''The maquila has stolen our dreams of a better future'', exhausted women barely out of their teens, told us, explaining the pressures of the assembly line, impossibly high production quotas, repetitive motion injuries and salaries of just US $4.50 a day.

Others told us about employment conditions that beggar description: forced to work unprotected in the presence of dangerous chemicals, their right to organize unions thwarted by managers who bring in thugs armed with automatic weapons. Earning in a day the equivalent of a two-litre jug of milk, workers are condemned to slums, without potable water or sanitation, where many live in hovels made of discarded pallets, covered with cardboard.

''Good fences make good neighbors.'' That's what the poet Robert Frost's neighbour told him one spring day when they were out surveying the winter-ravaged stone wall that ran between their properties. Frost wasn't so sure. He wrote, ''Before I built a wall I'd ask to know what I was walling in or walling out, and to whom I was likely to give offense.''

The work that Messrs. Fox, Bush, Chretien and their colleagues do this weekend will be an offense if it does not address the unconscionable disparity between rich nations, like Canada and the United States, and poor nations, like Mexico. Policies such as those enshrined in NAFTA, which guarantee the free play of market forces, are an offense because they deny that which is the first democratic right—the right not to starve to death. Then they compound the offence by building barriers—steel, chain-linked, three metres high—to wall the hungry out.

The day the fence is no longer necessary will be the day to celebrate the arrival of democracy—true democracy—in the hemisphere.

TRIBUTE TO THE LATE JOHN H.P. ''HAPPY JACK'' CHANDLER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Hampshire (Mr. SUNUNU) is recognized for 5 minutes.

Mr. SUNUNU. Mr. Speaker, I rise today to pay tribute to a great citizen, State Senator, and a former Congressional candidate, Jack Chandler of Warner, New Hampshire.

On May 3, 2001, Jack's family and friends joined together to remember this remarkable man who touched the lives of everyone he met in the 89 years he was blessed to walk this Earth. He was unique and at times even controversial, but all that met Jack Chandler agreed he loved his State and he loved his country, a patriot to the end.

Jack grew up in Portsmouth, New Hampshire, and led a storybook life. He was a descendent of Nathan Hale, and his own convictions were rooted in the principles of our Nation's founders. In the tradition of Revolutionaries like Hamilton, he owned and operated his own newspaper, the Kearsarge Independent; and I am certain his editorials still blaze in the minds of many former readers.

Jack was a pioneer in New Hampshire's ski industry with the great idea to fill trains in Boston with skiers and welcome them to the slopes of the Granite State. A half century later, this tradition continues every winter weekend when the roads north are filled with skiers on the move.

As a politician, Jack Chandler was a genuine article. He stood firm in his beliefs and never hesitated to speak his mind. Perhaps he was one of the last in an age of politicians that never needed a poll to see where to stand on an issue. He constantly traveled his district, campaigning town-to-town and person-to-person, always willing to lend an ear or a helping hand to a constituent. Although Jack did not believe in big government, he had a generous heart that even his critics grew to admire.

It is difficult to say good-bye to ''Happy Jack,'' but I am grateful I had a chance to know him during his wonderful journey throughout New Hampshire. He made a huge difference in the lives of his constituents, his friends, but mostly his family. Godspeed, Jack Chandler.

CONCERN OVER ENERGY POLICY IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the very patient gentleman from Tennessee (Mr. DUNCAN) is recognized for 60 minutes as the designee of the majority leader.

Mr. DUNCAN. Mr. Speaker, I rise tonight because people all over this Nation are concerned because they see their utility bills going way up with gas prices possibly heading to $3 a gallon, according to many articles. All of this is happening at a time that other prices are going up. Our economy has been slowing for almost a year now, the dot.coms have taken a dive, and many major corporations have laid off thousands of people.

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These things are happening. Utility bills are going up; gas prices are going up because of years of environmental extremism and actions by the administration of former President Clinton all coming home to roost.

For years now, we have had groups of environmental extremists all over this country protesting and stopping or delaying for years anytime anyone tried to drill for any oil, dig for any coal, cut any trees, or produce any natural gas. This has helped extremely big business, which has financed many of these groups, because it has driven thousands of small and now even medium-sized businesses out of existence or forced them to merge. In the late 1970s, I am told we had 157 small-coal companies in east Tennessee. Now there are none. Federal mining regulators opened an office in Knoxville, and the regulators and the environmentalists drove all of the coal companies out of business. The same thing has happened to small logging companies all over this country. I have read and heard that many small communities have been devastated.

Today, in the Subcommittee on Water Resources and Environment, we heard testimony about a proposal for 400 pages of new regulations by the EPA on the runoff from animal feeding operations. All of the witnesses told us that this would drive many more small farmers out of business and lead to much more concentration by the big giants in the agriculture industry. Those on the left are always telling us they are for the little guy; but when they create this big government that comes down with all of these rules and regulations and red tape, it first drives out the small guys, and then it gets the medium-sized people, and it ends up destroying jobs and driving up prices. And who ends up getting hurt? The lower-income and the working people and the middle-income people of this country.

We are going to talk tonight, Mr. Speaker, about its effect on several different industries; and I am pleased to be joined here tonight by one of my best friends here in the House and one of the most respected Members of Congress, the gentleman from Kentucky (Mr. LEWIS). I would like to yield to him at this time for any opening comments that he wishes to make.

Mr. LEWIS of Kentucky. Mr. Speaker, I thank the gentleman for yielding.

The gentleman from Tennessee (Mr. DUNCAN) is totally correct, Mr. Speaker. We have an energy crisis in this country today because for the most part it is self-imposed because of the extreme views of some people in this country about the environment.

Now, of course, no one is opposed to clean air, clean water, safe working

conditions. We all want those things. But there has to be some common sense applied when we deal in these areas. We need some good scientific data; we need cost analyses, risk assessment, due process built into what we do concerning our environment and how it relates to our economy and to our energy.

As the gentleman just stated, this has cost our economy, it has cost the working people in this country thousands upon thousands of jobs. Since 1990, as a matter of fact, more than 100,000 jobs have been lost due to lower domestic oil and gas exploration and production. And then we can multiply that probably several times over when we look at all of the other industries, the timber industry, the coal industry. If we look at what has happened, we certainly, I think, have seen a self-imposed energy crisis; and it now is affecting our economy, costing more jobs. Every time someone pulls up to a gas pump today and they see $2 per gallon gas and every time they get their electric bill and every time they get their gas bill or home heating oil bill, that has an effect on our economy and on the ability of my constituents and citizens across this land on the bottom line, how are they going to make ends meet.

I yield back to my friend.

Mr. DUNCAN. Mr. Speaker, I thank the gentleman. Let me just say this. What we are talking about here tonight is the hope that we can get some balance and moderation brought back into our environmental policies.

I voted for the toughest clean air law in the world, and I voted for the toughest clean water law in the world, and I voted to require double hulls on oil tankers and for higher grazing fees on our Federal lands and the Tongas Timber Reform Act, and so many environmental laws I probably could not even count them all, and I am sure the gentleman from Kentucky has as well. But some of these groups keep having to raise the bar and are demanding more and more and more, or their contributions dry up. So I really think that all of this is about money.

One of the subcommittees on which I serve is the Subcommittee on Forests, and I was told by the staff of that subcommittee that in the mid-1980s, Congress passed a law saying that we would not cut more than 80 percent of the new growth in the national forests, and the environmentalists wanted that law. Today, we are cutting less than one-seventh of the new growth, less than 14 percent of the new growth, and that at a time when the amount of forest land in this country has been going way up. Yes, I said, way up.

I have been reading, and I am almost through with Bill Bryson's very fine book called ''A Walk in the Woods,'' about hiking the Appalachian Trail. At one point in the book he mentions that New England in 1850 was only 30 percent forest and 70 percent open farmland. Today he writes, New England is 70 percent in forest land. In my own State of Tennessee, according to the Knoxville News Sentinel, in 1950 it was 36 percent forests. Now 50 percent of Tennessee is now made up of forests. Yet left-wing environmentalists have so successfully brainwashed many young people and children that I am sure if I went into any school and asked them if the number of trees had gone way up or way down in the last 50 or 100 or even 150 years, almost all of the children would say way down, when the truth is exactly the opposite.

The Subcommittee on Forests in early 1998 had a hearing in which we were told that 39 million acres of forest land in the western part of the country was in immediate danger of catastrophic forest fires, because when we cut less than 3 billion board feet, and to somebody who does not know anything about it, 3 billion board feet probably sounds like a lot, but as I said earlier, that is less than one-seventh of the new growth in our national forests, much less what is already there. But we are cutting less than half of the dead and dying trees.

So those dead trees which we cannot even get to to remove, once again, because of the extremism that we have had in some of these environmental policies, the fuel buildup on the floor of the forest has led to this great danger of forest fires, and we were warned about that in our subcommittee by our subcommittee in early 1998 and again in 2000. So then what happened? Last summer we saw 7 million acres out West burn, $10 billion worth of damage. Yet, if the gentleman from Kentucky (Mr. LEWIS) or I went into one of our national forests and burned or cut down one tree, we would probably be arrested.

So what happens when we will not let anybody cut any trees? The price of lumber goes up, houses cost more, furniture costs more, every product made of paper costs more; and once again, as I mentioned earlier, we devastate these logging communities. So what happens? We destroy jobs; we drive up prices. And who do we hurt? The poor and the lower-income and the middle-income people.

I remember a few years ago reading that the average member of the Sierra Club has an income of more than four times higher than the average American. Maybe some of these rich people in the Sierra Club are not hurt if gas prices go to $3 a gallon or if the utility bills are doubled or if the prices go up on timber and everything else; but a lot of middle-income, millions of middle-income and lower-income people are hurt when all of those jobs are destroyed and the prices go up on everything.

Mr. Speaker, I would like to yield back to my friend for any comments he wishes to make at this time.

Mr. LEWIS of Kentucky. Mr. Speaker, I thank the gentleman for yielding. As the gentleman from Tennessee just mentioned, why are we in this mess? What has caused this energy crisis? What has caused the problems dealing with our timberland?

Well, it is because there are those who have stood in the way of progress in this country and they have stood in the way of doing the right thing in defending some extreme point of view.

When we look at the energy crisis that we are facing today, the question is, How did we get into this mess? Well, number one, there have been no major oil refineries built in 30 years. There are 36 refineries that have been shut down since 1992. The refineries that we have now are operating at the highest level that they probably can, but current gasoline inventories are below the average level. What we have cannot create enough gasoline. It is a matter of the law of supply and demand. There is not enough supply for the demand in this country today.

In 1992, our U.S. oil production, or since 1992, our U.S. oil production is down 17 percent, but our consumption is up 14 percent. And nearly 60 percent of our oil is imported.

So here we are. We are dependent on foreign oil. We cannot get enough oil, and if we were able to get enough oil at this point, we do not have the refinery capacity to produce the gasoline. So it does not take too much reasoning to figure out the problem we are in here. We just do not have enough supply for the demand, and it is hurting our Nation. It is causing some real problems. As the gentleman just said, it is hurting the people that our workers, our middle class, our poor, because they depend on the ability for low-priced fuel. We are going to see more problems.

What is the answer? I guess that is the question, What is the answer? Well, we have a great supply of oil in Alaska. We have great supplies of oil off of our shores; and with the technology that we have today, we have the technology to go in and get those oil reserves without hurting the environment.

Mr. Speaker, this is the problem. We have come a long way since the 1970s in producing technology that protects the environment, but allows us to have the energy resources we need to keep our economy moving in the right direction. But there are those that are extreme, the extreme environmentalists. They do not want to use the technologies. They do not want to do anything. They want to make sure that not one renewable resource like a tree is touched; they do not want to go in the direction of common sense. They want to stake out these extreme positions and stand there.

The sad part about it, there are many here in Washington that want to support that extreme point of view, and they do not want to do what we have to do, and that is go after the resources we have and use those resources, the oil, the coal, and the natural gas. I yield back to the gentleman.

Mr. DUNCAN. Mr. Speaker, I thank the gentleman. I think the gentleman is exactly right. When we cut fewer and fewer trees, we destroy jobs and we drive up prices, as I said, for homes and furniture and every type of paper product. When we restrict and cut back and eliminate coal companies and coal production, we drive up utility bills and drive up costs for businesses that have to be passed on to the consumer for every type of product, and we destroy more jobs.

When we close half of the oil refineries, as we have done since 1980, and we sign, as President Clinton did, orders to not allow oil drilling in Alaska, and 80 percent of our offshore capabilities, we drive up the price for oil and gas and destroy more jobs. When we sign, as President Clinton did just before he left office, an order locking up 213 trillion cubic feet of natural gas, we drive up utility bills and destroy prices. For anyone who wants more information on this lockup of natural gas, they can read last month's Consumers' Research Magazine and the article by Rider from USA Today in which he said that President Clinton locked up 213 trillion cubic feet of natural gas. Mr. Speaker, then what happens? People's utility bills all over the country go way up.

I have the mayor of Engelwood, Tennessee, a small town in my district, who comes to me and tells me that he has senior citizens who are having to choose between eating or paying their utility bills. Once again, I say who we hurt with this environmental extremism is not these wealthy environmentalists; but we hurt the poor and the lower-income and the working people because we destroy jobs and drive up prices, and it hurts those lower-income people, and now even middle-income people who are becoming very concerned about how these bills are going up.

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But the gentleman from Kentucky (Mr. LEWIS) mentioned the oil situation.

Last September 25, long before the current administration came in, the Washington Post National Weekly Edition had a cover story headline which said, ''Will rising oil prices kill the boom?''

I can tell the Members that Aviation Daily reported last December that 12 airlines went into bankruptcy last year, mainly due to higher-than-expected oil prices. The Air Transport Association told me, and I chaired for the last 6 years the Subcommittee on Aviation so this was of special interest to me, they told me that each one penny interest in jet fuel cost the industry as a whole $200 million. So if oil prices go up, airline tickets have to go up. Then more people are forced onto our much less safe highways, the trucking industry is hurt, agriculture is hurt, and almost everything is hurt. Then, as the Washington Post asked on its cover, ''Will rising oil prices kill the boom?''

As the gentleman from Kentucky (Mr. LEWIS) said, and I think he has some additional information, we have all of this oil. We have so much oil. I heard one radio report saying oil is the second most plentiful liquid today, after salt water, and we have hundreds of years of supplies if we did not have these extreme groups keeping us from getting to it.

Vice President CHENEY gave us a briefing this morning. He said that today well over half of our oil is having to be imported, and that by the year 2020, it is going to be two-thirds of our oil, and we are going to be even more subject to being held hostage by OPEC and some of these other foreign countries.

Now, the U.S. Geologic Survey tells us that we have I think it is 16 billion barrels of oil in one little tiny place, on the coastal plain of Alaska. I can tell the Members, I have been up there twice. I have been twice to Prudhoe Bay.

The first time was about 6 years ago, and I had a man in the Anchorage Airport who I told where I was going, and he said, well, if you see anything up there taller than 2 feet, it was put there yesterday by a man.

Some of these groups show this false, almost Nazi-like propaganda showing trees and mountains and so forth. The Arctic National Wildlife Refuge is 19.8 million acres. It is so big we almost cannot comprehend it. It is 35 times the size of the Great Smokies, a big part of which are in my district.

We have between 9 million and 10 million visitors a year to the Great Smokies. Time Magazine reported a couple of months ago that last year the entire Arctic National Wildlife Refuge had 1,000 visitors, because there are no roads or paths, and it is dangerous for most people to go up there.

We could drill on about 2,000 acres out of that 19.8 million acres and potentially get up to 16 billion barrels of oil, which is equal to 30 years of Saudi oil. We could do it in an environmentally safe way. Yet, we cannot do it. The votes are not there because of environmental extremists who put out all this false propaganda, so people see their gas prices going up and potentially going up much higher.

I yield to the gentleman from Kentucky (Mr. LEWIS) because he has more information about the ANWR.

Mr. LEWIS of Kentucky. Mr. Speaker, as the gentleman knows, the information that is put out by some of these extreme groups says that this is pristine forest and a beautiful landscape, and it is the last great frontier.

I have a picture of the area that would be drilled. Like the gentleman said, it is 2,000 acres. It would be about the size of Dulles Airport where the drilling would take place. With the technology that we have today, there would be no harm done to the environment. Here is a picture of that pristine, beautiful landscape. It looks like the moon. There is nothing there. It is amazing.

If we look at some of these other areas, yes, they are beautiful landscapes, but this is the coastal plain, ANWR, where the drilling would be done. I think there has been some false information put out about what that area looks like and the damage that would be done to wildlife.

The efforts that would be put in place there to get that 30-year supply of oil would certainly, with the technology we have today, would certainly do no harm to that environment.

What would this mean to American workers if we go after that oil, if we start to work on our own domestic supplies for energy? I was reading in the Washington Times yesterday that the energy plan that the President is talking about would call for building between 1,300 and 1,900 new power plants and spending $150 billion on new pipelines and transmission facilities, creating millions of jobs for carpenters plus energy, electrical, and construction and operation and maintenance workers all over this land. It would create a lot of jobs to get us back, really, to where we need to go for our energy supply in this country.

But if we do not, if we do not go after what we have that God has blessed this Nation with, then there are going to be a lot more jobs lost because of this extreme view. And I think, yes, here in Congress we should, in a bipartisan way, come together and work for the good of the American people and not let this be a political football.

But there are already those, our friends across the aisle, that are saying the way out of this mess would be to conserve our energy. Well, we would have a tough time conserving our way out of our energy crisis at this point, especially when we are about 1,900 utility power plants behind, we are depending on 60 percent of our oil from foreign sources, and we still do not have enough. We do not have enough refineries.

Yes, we can do some more conservation, but the bottom line is, we have to go after the supply to meet the demand for this country and meet the needs of our economy for the 21st century.

Mr. DUNCAN. I thank the gentleman, once again, he is exactly right on target.

Mr. Speaker, as I said earlier, we are simply trying to say that we hope to bring back some moderation and balance to our environmental policies, instead of allowing environmental extremists to control all of these things.

It is like I have seen cartoons showing hundreds of oil wells in that Arctic wildlife refuge. That is totally false, because today the technology is such, as the gentleman mentioned, that we could put one oil well and go out 4 and 5 miles in any direction, so the footprint on the land is hardly anything at all.

They said the people who opposed the original Alaska pipeline, and thank goodness we have that or we would have been in trouble years ago, they said it would kill off the caribou. At that time they say there were between 5,000 and 6,000 caribou. Now there are over 30,000 caribou. So all of this can be done in an environmentally safe way.

As I said earlier, the coastal plain, which is 1.5 million acres, and as I said, I have been there twice, and most of these people who are against this have never even been there, there is not a tree or bush up there. It is a frozen tundra, as they call it. As the gentleman from Kentucky (Mr. LEWIS) said, it looks like a moonscape.

I was up there in August. Both times I was there in August it was brown with little puddles of oil seeping up. Most of the year it is covered by snow and ice. Yet, these groups show these pictures of the mountains and trees where nobody has ever advocated drilling for oil.

As I said earlier, I have noticed over the years that most of these extreme environmentalists seem to come from wealthy or very upper-income families. As I said before, maybe they are not hurt if utility bills double or gas prices go way up, but millions of people are hurt and millions more are going to be hurt even worse if we do not start getting some order, moderation, and balance back into our environmental policies.

The Sierra Club and some of these other environmental groups have gone so far to the left now they make even socialists look conservative. Some of these radical environmentalists, some proudly call themselves ecoterrorists, seem to want to shut this country down economically.

They seem not to realize that the worst pollution in the world has occurred in the Communist and socialist nations because their economies do not generate enough income to do the good things for the environment that all of us want to do, so they protest any time anyone wants to dig for any coal or drill for any oil or cut any trees or produce any natural gas.

Then these coal companies and timber companies and oil refineries and small natural gas producers that are run out of business can no longer hire accountants and salespeople and lawyers and blue collar workers, and people wonder why their college graduate children or grandchildren cannot find jobs, cannot find good jobs and have to work in restaurants, as many college students are working today, and why they have to go to graduate school.

Mr. Speaker, this is really all about money. Environmental groups have to continually tell us how bad everything is or their contributions will dry up. Many of their contributions, as I have said, come from extremely big businesses, which are really the only ones which benefit when all of these small- and medium-sized businesses are forced out of business or forced to merge.

Also, they are big enough to get the huge Federal contracts with obscene markups to do the environmental cleanup that is demanded by the same groups that they fund.

It is amazing, I think, when these liberals and left-wingers and environmental extremists claim to be the friend of the little guy, because they are the best friends that extremely big business has. But almost everything they do ends up hurting the poor and lower-income people, and very small businesses and small farms. Jobs are destroyed and prices go up. More and more jobs are forced to go to other countries.

Some groups, of course, receive contributions from foreign oil companies and people connected to OPEC or foreign shipping companies. There are many large foreign companies, and even some large U.S. companies that benefit greatly and make huge money if we have to import more oil, or more of other products, for that matter. It is all about money.

That is what the Kyoto agreement is all about, for instance, because the U.S. relied on a free enterprise-free market economy with small government until recent years. The U.S. now purchases 25 percent of the world's goods, though we have just slightly over 4 percent of the world's population. Many countries are jealous of this, and believe they could take more of our jobs and income if we had to reduce our energy use by 30 percent, as the Kyoto agreement would require.

The Kyoto agreement excludes such large polluters as Mexico and China and more than 125 other countries. This treaty would devastate our economy, and we should all praise President Bush for not caving in to the demands of extremists and going along with such a potentially harmful agreement.

Some people who support the Kyoto agreement and oppose any type of coal or oil or lumber or natural gas production in this country know that their policies would be very harmful to the U.S. economically, and yet they do these things anyway.

I yield to the gentleman from Kentucky (Mr. LEWIS) for any comments he wishes to make.

Mr. LEWIS of Kentucky. Speaking of the Kyoto treaty, I was in China a few years ago. I was in Sian, China. The smog, coal, smoke in that city was so bad that the people, the citizens of that city, had to wear like surgical masks. We could not see for the pollution. In the Kyoto treaty, it is my understanding that they were exempt from the environmental restraints that we would have been placing ourselves under. That did not make a lot of sense to me.

We have done a good job in this country with technology, we have done some good things with our environment, and new technology and reasonable regulations can make increased consumption of our energy supplies possible and continue to decrease pollution. But there has to be, again, some common sense built into it.

In Kentucky, I can use Kentucky as a good example, through clean coal technology, we use a lot of coal in our utilities, and we have the lowest or I think probably the second- or third-lowest rates for our electric utility bills of any State in the Nation. But through coal technology, we have really reduced emissions, and in fact, it is almost as clean now as the natural gas being used in other utility companies.

So with clean coal technologies, we have been able to increase coal by 195 percent over the last 30 years, while cutting coal air emissions by one-third. So we have a 300-year supply of coal, and we have done the right things in being able to use that energy source, but no one wants to reward that. They want to take it even to a greater extreme and say, basically, no coal, no oil; we are going to have to move on to some alternative energy sources that will not meet the demand that we have today.

Again, it comes back to getting rid of the extremism and getting into a scientific-based commonsense approach to how we are going to deal with our energy supply in this country.

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We are blessed and we need to use those blessings to benefit our population here in this country. I think it is certainly time that we start looking at the handwriting on the wall and today start turning the situation around.

I think you can compare the situation in Kentucky and California. We have new power plants coming online. We have the energy. We have low-cost energy, so we could do that across this country, but we have to start.

Mr. Speaker, 1,300 or 1,900 new power plants over the next 20 years to just get us to the supply we are going to need in order to provide the electricity for this country, if anything, stands in our way and that does not make sense. We are hurting our economy, and we are hurting the working people in this country.

Mr. DUNCAN. Mr. Speaker, I thank the gentleman, and he is exactly right. I mentioned the briefing that Vice President CHENEY gave us this morning. We were not given all the details, but President Bush, among other things, I am told, is going to announce in his energy plan tomorrow $2 billion for clean coal technology.

The President is not going to announce any tax breaks for big oil companies or big gas companies, but he is going to advocate tax breaks or incentives for alternative energy sources and for renewable energy sources. Yet he still will be attacked on it, I am sure.

The gentleman from Kentucky (Mr. LEWIS) mentioned the Kyoto agreement. The global climate information project said that, quote, So while the U.S. cuts energy use by more than 30 percent, most U.N. countries get a free ride. Because U.S. energy prices will rise, American products could be more expensive at home and less competitive overseas. That will slow down our economic growth and cost American jobs, all for a treaty that will produce little or no environmental benefit.

One thing it would do for sure is speed up the transfer of wealth and jobs from this Nation to underdeveloped countries.

I can tell you unless you can reduce your standard of living by 30 percent overnight, which very few people in this country would want to do, and no one should want to do, no one should have to do because we do not have to, if we can just get a little moderation and balance back into our environmental policies instead of following the extremist groups that have power far beyond their numbers.

As I mentioned earlier, some of these people I think know that this Kyoto agreement would devastate our economy, and yet they do not believe they should think of themselves as Americans first and foremost, but they should consider themselves as citizens of the world.

They think things like national borders and patriotism are old-fashioned anachronisms totally out of date and out of place in our sophisticated, globalized world economy of today.

I know Strobe Talbott who roomed with former President Clinton in Oxford and who was one of his main advisors. He wrote this: He said within the next 100 years, nationhood as we know it will be obsolete. All States will recognize a single global authority.

He may be right, but I certainly hope not.

I want to read to you what nationally syndicated columnist Georgie Anne Geyer wrote recently about those individuals and multinational corporations that she referred to as globalizers. First, they came and took away Main Street and all that meant in terms of the individual and the community and of small businesses who supported the Fourth of July parades, the Girl Scouts and the old folks home. Finally, they took away American industries and corporations. They could have headquarters anywhere in the world. They were proud not to belong to any archaic nation-state. Who, after all, really believed anymore? This, always said with such a patronizing smile in such old things. In between, they managed to denigrate patriotism, citizenship, environmental protectionism, labor, including child labor, human rights protection, and all that made for an American society.

As I said earlier, these extreme policies that we have been going to have hurt for many years and are hurting now the small companies, and now even the medium-sized companies and driving them out of business and hurting what I do not like to refer to as the little guy, but that is the most accurate way you can portray it.

I have always heard that what happens in California is soon headed to the rest of the Nation. We better hope not, because people in California wonder why their utility bills have gone up so much. And once again, these environmental extremists have made sure that no power plants were built in many years there.

So while demand was going up, capacity was not keeping up. The brownouts and blackouts of recent weeks were inevitable.

The national news a few weeks ago showed scenes of California farmers dumping out huge amounts of milk because processing plants had to shut down because of lack of power. So people all over the country will see milk prices go higher.

As I said repeatedly tonight, we just need to get some balance and moderation back into some of these policies so we do not drive up the prices and hurt the poor and the lower-income and the working people of this country.

Mr. Speaker, I yield to the gentleman from Kentucky (Mr. LEWIS).

Mr. LEWIS of Kentucky. Mr. Speaker, I thank the gentleman for yielding to me. Here are the people who are being hurt by these high energy prices. The gentleman just mentioned the dairy farmers in California having to pour the milk out because they cannot run their operation, keep the milk without the electricity. But farmers are doing their spring planning, an expense that they have to bear for diesel fuel and for gasoline. Those costs are really cutting into, really, a very much shrinking margin that they have to deal with anyway.

In fact, most of our farmers today, with the prices of grain, are fighting a losing battle. Then when you add these fuel prices on top of that, it is just a disaster for them.

The gentleman mentioned the low-income people. They cannot possibly afford these high energy costs, yet back when this started to happen in the winter, when the costs of heating oil and the costs of natural gas to heat their homes, some people were getting these enormous bills, they could not even afford to make their house payments because of the fuel bills that they were having to come up with.

Of course, we all know about the $2-per-gallon gasoline. That is projected to get worse through the summer. This just is not fair. It is not right because of a small group that have had their way for the last 30 years. Now they have put us in a situation where our people, the citizens of this country, are not being able to enjoy the fruits of their labor.

The economy has been running in a magnificent way, but it is in danger of putting the brakes on the success that we have seen for the last, goodness, 20 years in this country of prospering and growth in our economy in ways that we may not have ever imagined.

But now we are facing a situation where we could have some problems. We do not have to. We have the resources, and we have the supply, so we need to go after it. Yes, there are going to be some long-term efforts that we are going to have to make, but there are some things that we can do now.

We can start to remove some of the regulations that are causing some problems in getting our energy sources.

Mr. DUNCAN. The gentleman is exactly right, and that is the sad thing. We have plenty of oil, plenty of coal, plenty of natural gas, plenty of timber; as I said, much more timber than we had 50 or even 100 years ago. We have got plentiful supplies.

As the gentleman said, God has blessed this Nation greatly, and yet to stop everything and shut this country down economically just would devastate, first, the poorest people in this country. Yet some of these people who know that it would shut us down and would harm us greatly economically, they feel justified at times because of a misguided belief that we are all destroying the world because of global warming.

Mr. Speaker, I would like to just mention that for a moment. I have a report of Sallie Baliunas, who is a senior staff astrophysicist at the Harvard-Smithsonian Center for Astrophysics and deputy director of the Mount Wilson Observatory. In 1991, Discover Magazine profiled her as one of America's outstanding women scientists.

She received her master's and Ph.D. degrees in astrophysics from Harvard University. She put out a very detailed report. I would be glad to provide copies of it to any Member who wishes, or staff member who needs it, but she says this global warming scare assumes that human emissions of carbon dioxide and other greenhouse gases are the dominant driving force in recent and probably future climate changes.

Yet surface temperature records indicate that the world is warmed only about 0.5 degrees centigrade during the last 100 years, roughly half of the amount predicted by the computer models on which warming scenarios are based. Moreover, at least half the warming observed during the 20th century occurred before 1940, while most of the increase in greenhouse gas concentrations occurred after 1940.

That suggests that of the observed warming, mankind is responsible for only about one-tenth or two-tenths of a degree. It further suggests that future temperature increases due to industrial activity during the next century are likely to be extremely modest.

I could come here tonight armed with all kinds of reports that say the exact same thing, and even that the very, very small amount of global warming that has occurred has actually helped us increase crop production and helped alleviate starvation in many parts of the world.

The gentleman started off earlier tonight and said we need to have some sound science behind some of these policies. We have not had that, and we have not had cost-benefit analysis on some of these things, so we have ended up following many policies that have been very costly and very harmful to this country.

Once again, as I say, maybe they have helped a few extremely big businesses, because much of their competition has been driven out of existence; but it should be of great concern to all Americans, particularly those who are concerned and upset about these higher utility bills and higher gas bills and higher prices on everything else, because all of this is hitting at a time when it is becoming more and more difficult for many middle-income people to meet some of these bills.

I have said before that extremely big government really only helps extremely big business and the bureaucrats who work for the government. Extremely big government is really good at only one thing. That is wiping out the middle class.

Mr. Speaker, I can tell my colleagues that every place in the world where the people have allowed their governments to get too big, the middle class has been wiped out, and you end up with a few elitists at the top and a huge underclass.

The great thing about the United States of America is that we have kept our government relatively small in comparison to other countries, and therefore we have had few people at the top and few at the bottom and a huge middle class.

I also can tell my colleagues, you can never satisfy government's appetite for money or land. If we gave every agency and department up here twice what we are giving them, they would be happy for maybe a few weeks or a few months, but then they would come back to us crying about a shortfall in funding.

I also want to mention something about government's appetite for land, because that ties into private property. It certainly ties into these economic problems. But I will yield to the gentleman from Kentucky (Mr. LEWIS).

Mr. LEWIS of Kentucky. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would love to know the numbers. How many jobs have been lost? How many jobs has this movement cost the workers in this country? How many automobile workers? How many construction workers? How many miners? How many timber workers? How many laborers have lost jobs because of this very extreme position on the environment? It has to be thousands upon thousands, upon thousands of jobs that have been lost.

More are going to be lost if this energy crisis takes our economy in the wrong direction. I think with what we are seeing today with the slowdown, it is a direct result of this energy crisis, of the costs of energy. You cannot have $2-a-gallon gasoline and the costs of oil and the costs of natural gas without it affecting the economy.

I think that we are seeing a direct result of the energy costs. How many more jobs will it cost? It is the working people that are going to be hurt. It is those folks that get up every day and go out to work and they have to provide for their families. They pull up to the gas station and, gosh, there is $2-a-gallon gasoline, and it could be getting worse.

□ 2015

I think this is what is happening because of this self-imposed energy crisis. But this can be turned around. Yes, there is no short-term solution. But in the long-term, this can be turned around, and it can provide a lot of employment for a lot of people in this country.

So I think we certainly have to be good stewards. We have to use good science. We have to make sure that we continue on the path of keeping our environment clean and sound. But we have the technology to be able to use our resources and to make sure that the people in this country are able to live their lives to the best that they can live. To have anything at this point to stand in the way of that, I think, would be a tragedy, especially when there was no real need for it to happen.

Mr. DUNCAN. Mr. Speaker, I could not agree with the gentleman from Kentucky more. He is exactly right. Last year, we had the largest or biggest trade deficit in our history. I think it was $350 billion. Every leading economist tells us that we lose conservatively 20,000 jobs per billion, which means we lost 7 million jobs to other countries last year; and much of it was because of these extreme policies that we have been following in recent years that have forced more companies to go to other countries and take some of our best jobs.

Once again, as I said earlier, then I have many parents and grandparents coming to me bringing their college-age kids, good-looking kids with good grades, but they cannot find the good jobs that used to be out there. So they end up, even while they work on master's degrees or something, and then they are still going to have trouble finding these jobs.

I know last year The Washington Times had a big story about the glut of Ph.D.s that we have, and so many people even with the advanced degrees are having trouble finding jobs.

But there is one last thing that I want to get into because it has been a great concern of mine for the last 2 or 3 years. Private property is one of the foundation stones of our prosperity. Once again, some of these extreme environmental groups want the government to take over all of the land.

There is something called the Wildlands Project that I read about in The Washington Post that would require 50 percent of the land now in private ownership to be taken over by the government. If people do not think that theirs will ever be taken over by the government, they should look around at every place in this country and all the land that has been taken over. It has happened all around my area of east Tennessee.

I can tell my colleagues that today the Federal Government owns or controls over 30 percent of the land in this country. State and local governments and quasi-governmental agencies control or own another 20 percent. So half the land is in some type of public ownership.

Then government keeps placing more and more restrictions on what can be done with the land that remains in private hands. In fact, I was told by the Home Builders Association a few years ago that, if the wetlands regulations were strictly enforced, over 60 percent of the developable land that is out there right now would be off limits. So what does that do? That drives up the prices for homes. So we have young families that, in past years would have been able to afford a home, now they cannot afford a very important part of the American dream.

What happens, too, people developed subdivisions in the 1950s and 1960s with big yards. Now developers, the land costs are so high because so little land can be developed that they have to put homes on quarter-acre lots or one-third acre lots. They have to jam more and more people into closer and closer quarters, and so people get this crowded feeling. It really adds to this urban

sprawl problem that these environmental extremists are always attacking. Yes, they are the very ones that are causing it.

I can tell my colleagues, private property, while most people do not think about it, it is one of the main things that helped create the prosperity of this country. It is one of the great foundation stones, knowledge of our freedom, but of the prosperity that we have had in this country.

Any one who does not understand this, I wish they would read a book called The Noblest Triumph, Property and Prosperity Through the Ages by Tom Bethell. The whole book is important, but a couple of brief excerpts. He wrote, ''Leon Trotsky, a leading Communist, long ago pointed out that where there is no private ownership, individuals can be bent to the will of the state under threat of starvation. The Nobel Prize-winning economist Milton Friedman has said that 'You cannot have a free society without private property' . . . Recent immigrants have been delighted to find that you can buy property in the United States without paying bribes.

''The call for secure property rights in Third World countries today is not an attempt to help the rich. It is not the property of those who have access to Swiss bank accounts that needs to be protected. It is the small and insecure possessions of the poor.

''This key point was well understood (by) Pope Leo XIII (who) wrote that the 'fundamental principle of Socialism, which would make all possessions public property, is to be utterly rejected because it injures the very ones whom it seeks to help.' ''

What we have been saying all night here tonight is some of these liberals and left wingers claim to be the friend of the little guy, yet all of these things that they do end up hurting the small businesses and the small farmers and the little guy most of all.

Over the years, when private property has been taken by government, it most often has been taken from lower- and middle-income people and from poor or small farmers. So it is like all these industrial parks that are created. We do not need any more industrial parks in this country. We take land from poor farmers and then turn it over to these big multinational corporations for free or very reduced costs.

Then when we have all of these Federal projects, agencies in my area, for instance, have taken twice the amount of land that they needed to take for their project. It has been a very sad thing to see. But if we allow more and more land to be taken, then we are going to ultimately destroy the freedom that we have in this country and the prosperity that we have in this country. It will be a sad day if we continue to allow that to happen.

Mr. Speaker, I yield to the gentleman from Kentucky (Mr. LEWIS) for any final comments that he wishes to make.

Mr. LEWIS of Kentucky. Mr. Speaker, I thank the gentleman for yielding to me. There has been a lot of polling data over the years; and the question is, would you prefer clean water as opposed to more oil exploration or clean air as opposed to more increased utility power companies? When one asks that question, of course we all want clean air. We all want clean water. We all want safe working conditions.

But the question should have been asked, do you want to be able to have your automobile? Do you want to be able to have reasonable prices for your energy? Do you want to have the living standards and conditions that you are used to? Do you want running water in your home? Do you want to be able to flip a switch and get the lights to come on? The American people want that.

I think as we are seeing in California today, they are in danger of losing the ability to flip a switch and have their electricity. They are in danger of having hot water because they do not have their hot water tanks generating heat.

So there is going to be some dire consequences to the extreme position that these environmentalists have taken over the last many years and put the American people in a very tough situation if this continues.

That is why we need to start turning it around now. Yes, continue to work very hard to use the technology and to create new technologies to make sure that, yes, when we explore and when we drill for oil, that the environment is protected; yes, that when we use coal, that it is burned cleanly and efficiently so that the environment is protected like it is being done now, natural gas, so forth.

Yes, we want those things. But these extremists, they have a Walden Pond mentality. They want to go out by Walden Pond and give up all, evidently, the conveniences that our forefathers have provided for us, that my father worked hard to provide for his family and on back. They want, for some reason, to think that that is evil to be able to have the standard of living that we have today because it is going to destroy planet Earth.

Well, the reality is that we are not going to destroy planet Earth. We do have the technology. We do have the opportunities to provide the energy resources that the people of this country need and do it in the right way, the environmentally correct way. But get rid of the extremism and make sure that we are not going to sacrifice the workers of this country and their jobs and take away from their families.

Mr. DUNCAN. Mr. Speaker, let me just say very quickly in summing up. One example that I wanted to mention was President Bush has been hit real hard on the arsenic in the water, yet one water district in Illinois said, if we went to those unrealistic standards that former President Clinton advocated, their water bills would have to go up $72 a month.

So what we are saying is we need some balance and moderation brought back into our environmental policies. We cannot keep going along with wealthy environmental extremists who are not hurt when water bills go up $40 or $50 a month or gas prices go up to $3 a gallon or utility bills double. But millions of people throughout this country are hurt if we have to do all of that.

We do not need to shut this country down economically and continue to hurt worse the poor and the lower-income and the working people and the middle-income in this country by forcing more jobs to leave to go to other countries and forcing people to reduce their standard of living by at least a third, as some of these policies would mean, because it is totally unnecessary. Then we would not be able to do the good things for the environment that we all want to do.

So we just need some balance and moderation brought back into these environmental policies.

I thank the gentleman from Kentucky (Mr. LEWIS), my friend, for taking time out from his busy schedule to be with me here tonight to discuss these very important issues.

LIVABLE COMMUNITIES

The SPEAKER pro tempore (Mr. SIMMONS). Under the Speaker's announced policy of January 3, 2001, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 60 minutes as the designee of the minority leader.

Mr. BLUMENAUER. Mr. Speaker, we have had the first hour discussing issues that relate to energy and the current situation. Some would label it a crisis. I must say that I listened to my esteemed colleagues from the other side of the aisle, but I guess I would take a slightly different tact in terms of the situation we face and the opportunities for improving it.

Having a dependable supply of energy and using it wisely is clearly critical for a livable community. But the current controversy surrounding energy ought to be an example where we can come together and make a difference, where this Congress and this administration can give thoughtful consideration to the impact that energy decisions can have on the livability of our communities and develop a more rational approach to energy utilization.

Now, unfortunately, my friends on the other side of the aisle, the President, his chief spokesperson, and most recently, Vice President CHENEY are setting up a false policy conflict for the American public. This has nothing to

do with cutting back on the American quality of life, throwing vast numbers of people out of work.

They would like us to believe that somehow being more thoughtful about the use of energy and the Federal Government's role in promoting a better approach is somehow an assault on the American way of life. Nothing could be further from the truth.

America works best when we give people choices so that they can determine what works best for them. What choice do our friends in California have today paying far more for energy using far less when energy supplies are actually in pretty strong condition? We are going to hear from one of my colleagues tonight from California discussing that situation in greater length.

A country that disregards the value of conservation, that ignores fuel efficiency for automobiles, that seeks to maximize production at the expense of environmental quality is not protecting the American way of life, nor is it doing American families or business any favors.

With all due respect to the Vice President, he got it exactly wrong. Energy conservation is not just a matter of personal virtue. But even if it was, there is nothing wrong with formulating energy policy that recognizes the importance of this virtue.

□ 2030

Energy conservation should be the foundation of our national policy, not belittled by our national leaders.

Now, luckily, the Vice President and the President have been backing away from that for the last couple of days, and maybe we are going to get some positive recommendations from them; but the fact remains that it is the only way we will provide significant amounts of additional energy in the near term, not the proposal to go nuclear, not the proposal to build a power plant a week.

Energy conservation is an approach that has already been proven to be effective and has received, when we get a chance to deal with it here on the floor of this Chamber, broad bipartisan support. All the hotly debated talk about drilling in the Arctic Wildlife Refuge is not going to alleviate problems facing the consumers now. Indeed, the administration has proposed cutting the budget for energy conservation. We need a set of policies that actually encourages it.

Tonight we are going to discuss some of these elements, because there are simple, energy-efficient conservation methods that we can be taking today. In my State of Oregon, like 10 other States, there is a bottle bill. Aluminum-can recycling saves 95 percent of the energy needed to make aluminum from bauxite oil. Energy savings in 1993 alone was enough to light up a city the size of Pittsburgh for 6 years.

Now, let me bring this down to a more tangible example. The energy saved from recycling one aluminum can will operate a home computer for 3 hours. Energy saved from recycling one glass bottle will operate a 100 watt light bulb for 4 hours. Recycling seven soup cans saves enough energy to operate a 60 watt bulb for 26 hours.

There was talk from the other side of the aisle about somehow taking cars away from the American public. That is ludicrous. That is not the issue. We are talking about extending fuel-efficiency standards so that the 40 percent of oil that is used by cars and light trucks goes further. Switching from driving an average new car to a 13-mile-per-gallon SUV for 1 year is the equivalent of leaving your refrigerator door open for 6 years. And it has been discussed at great length. The notion of just improving the fuel standards for SUVs three miles per gallon will more than offset the amount of energy that we could hope to extract from the wildlife refuge, which the American public does not want us to invade; and it will get that energy to us quicker.

We are going to discuss this evening issues that relate to energy conservation with building standards. If we simply change the color of a roof to a light color, it will reflect the heat rays and lower home temperatures by as much as 5 degrees.

We have issues that we are going to be discussing this evening in terms of dealing with higher standards for energy-guzzling appliances. Rather than rolling back the standards that would improve these efficiencies that are improved by the last administration, we ought to maintain them.

We have, today, an opportunity to move forward and make a difference. And, sadly, it is my friends on the other side of the aisle and the Republican administration that are out of step with the American public. In Monday's poll in USA Today, an overwhelming majority of Americans favored conservation over drilling in the ANWR or moving in other directions. The American public understands that that will make a huge difference.

Mr. Speaker, I would like, if I could, to turn to my colleague from California, who has had some firsthand experience in the impacts that this has. We are going to have a spirited discussion. We have a number of colleagues, but I would like to turn the first 3 or 4 minutes of our discussion over to the gentleman from California (Mr. SHERMAN), who can talk a little bit about the perspective of what we are facing in the State of California and what we ought to be doing to help this country.

Mr. SHERMAN. Mr. Speaker, I thank the gentleman from Oregon, who has a distinguished record on trying to move our policies toward livable communities and sustainable approaches to energy and to the quality of life.

I am from California, and that is ground zero for a crisis. But rather than focus on the long term, because the gentleman has, I think, illuminated that rather well, I want to focus on the short term.

We are told that what California is suffering now is somehow our own fault; that energy companies wanted to build power plants in our State, were desperate, knew how profitable it would be, and we just would not let them because we are so concerned about the environment. Nothing could be a bigger lie.

First, private industry did not particularly want to build power plants in California because they did not think they would make big money. When they bought the plants, they bought them for rather modest prices. And if they were desperate to build new ones, they certainly would have paid a premium for old ones. They were not trying to build new ones, and they did not pay very much for the old ones. They did not realize, until they lucked into it, that energy would be tight enough in California so that they could gouge the California consumer; that what looked like a modest investment in a State that could produce enough electricity to meet its needs would turn into a gold mine of gouging not because of actual shortages but because of a new concept in electric power called ''closed for maintenance.''

We have seen in each of the last 8 months double or triple the amount of capacity ''closed for maintenance'' than in that same month 12 years ago. Closed for maintenance means closed to maintain an ungodly price for each kilowatt.

And so just to prove that there was not some intense desire to build power plants in California somehow stopped by these environmental extremists we are tagged with, reflect on the fact that California is not by itself an energy market. Each of the adjoining States, particularly Nevada and Arizona, are part of that energy market. And so if there is a plant built in Arizona or Nevada, those plants can sell into California. The electrons really do not know when they are coming to a State boundary.

So if industry was desperate to build power plants to supply California, they could have built them in California, Arizona, Nevada, or Oregon. They chose not to, until quite recently. What they chose to do instead was to operate the old power plants, close a few for maintenance, and make a fortune on each kilowatt.

In 1999, we paid $7 billion for our electricity in California. The next year, the year 2000, we actually used less electricity at peak times, and they charged us $32.5 billion. This year we will not use more electricity; but we will be

paying 50, 60, or perhaps even $70 billion for the same electrons that we were paying $7 billion for just a couple years ago.

The answer to this crisis is here in Washington. Now, we are told that California should not expect a bailout. I do not want one penny from any of the States represented here. There are some programs to help out a few people in California, and those are wonderful programs; but we do not need a single penny. All we need is to regulate on a fair basis, with generous profits for the power plants in California.

Now, we are told that California should solve the problem ourselves. Why are we not self-reliant? We are bound and gagged with Federal rope spun out of the White House. Federal law prevents us from regulating the price of electricity from these plants. And so we can almost hear the muffled laughter from the White House as Federal law ties us up, the White House prevents this Congress from untying us, and they can laugh at California and say It's all your fault.

A White House that cared about fairness would reinstitute the same policies that we have had in the electric industry for over 100 years and that built this country, and for at least a couple of years more have rates based on costs, with fair profit to those generating electricity in the West. Until that happens, we will have an artificial crisis, transferring billions and tens of billions in wealth from all the people of California to a few megacorporations, which just happen to be based in Texas.

Mr. Speaker, I yield back to the gentleman.

Mr. BLUMENAUER. I appreciate the gentleman's forceful explanation this evening, and he is one who has been a tireless advocate for trying to shine a spotlight on the situation in California. I really appreciate his focusing on what has happened to a State over the last couple of years that is actually using less energy, that is working on conservation, and is paying a terrible price, multiple, multiple times what they paid just 2 years ago.

The gentleman's tireless advocacy is extraordinarily useful in helping us understand this situation.

Mr. SHERMAN. If I can have just a couple of seconds, I would like to point out that per capita California uses less electricity than any State except Rhode Island. And in a couple of months, we will be number one in minimizing our use of electricity among all 50 States. This rape of California is not justified.

Mr. BLUMENAUER. I thank the gentleman for that clarification.

I would now, if I could, turn to the gentleman from New Jersey (Mr. PALLONE), who has been a tireless champion on this floor dealing with issues of the environment generally and I know has a special interest in areas that affect energy conservation, the use of energy; and I yield to him at this time.

Mr. PALLONE. Mr. Speaker, I want to thank my colleague from Oregon. I said last night when we had some of our Democratic colleagues doing a Special Order on energy that we would continue to make the point every night if necessary, and I want to thank my colleague from Oregon for continuing that tonight.

We know that tomorrow President Bush is expected to unveil his energy package. We have gotten some indication, even though he has this secret task force with Vice President Cheney, and they do not really tell us, they do not reveal what they are doing, they do it behind closed doors; but we have had some indication of what they are going to suggest tomorrow. From all indications, the Bush-Cheney energy plan that has been developed in secret is basically pro-drilling, pro-nuclear, anti-consumer, and as the gentleman from Oregon has so well mentioned, anti-environment.

I have had a number of my constituents say to me, well, why is Bush so anti-environment? Why is the President this way? Why is he leaving the issue of what kind of an energy policy we should have primarily to the oil companies and the oil interests? And the answer is that he and the Vice President are captive. They are the oil companies. They are the oil interests. They are the special interests.

We know that big oil gave $3.2 million to the Bush campaign and $25.6 million to Republicans overall; and other sectors of the energy industry have been similarly generous. Apparently, tomorrow is payback time to the energy industry, and I am afraid that consumers and the environment are going to suffer for it.

I do not say that because I am trying to be cute. As the gentleman knows and he mentioned, and the gentleman is the champion of the livable communities issue, which is so important in my home State of New Jersey as it is in Oregon and around the country, people care about the environment. People do not want drilling at the expense of the environment.

□ 2045

But what we are getting is drilling in ANWR, in the Arctic Wildlife Refuge. Further, the Bush administration seems to have decided to move forward with offshore oil and gas leases in the Gulf of Mexico, even rejecting an appeal from the President's brother, who is the Governor of Florida. President Bush has suggested drilling for oil in national monuments. He told that to the Denver Post.

We are getting the oil and gas companies running the show. He wants to drill, build new plants. Not that we should not, but I do not know that we need as many as he is suggesting. He does not seem to want to do anything about what my colleague from California and his constituents face, the problems they face right now. He has rejected, as the gentleman from California (Mr. SHERMAN) knows, the idea of any wholesale price caps which, from what I can see, are the best way to address the near-term problem in California and western States.

He said that he does not want to do anything about OPEC. He is not going to ask them to increase production. He said it is not good policy to ask. He says that he does not want to use the SPR, the strategic petroleum reserve, to control prices. He does not seem to have any concern about the immediate problem of gasoline prices.

Mr. Speaker, we are at $1.72 in my district now, but I understand in California we are over $2. I would not be surprised to see $2.50 or $3 a gallon in the next few weeks.

The Democrats unveiled through our energy task force on Monday their proposal. Lo and behold, the Democrats not only want to deal with long-term energy efficiency and provide tax credits for people who buy a car or a home that provide for energy or fuel efficiency, but we want to put an end to the price gouging. We are saying, go to OPEC and demand that they increase production so that prices come down. Use the SPR as President Clinton and the previous President, the father, did before President Clinton. Instruct the Department of Justice to investigate to ensure that illegal price-fixing does not occur, and have FERC impose wholesale price caps so we do not continue to have the blackouts.

Mr. Speaker, we passed this tax reconciliation bill and this tax cut, which I opposed and most Democrats opposed. President Bush is saying, we will give you a tax refund and you can take that tax refund and pay the higher prices for gasoline at the pump. Well, I have never heard anything so ridiculous in my life. Now I am going to feed the oil industry with my tax refund, which is probably going to be very limited if I am middle income. But I am supposed to take that and give it to the oil companies so they can continue to make huge profits and continue to pay the Bush-Cheney campaign expenses. Hopefully, someday everybody will wake up and realize what an outrage this is.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's comments; and I was particularly struck by something that the gentleman said at the outset, because the gentleman was here in Congress when there was a big uproar because the First Lady had a secret committee examining health care costs and ways to bring it down.

My recollection is that people on the other side of the aisle were outraged that there would be these discussions about a public policy issue and not be

open to the public. And it seems to me that you make an extremely valid point that all these discussions now have been in secret, with a very limited cross-section of people excluding the broad range of interests, and now it is going to be inflicted upon us. It seems to me a certain amount of inconsistency.

Mr. PALLONE. Mr. Speaker, during the campaign, then-Candidate Bush said at the time when heating oil prices were soaring in my State, he said, ''What I think the President ought to do is get on the phone with the OPEC cartel and say, we expect you to open your spigots.''

Now he says that he does not want to talk to the cartel. I think Secretary Abraham was saying that it was sort of degrading to the United States to have to go to OPEC and ask them to open the spigots. He might feel degraded, but my constituents would like him to go to the OPEC countries, some of whom we have saved their very existence, and ask them to open their spigots.

Mr. BLUMENAUER. Mr. Speaker, I turn to the gentleman from Washington (Mr. INSLEE), my colleague from the Seattle area who has been an advocate and concerned citizen dealing with these issues. We have had a tremendous impact in the State of Washington, and I know the gentleman has been a leader here in bringing people from the West and the West Coast to deal with these impacts.

Mr. Speaker, I wonder if the gentleman would like to make a few comments from his unique perspective. Maybe California thinks that they are ground zero, but there are those of us who feel we are getting a few of the after-shocks.

Mr. INSLEE. Mr. Speaker, I yield to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. I would like to pick up on the gentleman from New Jersey's comment about this really ludicrous idea put forward by the President that his tax cut bill is a solution to the gouging of prices that we face in California, both for gasoline and electricity.

First, the idea of giving people their tax money back so they can give it to the energy and oil companies, that strikes me as so inefficient. Why does he not have the courage of his convictions and simply ask the American taxpayer to send the money directly from the Federal Treasury to the oil companies? As the gentleman from New Jersey (Mr. PALLONE) pointed out, a portion of that money to the oil companies will go to the Republican Party, so you can send a portion of the surplus to the Republican Party and the bulk to the energy companies.

The second thing to point out is as working Californians are paying $2.10 for regular gasoline, as they are paying double and triple the electric bills, if you say a single mother in California with a couple of kids, an income of $20,000, how much money does she get out of this tax cut? Zero. So she still pays the $2.10 a gallon. She still pays double or triple the electric bill, and she gets nothing from the tax cut.

Mr. INSLEE. Mr. Speaker, I appreciate the gentleman's comments. I was in a town hall meeting the other day, and I had a constituent that sort of suggested that it would have been simpler just to cut out the middleman of giving us any tax break at all when it goes right to the oil companies. He said it reminded him of a money laundering scheme. I do not think that is too far off the mark.

Mr. Speaker, I have a message for the rest of the United States, and that is it is not just California. And it is coming to you in your neighborhood, because it is in Oregon and it is in Washington now. It may have started in California, but right now in the State of Washington, we are suffering potentially 43,000 people losing their jobs, Mr. Speaker, as a result of these oil companies and generating companies increasing their prices, not twice, not 5 times, not 10 times, but on the wholesale spot market for electricity right now in the State of Washington, these companies have increased their price 1,000 percent, 2,000 percent, without spending another dime to generate one single electron. These are windfall profits that people are enjoying right now at our expense. Forty-three thousand families out of work because these folks have a callous indifference to the economy of Washington, Oregon, California and, soon, whatever State you are in. This is coming to you because they have figured out a way to game this system starting in the West.

Mr. Speaker, what we Democrats have proposed is a short-term solution. We need a long-term solution, but we have to have some short-term solution to this. Unfortunately, the President, what has he decided to do? What has his message been to America? Go fish. You are on your own. We do not have any short-term solution. We are not going to do anything.

Mr. Speaker, we have suggested a couple of things. Number one, that he call FERC, the Federal Energy Regulatory Commission, and he ask them to impose a 2-year cost-based pricing system for wholesale prices for the western grid of the United States. We are asking a simple thing: that the companies for the next 2 years get their costs and a reasonable degree of profit, and pick the highest degree of profit, it will still be half of what they are charging today.

When they have increased their prices 1,000 percent; like if you bought a car for $30,000, it now costs you $300,000 to $600,000, if Detroit did the business the way that the generators are doing right now.

We are asking for a time-out on this ludicrous explosion of prices. People have said, will this not decrease the supply of electricity? Hogwash. If anything, it will increase it. These companies have figured out how to reduce supply and drive the price up. Fully one-third of all of the generating capacity in California in the last 4 months has been turned off, and they have driven these prices sky high.

Mr. Speaker, we have asked the administration for simple relief. They have refused it, and they give us no simple relief.

I want to say that there is good news in the long term and short term when it comes to conservation and efficiency. We should be optimistic. There are plenty of causes for this country to be as optimistic as we were when we decided to go to the Moon, and there were naysayers then too about new technology. But there is just as good news for us from a technological basis for wind, solar, new transmission, fuel cells, as there was for new technologies which took us to the Moon.

For example, in Seattle right now, there is a company called MagnaDrive. MagnaDrive is manufacturing a coupling device based upon, as you can guess, magnetism, which basically has two plates which act as a coupling for electric motors. This device can save 30 to 40 percent of the electricity to drive an electric motor. It is just starting to develop a market. We need to recognize technologies like MagnaDrive and recognize their potential. That is the good news.

The bad news is that some of these technologies are being developed not in America, because we have not given them the incentives for the development of these. For example, hybrid cars, electric gasoline-powered cars. The one on the road right now is from Japan. Why should America give up this market to the Japanese manufacturers? Why should we give up this potential development of jobs to those manufacturers?

Mr. Speaker, I think this Nation ought to be confident enough in our technological ability to say we are going to lead the Nation in new car technology. Yet in that very specific field, the President's budget has gone backwards. We ought to lead the Nation in efficiency and conservation. If we stand up to Mr. CHENEY's shortsighted statement that conservation is just a personal ethic but does not have anything to do with sound economic policy, he is dead wrong. Efficiency is a personal virtue, and it is an economic virtue, and it is a job-growth strategy that this country ought to use.

Mr. Speaker, that is why I am proud that the Democratic Party has come up with a comprehensive plan to combine conservation and short-term price mitigation. It is a short-term solution

and a long-term solution, and I appreciate the gentleman from Oregon (Mr. BLUMENAUER) bringing us here tonight.

Mr. BLUMENAUER. Mr. Speaker, we also have been joined by the gentleman from Connecticut (Mr. LARSON), who has had lots of practical experience from a State that has dealt in the past with energy problems. I know that from leadership as the Senate president of the great State of Connecticut, he has had a chance to navigate these rocky shoals before, and I am honored that the gentleman joins us for this discussion.

□ 2100

Mr. LARSON of Connecticut. I thank the gentleman and also recognize that the current Speaker also hails from the great State of Connecticut and is doing an outstanding job.

I want to applaud the gentleman from Oregon for his leadership in every aspect here in the Congress as relates to our environment most notably, as was pointed out by the gentleman from New Jersey (Mr. PALLONE), in the area of livable communities but also in recognizing the need to make sure that a core component of any energy plan has got to be conservation, that overall the number of examples that he put forward, if followed, should serve as the cornerstone to any policy moving forward.

I also join with my colleagues from California and the Northwest as well and not only sympathize but empathize with the problems that they currently face and understand that today it may be California but tomorrow it could be Connecticut. And so as a Nation, we must pull together and make sure that we are enacting sound public policy.

The fact of the matter is that there are a lot of fingers that could be pointed and a lot of blame that could be distributed, but for a number of years, several different White Houses and Congresses have not addressed this issue the way that it should be tackled. I believe that first and foremost and piggybacking on the comments of the gentleman from Washington (Mr. INSLEE), that we need to lay out a strategy that has an end goal.

I suggest that we start that end goal by saying we will be independent of foreign oil resources within a 10-year period and that we should instruct the Department of Energy to devise a strategic plan that will take us there. The process of attaining that goal is much like establishing putting a man on the Moon as the gentleman from Washington (Mr. INSLEE) was alluding to.

When you establish a goal for yourself and then set out to achieve that goal, you can accomplish great things. It seems to me pretty clear that along with conservation, along with renewable resources and assorted other policies that we must pursue, we must above all else have a specific goal. When you consider that in 1999 the cost of importing oil from abroad was $60 billion and now that is estimated to be something closer to $100 billion in cost, that money could be better spent at developing alternative energy sources. Specifically, I feel that the energy systems of the future and most notably fuel cells hold the key to provide us with both the power and efficiency we need to get 60 to 80 miles per gallon out of an SUV and also the by-product of which is vapor that is clean.

This kind of environmentally sound policy, this kind of energy alternative is exactly the kind of can-do spirit that took us to the Moon. And what got us to the Moon frankly were spacecraft that were powered by fuel cells. If we can go to the Moon and go on to Mars, certainly we can get to and from work. Later this month, I hope to bring an SUV to the Capitol and encourage everyone to drive that automobile powered by fuel cells to see its efficiency, to see how this actually works and the cutting edge technology, which in combination with conservation is the path for us to go down.

I applaud my Democratic colleagues for the initiative they took in the press conference the other day. These are the concerns that the American people long for us to address. We need bipartisan cooperation. We do not need committees that meet in secret. We need to have an open, public forum and dialogue to produce the best possible results, with a common goal and common mission to make us no longer energy dependent and make us much more energy efficient with a conservation ethic that places us in a position where we can provide the kind of energy and means that the people we are sworn to serve richly deserve.

I thank the gentleman again so much for his leadership in this area and I look forward as always to working with him on his agenda of livable communities and the great, great job that he has done in terms of bringing conservation to the forefront here in the United States Congress.

Mr. BLUMENAUER. I appreciate the gentleman sharing his insights and his kind words.

I yield to the gentleman from New Jersey.

Mr. PALLONE. I wanted to briefly point out that although the comments I made earlier were primarily with regard to the President's proposal, President Bush and Vice President Cheney's proposals and what they are likely to come up with tomorrow from their task force in terms of a policy to address energy issues, that it is also true that for the last 6 years since the Republicans have been in the majority in this Congress, that they have conveniently forgotten, or failed really, to address what has now become an energy crisis.

And each year from 1995 on when President Clinton and the congressional Democrats tried to present commonsense, balanced, both immediate and long-term solutions to the energy problems that existed then and were continuing to build, the Republicans blocked those efforts in the Congress every step of the way. If I could just mention a few, I think the most egregious was in 1999, I remember, I was here, when the Republican leaders, the gentleman from Texas (Mr. ARMEY), the gentleman from Texas (Mr. DELAY) joined 36 other Republicans to introduce a bill that would have eliminated the Department of Energy altogether and the Strategic Petroleum Reserve.

As I mentioned, President Bush still says that he does not want to tap the Strategic Petroleum Reserve, but they would have abolished it completely. In the same year, the Republicans rejected an Energy Department proposal to buy 10 million barrels of oil when crude prices were only $10 a barrel that would have allowed us to build up the SPR.

So they wanted to abolish it. They did not want to fill it. In addition to that, every year in those 6 years the President and congressional Democrats would propose budget initiatives that would help with energy efficiency and renewables. But between fiscal year 1996 and fiscal year 2001 the Republicans underfunded energy efficiency and renewable energy programs by $1.4 billion below what President Clinton and congressional Democrats' funding requests were at the time.

We have seen essentially no effort to address conservation, no effort to address energy efficiency, alternative fuels, the list goes on. Next week in the Committee on Commerce which I sit on, we are going to have a full committee markup on a bill that is being brought by the congressional leadership in the Committee on Commerce, the Republican leadership in the Committee on Commerce called the Electricity Emergency Relief Act. This is sponsored by the gentleman from Texas (Mr. BARTON) who is the chairman of the Subcommittee on Energy and Power. This bill, I mean, needless to say, is fundamentally flawed. It is not going to address the problems in California; and I just wanted to point out, this is from my colleague the gentleman from California (Mr. WAXMAN), who is a leading member, a more senior member of the Committee on Commerce, he cited four major flaws with the bill. Keep in mind this is the Republican answer to the California energy crisis.

First, it fails to address runaway wholesale electricity prices. The efforts by the gentleman from California (Mr. WAXMAN) of the Committee on Commerce, then in the subcommittee, next week in the full committee, to impose some sort of cap as the Democrats would like to see on wholesale electricity prices is not included in the

bill. The bill, the Republican bill, also interferes with California's actions to address the electricity crisis. It increases the State's dependence on the spot market. It inhibits the State's ability to acquire and operate transmission lines in California. It conflicts with California's innovative demand reduction programs. So it is actually hurting the State, making it difficult for the State to actually do what the State wants to do to improve the electricity situation.

It also, and I note that my colleague from Oregon has repeatedly noted the effort to break down environmental laws, this bill creates loopholes in the Nation's environmental laws. It opens up every national park and wilderness area to the construction of new power lines. It allows States to waive environmental requirements applicable to hydro-power projects. It authorizes extensive waivers of the Clean Air Act requirements for electricity generation. And lastly, of course, the bill fails to adequately address conservation.

I know that my colleague, the gentleman from Oregon (Mr. BLUMENAUER), has repeatedly said how there has to be a conservation component in our energy policy. The Democrats have that. The Republicans do not. This bill does nothing to improve it. Tomorrow we are going to hear about the Bush-Cheney report and how great that is going to be. Next week we are going to hear about the Barton bill and how great that is going to be to solve the California problem. Neither one solves any of those problems. Unfortunately we continue to have Republican inaction.

Mr. BLUMENAUER. Mr. Speaker, I yield to the gentleman from California.

Mr. SHERMAN. The Vice President made some remarks recently that have become rather famous. He said conservation might be a personal virtue but it was not the basis, not a sufficient basis, for a national energy policy. I think we can only respond that degrading the environment and maximizing energy company prices might be good cash generation politics, but it is not the basis, not the sufficient basis, for a comprehensive energy policy.

I want to talk a little bit about how California is being hurt because we do not have rate regulation on the wholesale generation of electricity. Technically what is being called for is not price caps but technically what we are asking for is temporary cost-based price regulation, basically the same system that existed in this country for electric utilities, privately owned electric utilities for 100 years, when America went from a rural society to the world's only superpower.

Now, these lack of price regulations are responsible and will increasingly be responsible for blackouts in California. We are told by some economic theorists, oh, if you could just increase the price of electricity, Californians would conserve and you would not need blackouts. These folks have not been schooled in the school of hard knocks that we are experiencing in California. You see, no matter how much Californians conserve, the owners, the robber barons, can still suppress supply even more so that they can charge huge amounts for each kilowatt while not having to pay for the fuel to generate very many kilowatts. So the absence of regulation reduces supply.

Higher prices will not reduce demand. As I pointed out earlier, California is now second, we are about to be first, in terms of energy conservation, electric energy conservation among all 50 States. And there is a real spirit in California to conserve electricity wherever we possibly can. Conservation is what we are doing already. Limits on wholesale prices will eliminate the incentive that these companies have to suppress production, to close their plants for maintenance, and will instead ensure that they generate electricity because they know they can only get a fair profit on each kilowatt that they generate.

Second, we are about to see prices paid by California consumers be roughly double what they are used to. Double what they paid just a year ago. But that does not fully convey to Californians the degree of this rip-off. You see, the electrons flowing to each California home, about two-thirds of them, are coming at a fair price. One-third are not coming at double a fair price, or triple a fair price. No, these unregulated producers are charging 6 or 10 times a fair price on average, and at peak times, or at times of particularly acute engineered shortages, they are charging 50 and 100 times a fair price per kilowatt. So if you are getting an electric bill that is only double what is fair, do not think that these few megacompanies are only earning double what is fair. They are earning 10 times what is fair.

The solution is in the White House. But I think the headline is clear: ''President to California, Drop Dead.'' There is one possible California response and it comes not from the California Democrats. We have already responded. The onus is on California Republicans and Republicans from the other Western States. Four have had the courage to tell the White House that destroying our State is not acceptable and they have cosponsored the bill sponsored by the gentleman from California (Mr. HUNTER), a Republican from San Diego County, to provide these cost-based price regulations. We need every Republican from the Western States to cosponsor that bill. And if they do not do it this month, they are going to face their constituents next month and the month after. But it has to go beyond that because President Bush will simply veto a bill. He will veto a bill that requires fair prices in California.

□ 2115

He would veto a bill that prevents a justified transfer of $50 billion from the people of California to a few megacorporations, most of them based in Texas.

The only way to prevent that veto is to get every Republican from the Western States, starting with those in California, to come down to this floor and announce that they will not support any Presidential initiative, that they will vote ''present'' and not ''yes'' on every one of those Republican proposals, until we save our State.

I am calling on my colleagues from California, put your constituents above your contributors; put your State above your party. Come down to this floor tomorrow and say you are going to vote against every proposal. You do not have to vote against it. Just vote ''present'' on every proposal until the President signs the legislation we need to save California.

If you think that maybe we in California do not deserve any Federal legislation, then, for God's sake, let us pass a bill that gives California the right to regulate the wholesale price of electricity generated at plants located in California. If you do not believe the Federal Government should play a role, at least untie our hands. We need at least that, and we need California Republicans to stand up for our State.

Mr. BLUMENAUER. Mr. Speaker, reclaiming my time, I thank the gentleman. Clearly he has identified a critical area where 12 percent of our Nation's population is facing something that surely we are all going to have to contend with.

What have we discussed here at this point this evening? Well, first and foremost, we have established that conservation may be a virtue. I think it is, but it certainly is an important part of an energy policy for this country, and we are arguing it ought to be part of the foundation. Without the conservation that was inspired in the mid-1970s and, sadly, to a certain extent rolled back during the Reagan years, without that energy conservation, the use in the United States of energy in the year 2000, if we had kept on the same line, would have been 40 percent higher and Americans would have spent $260 billion more for energy. Conservation works.

But we have just barely scratched the surface of the potential for achieving more savings. If we had one of the popular SUVs that had an average of 40 miles per gallon over the next decade, it would save the equivalent of 50 billion barrels of oil, 15 times more than would be reclaimed from the Arctic Wildlife Refuge, if that is where you want to go.

We have been dealing with the facts surrounding the energy situation. We have heard about what the situation is in the State of California. We are in fact now building, and any reader of The Wall Street Journal this last week has learned that we are moving ahead without a Federal initiative, to build more generating capacity. More is on line; markets are in fact responding.

We have heard this myth somehow that people, for example, in California, or the ''radical environmentalists,'' were at fault for not building up refining capacity in this country and talk about how there has not been a lot of new refineries built.

Well, the reason there have not been new refineries built is because the industry has been going through consolidation. We have more refinery capacity today, fewer refineries. And if you look at what the petroleum giants are doing, they are shedding refinery capacity because it is not profitable enough.

What measures up to the hundreds of percent or thousands of percent rate of return that can be extracted from some of the situations that we have had described on the floor today? It is not somehow the fault of the environmentalists, it is market forces that are at work.

We understand, and I have heard twice now the Vice President extolling the virtues of going back to nuclear energy. Interesting. I come from a State that shut down a nuclear plant. The private company that owned it shut it down earlier than its license would have required because it was not profitable.

It is true that over 20 percent of the generation currently comes from nuclear power, but there has not been a new nuclear power plant ordered in the United States in over 23 years. And it was not just in my State that they shut it down. The gentleman from New Jersey can testify that there was the same situation occurring there and in Maine, Illinois, and Connecticut, where people were backing away from nuclear energy.

We still do not have a safe place to store nuclear waste in this country. We have been tied in knots over that. Yet some want to go ahead and deal with more.

The assertion somehow that nuclear energy is the salvation, the silver bullet, that it does not provide pollution, well, excuse me. First of all, nuclear waste continues for a quarter of a million years or longer. Nuclear waste, when you are dealing with it, is not just nuclear energy; it is the very warm water that is generated. It pollutes the waterways.

The process of enriching uranium uses a substantial amount of electricity in and of itself that produces many of the same sort of traditional fossil fuel air pollutants. Nuclear energy is not a silver bullet.

We have heard some arguing that somehow the environmentalists have locked up all the land. We cannot have access. Wait a minute. Right now the oil and gas industry has access to huge tracts of BLM lands. Only 3.5 percent of the BLM land in Colorado is off limits to exploration; only 2 percent in Montana; only 2.5 percent in Wyoming; 4 percent in New Mexico. It simply is not true that there is not access.

It is interesting watching the little struggle between the President's brother and the people in California and Alaska who are concerned about offshore drilling, but there is still over 60 percent of the Nation's undiscovered economically recoverable oil and 80 percent of the economically recoverable gas that is located in areas that are accessible. There are opportunities for further exploration. It is the private sector that to this point has chosen not to take advantage of them.

I guess I will conclude my remarks before turning to the gentleman from New Jersey to wrap it up to just make one other point, that there are many opportunities now for low-income people to be able to reduce their energy costs over time.

We have talked about the lunacy of having a massive tax cut that is not going to benefit the vast majority of low- and moderate-income people, but somehow they are going to take this tax cut and pay it for higher energy costs. But if for a moment we can spend upwards of $2 trillion over the next 11 years, is it not possible that Congress and this administration could design programs to help very low- and moderate-income people pay some of the higher costs through rebates or direct tax credits that go back to them, so they can afford to be more energy efficient, lower their electrical costs today, not tomorrow or 20 years from now, lower those costs today, save them money today, and have additional savings that will accrue to the broader community because we will not have to build an energy plant a week?

It seems to me that this is a simple, commonsense approach; that if we could get it to the floor, I am convinced an overwhelming majority of Republicans and Democrats would agree with the American public to put conservation, wise use, invest in American technology, do that first before we move ahead with things that simply they are opposed to. I think it makes good sense, and I hope that this Congress will listen to what we are being told by the American public.

With that, I will turn to the gentleman from New Jersey (Mr. PALLONE) for the last word in our special order this evening.

Mr. PALLONE. I thank the gentleman. I do not mean to take the last word, but I just wanted to comment on what the gentleman said, because I think what he pointed out is that the Democrats' energy policy is a well-rounded, commonsense approach.

We are saying that we want more production in those areas that are available to be done; to drill for oil, to drill for natural gas, in an environmentally sensitive way. It can be done. We are for more production. We are saying we want conservation. We want the use of more renewables. We want more energy efficiency. We have tax credits for energy efficiency, if you buy a car or do something to your home that is more energy efficient.

We basically are very well rounded in our approach in terms of the types of fossil fuels that could be used, and I for the life of me do not understand why we have to take this Bush-Cheney approach that just says drill, drill, drill, and nothing else. Even in our Democratic proposal, we have a supplement to the LIHEAP program for low-income individuals, because we recognize that they are going to need additional help.

If you think about what the Democrats have put forward, more production, more energy efficiency, more use of renewables, trying to provide direct payments to low-income individuals so they can pay for their rising costs, all these things are in there.

But we want this energy policy to be well rounded. We do not want it to just be limited to something that the oil companies want, which is to drill and drill and drill. There is no way that you can possibly look at what the Democrats have in mind and then look at what the President is proposing. The President's proposal is nothing more than a payback to the special interests, to the oil industry. We have seen that.

I know tomorrow it is going to be unveiled. We heard a lot about it, but I am waiting to see what happens, because, as the gentleman says, we want to be bipartisan, and we are hoping that maybe he will incorporate tomorrow some of the conservation and other things that we are talking about tonight. I doubt he will, but I hope he does, because I would like to see a responsible energy policy passed. I just do not see that coming from the White House so far.

With that, I thank my colleague for all he has done and continues to do on these issues.

DIABETES, A DEVASTATING PUBLIC HEALTH ISSUE

The SPEAKER pro tempore (Mr. CANTOR). Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-McDONALD) is recognized for 5 minutes.

Ms. MILLENDER-McDONALD. Mr. Speaker, as we observe National Women's Health Week this week, I rise as the Cochair of the Congressional Caucus on Women's Issues to bring attention and highlight a disease that has

become a devastating public health issue. That disease is diabetes, and it is wreaking havoc on women, especially African American women.

Recent studies confirm the numbers of women being diagnosed with Type II diabetes each year, and these numbers are increasing in alarming rates.

Mr. Speaker, diabetes kills one American every 3 minutes, and a new case is diagnosed every 40 seconds. No person is immune and no community remains unaffected. Almost 16 million Americans have diabetes, with 60 percent of those being women.

Statistics have shown that women with diabetes have a five-fold higher risk of coronary heart disease than do non-diabetic women. In addition, coronary heart disease is the number one killer of people with diabetes and poses a greater risk for women who develop heart disease. Furthermore, close to three-fourths of deaths in individuals with diabetes will be directly attributable to cardiovascular disease.

Another disturbing aspect associated with this disease is that it is the number one killer of African American women with diabetes and has reached epidemic proportions. An alarming statistic is that 11.8 percent of African American women who are 20 years old or older have diabetes, and about one in four African American women over the age of 55 have diabetes, which is nearly twice the rate of white women.

Statistics reflect that among older populations, women make up 75 percent of diabetes cases. One of the reasons diabetes disproportionately affects women is because there are more obese women than men, and women live longer and maintain less active lives than men. Inactivity puts women at a greater risk for obesity, which is often a direct precursor to diabetes.

The poor health habits of mothers increase the risks of their children developing similar behaviors and health challenges. Therefore, it is vital that we highlight the importance of educating women about healthy living.

It is also important to conduct more diabetes-related research studies. Diabetes research has been an invaluable tool, that has paved the way to extraordinary breakthroughs for women.

□ 2130

However, more research must be funded and conducted as a standard protocol for women's health initiatives. We must research new and progressive treatments for women with diabetes and promote prevention as a response to this challenge.

Primary prevention is critical to reducing morbidity, mortality, and economic costs associated with cardiovascular disease in diabetic women. Diabetes is the single most costly disease in America, totaling about $105 billion a year. That is why the Women's Caucus submitted an appropriations request for fiscal year 2002 that would fully fund NIH programs and which will provide the resources necessary to address this issue.

Therefore, Mr. Speaker, I urge my colleagues to raise their voices, open their hearts, and enhance their commitment in educating our communities about diabetes and primary prevention. I also ask each one to join in the fight for adequate funding for research.

Mr. Speaker, I will be introducing legislation in the next few days to bring attention to this important public health issue. The legislation will address this disparity that exists among diabetic women. It will focus on research, increased representation of minority scientists, and education outreach. I hope that my colleagues will cosponsor this legislation with me.

THE ENERGY CRISIS IN THE UNITED STATES

The SPEAKER pro tempore (Mr. CANTOR). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes.

Mr. MCINNIS. Mr. Speaker, first of all, in regards to the gentlewoman from California, this diabetes is a horrible, horrible disease and there are lots of statistics that support exactly what the gentlewoman from California has said. If we could figure out a cure for diabetes, according to the statistical information that I have, it would be amazing how dramatically we could cut health care costs in this country. A huge portion of our Medicare and Medicaid budgets in this country are directly attributable to diabetes, juvenile diabetes, adult diabetes, et cetera, et cetera. So I encourage the gentlewoman from California to go on with her efforts.

Mr. Speaker, this evening I want to talk about the energy crisis that we have in this country; and I want to talk about what is our future. What is the future for this country? I want to talk about conservation. I want to talk about realistic conservation. I want to talk about the solutions that start at home, not solutions that are dictated out of Washington, D.C.

However, before we do that, I just listened to an hour of rambling on about how bad the Republicans are here, how bad this is here and how bad that is there, and how California has innocently suffered the wrath of the United States, because California, after all, does not deserve this blame. I think we need to take just a couple of minutes of rebuttal.

The gentleman from California (Mr. SHERMAN), my colleague, says that the answer for this energy crisis in California lies in Washington, D.C. I say to the gentleman, with all due respect, the answer should not come out of Washington, D.C. The answer should come at the local level and at the State level. Frankly, the State of California thought they would show all the other States how deregulation was done. They took the lead on deregulation, and they made a mistake. I say to the gentleman, with all due respect, the gentleman sounds like another gentleman from California. He sounds like defense attorneys. He blames everybody else: it is not my fault; it is their fault. It is not the fault of California; it is the fault of the Federal Government in Washington, D.C. It is not the fault of California and the State legislature and the Governor of California; it is the fault of the Western States. It is not the fault of the Governor of the State of California and the legislature of California; it is the fault of the oil companies or it is the fault of this and that.

Mr. Speaker, we want to help California. Let me say something about California. Despite the fact that a lot of people in this country think they have it coming because of the fact that they do not want it in their backyard and, although they will never admit it, that is the attitude in California, and frankly, that has been the attitude in California. Despite the fact that some people think they have it coming, I am telling my colleagues here today, California needs our help. California is the sixth most powerful economic factor in the world. In other words, if California were a State of its own, California would be the sixth most powerful economy in the world. The United States of America is very dependent upon the State of California. After all, they are a State. They are our neighbors. They are fellow citizens. We have an obligation to help California.

But, Mr. Speaker, before we go out to help somebody, especially somebody that got into that jam largely because of their own doing, we like to hear some kind of admission from the person that we are about to help: hey, I made a mistake. We would like to see a little humbleness come out of some of the people that have made this mistake, like the government and the legislature in California. But that is not what we are hearing. Instead, what we are seeing is the blame game. It is Washington, D.C.'s fault, it is Colorado's fault, it is Nevada's fault, it is everybody's fault but us here in California.

Come on, Governor. One does not need to be a defense attorney. We are not out to prosecute California. We should not be out to prosecute California. We are not putting California on trial. Do not act like a defense attorney, I say to the Governor of California, and say that it is everybody else's fault and you share none of the fault. Stand up to it. Take the blame. Do not play the blame game. Do not delay the pain game.

You think what you are trying to do out there in California is defer the

pain: we will freeze these prices. That does not bring conservation. The Governor of California and the gentleman from California (Mr. SHERMAN), why do you not just for a moment say, all right, maybe in California we have to change some of the philosophy we have had; maybe we have to come up with the approach that maybe somewhere it is going to have to happen in our backyard; maybe we have to admit that there is a balance out there, a balance, a balance that can be reached with conservation as an element, with energy production as an element. I mean there is a balance. In California, frankly, the problem is they have gone to one side of the balance, that somehow all of the production should take place out of the State of California.

By the way, I heard one of the previous speakers talk about the power plants that are needing to be built in this country. Let me tell my colleagues, we have built three power plants a week, three power plants a week last year that came online in this country. Three a week. Multiply that times how many weeks we have in a year, and that is how many came online in this Nation. How many came online in the State of California? Zero. How many natural gas lines has the Governor of the State of California allowed? Zero. For 8 years their leadership out there has not had it come. Do not let California put the blame game on the rest of the United States.

As I said earlier, the United States has an obligation to California. They are important for our economy. They are good people out there. They are people that are working hard and want this resolved. But the politicians in California, specifically that governor who I heard last Sunday on Meet the Press talk about maybe the answer is to seize the power plants; a Governor of California who blames everybody but himself for this problem in California. Come on. One cannot blame everybody else when one has not had a natural gas line in 8 years. They have not had any power plants come online in California last year, although throughout the rest of the country, we had three a week come online. You place price gaps; all you are doing is artificially messing with the market.

Take a look. Every time the government gets involved, the consumer suffers. Tonight we hear some of my colleagues say, what we should do is go out and freeze the prices. Now, I know that sounds great. Who does not want to do that? But we do not get something for nothing. The best way to destroy conservation is to tell people the prices are not going to go up. I can tell my colleagues right now, the reason my wife and I are conserving, I think fairly extensively in our own personal life, is because our prices have gone up. If we let the market take its place, the market will produce. California has artificially tried to guide the market, first through deregulation, and then through their governor-led sponsorship of no price increase, et cetera, et cetera, et cetera, and look what has happened.

California, if you want help, let us help you; but you have to participate. You have to be willing to help the other States produce this power. You have to be willing to let transmission lines be built in your State. You have to be willing to let a natural gas transmission line come through your State and distribute in your State.

Anybody in these Chambers, anybody in these Chambers who does not want to help California ought to leave these Chambers. I mean that. Any one of my colleagues in here who does not want to help the State of California ought to leave these Chambers. That is a State in the Union. I think we have an obligation to help California. But by gosh, California has got to help pick itself up by its own bootstraps too. They have to help. And to the governor and the politicians out there in California, you have to help. The people of California deserve more, frankly, than I think you are giving them; and you do not help the situation in California by getting on the Sunday talk shows and blame it all on Washington, D.C. and blame it on all of the western States, blame it on everybody but your own regime out there in the government of California.

Now, let us talk about not just California, let us talk about our entire country. What can we do with this energy crisis? How bad is the energy crisis. First of all, let me say to my colleagues, I think it is going to work itself out. Now, that might be heresy around here. What do you mean it is going to work itself out? We have a crisis that is going to sink this country. I do not think it is going to sink this country.

In fact, I think the electrical power production will increase fairly dramatically in the next year or two. In fact, we may even have a glut out there of electricity. That is hard to believe. But if we take a look and go beyond the rhetoric, go beyond the emotion, we are going to see that this country, that the private marketplace out there, that the people of this country are an enterprising bunch of people, and we will be able to stand up to this. But one of the big factors, one of the most critical things we can do, every one of us, every one of us, I say to my colleagues, not only to help the State of California, but to help every one of our constituents out there is to take a serious look at what we can do for conservation.

I say to my colleagues, do we know what is neat about conservation? We do not have to go through a lot of pain to conserve. I will give a good example. I have the statistics on it. No pain. I am going to give my colleagues some gain without any pain. My colleagues say, something for nothing? Let me tell my colleagues, take a look at this. How many people of America have read their owner's manual in their cars? I say to my colleagues, do it tonight. Take out the owner's manual and see what the manufacturer, the experts, the manufacturer, the engineers and the designers and the manufacturer of your car, take a look at what those experts say about how often you should change the oil in your car. My guess is, at a minimum, 5,000 miles, maybe 6,000 miles. Take a look at all of the advertising in the newspapers by the quick lubes and people like that. You should change your oil every 3,000 miles. I say to my colleagues, we could conserve lots of oil in this country without any pain, without any harm to our vehicles, without any harm to the motors that we operate, by simply taking the time, read the owner's manual and find out exactly when we do need to change the oil in that vehicle. If we could move people off the 3,000 mile oil change to the oil change recommended in the owner's manual, we would have a dramatic savings in petroleum products in this country.

Let us talk about some other things. I have thought a lot about conservation; and I can tell my colleagues, I am exercising it myself. In fact, in the mornings, when I usually go back to my office, when I go into my office in the mornings, I get to the office oh, 6:30, 7 o'clock in the morning, and the first thing I do is I turn on every light in my office. I turn on every light.

□ 2145

I started thinking about this a couple of months ago. I do not need every light. I probably have six or seven different lights in my office. What I do for the first 2 hours I am in the office is read or work on the phone. I have one light that provides enough light for that. So now in my office five lights stay off for an additional 2 hours. I just turn on the one light that I need to do my work.

We can do it. All of us can conserve without a lot of pain.

I have some other ideas here that I would like to go over, because they work. They work, again, without economic pain. We do not have to pay money to do it or go out and buy some fancy device or go out and buy a hybrid automobile in order to help us conserve, in order to help this country take a look at its consumption of energy and figure out how to get the same product with less energy.

Let us go through a few things. Obviously, turn off room lights in rooms not in use. Although obvious, this tip saves the most energy.

Take a look at a city. I was in Denver the other day. It was interesting to notice in Denver how many of those

tall buildings which had cleaning crews in them, how many of those tall buildings had lights on them from the bottom floor clear to the top. If we could just go, if all of us could accept the responsibility of conservation, by just shutting the light off after we leave the room, we would have a dramatic impact.

In the State of California alone, if the citizens in California, I say to Governor Davis, if his citizens in California would just simply change the oil when the owner's manual tells them to change the oil, not when their local quick-change outfit tells them to change the oil, if they would simply turn out the lights after they left the room and follow a few more of these tips, I can assure my colleagues from the State of California, their crisis would be much less than it is today.

I am here to help. Let me tell the Members, every State in the Union is dependent upon the State of California, and, frankly, California is dependent upon us. We are a union of States.

Let us go on. Set the thermostat to 69 degrees or less during the day, 60 degrees or less at night. Bundle up. Put on an extra sweater. Keep all exterior doors tightly shut and avoid frequent in-and-out traffic.

Lower the temperature of the hot water heater to low, or 120 degrees. That is really a pretty simple thing. If we lower our water heater to 120 degrees, that is plenty hot. We are not going to suffer at all. We are not going to get a chill. We are going to feel that water is as hot as we could possibly want it, but we save energy by simply going down into the basement tonight, go to the hot water heater, turn that little button.

We do not have to call the plumber in or call the electrician in. It is made for pretty simple adjustment by the homeowner. Go down and turn the switch from high, from medium to low. I assure the Members that tomorrow morning, tomorrow morning when we take a shower or bath or wash our hands in hot water, we will have to add cold water to hot water because that 120 degrees will be adequate, yet overnight we will have helped this country begin to work its way out of this energy crisis.

Again, I am optimistic that we are going to work out of this crisis. In fact, I am more optimistic than most people here that we will get out of it sooner than we will later, but it is good for us to accept long-term conservation.

We are not going to stop our conservation efforts once we work out of this crisis. What we are going to be able to do once we work out of this is we are going to be smarter. We are going to know how to use our energy better.

Let us continue on, here. Do not let the hot water run while washing hands, brushing teeth, or shaving. That sounds pretty simple, but I was thinking about the comments I was going to make today. Believe it or not, this morning when I was at the gym I was shaving and I had the hot water running. Instead of just filling a bowl in the sink, I had the hot water running. Then I would go over and switch the TV channel and I would come back. I got to thinking, I probably had several gallons of hot water run down that drain.

I can do it better, and we can do it better.

Let us go on from there. Take shorter showers. Do not let the hot water run while washing hands, brushing teeth, or shaving. We went through that. Turn water on only when one is actually using it.

Use smaller appliances such as microwaves, toaster ovens, and crock pots to cook meals.

Use cold water to operate the garbage disposal. It is surprising how many people will turn on their garbage disposal and turn on the hot water in the sink. The garbage disposal does not require hot water, it will run with cold water.

By the way, do not let it just run and run, with the water continually flowing and flowing. We can dispose of the garbage much quicker than most people usually do. We do not need to run that garbage disposal for 2 or 3 minutes. We can run it probably for 15 or 20 seconds, run the water for 15 or 20 seconds instead of running it five times as long as that to accomplish the same results.

Let us just keep going.

Wash clothes in cold water. Schedule washings so we can do the laundry in as few loads as possible. Air dry the clothes when possible.

Close blinds, shades, and draperies. That is amazingly simple. When we leave during the day, if we want to maintain the coolness during the day in the summer coming up, close those blinds. It is amazing over a period of time how much energy and money, by the way, we will save for ourselves.

These are pretty easy conservation tips that can be followed. Let us go on.

Regular maintenance is important to the efficient operation of heating and air conditioning systems. Clean or replace air filters monthly. Vacuum and clean the condenser coils, fan blades, registers, and dampers frequently.

Again, this does not require an electrician, it does not require a master mechanic. A lot of these are simple methods that we ourselves can do, like turning down that hot water heater.

Shut off any unneeded lights, computers, motor-driven appliances and fans. If you use ceiling fans, blades should rotate.

This is very important. I did not know this until I read this tip. If we are using a ceiling fan, and most of us have ceiling fans in the home, run it clockwise in the summer months because it pulls cool air up from the floor.

I never even looked at my fans at my house, my ceiling fans, to see which direction they are running. I do know that the fans run either direction. But in the summertime, run those fans clockwise. It pulls the cool air off the floor and will reduce the utility bill, and it is more money in our pockets while at the same time we are helping the Nation conserve its energy. That is a win-win deal. That is how we are going to get to the bottom of this energy problem.

Finally, before we move on, keep the doors closed as much as possible on refrigerated coolers. That makes a lot of sense.

Tomorrow morning when we get ready for breakfast, let us take a look at what happens when we get the milk. We will run over and still have the refrigerator door open because we are going to go back and get the butter. Shut the door.

Or many refrigerators have an outside door where one can open up a little door and keep the most frequently-used food products in that little box, and we will save ourselves some money. Over a period of time, that kind of money makes a lot of difference.

Let me pull up this next one. I thought this was a fabulous poster when I saw it. That is why I have reproduced it. I want to go over it.

''How does electricity power my home? The electricity in a home travels through the house wires.'' We know that. ''The wires lead to light switches and outlets which power televisions, computers, lights, and most everything else in the home. Electricity makes our homes very comfortable to live in, but electricity is not free. Before electricity gets to our homes, some type of fuel must be used.''

Again, before the electricity gets to our house, some type of fuel must be consumed to generate that electricity. It can be coal, it can be nuclear elements, or even a dam on a river. We give up certain parts of nature to enjoy electricity, so we must do our part to conserve electricity.

There is the balanced statement. We give up certain parts of nature. We do give up parts of our nature to enjoy the benefit of electricity, but while we do that, it is incumbent upon us to act in a responsible fashion. It is incumbent upon us to help conserve the utilization of that part of nature that we are bringing in so we have the convenience of electricity.

For example, if we leave a light on in the room after we leave it, we are using electricity that we do not need. To conserve electricity, simply shut off the lights in the rooms we are not using.

Other examples include: Shut off the TV when nobody is watching it. Keep the computer in sleep mode if we are

not using it, and shut off the monitor. Use fluorescent lights or use gas-filled lights, like halogen lights. These light bulbs use less energy than regular light bulbs.

Unplug appliances, like curling irons and irons, clothing irons, right away. Letting them sit while turned on wastes electricity, and on top of that, it is unsafe.

There are lots of different ways we can conserve. My purpose in starting my comments out this evening about conservation is this solution, number one should not be dictated out of Washington, D.C. As I said earlier, my colleague, the gentleman from California (Mr. SHERMAN) says, ''Regulate. The solution rests in Washington, D.C.''

I appreciate the compliments of the gentleman from California that he has given to this respectable body in Washington, D.C., but I am telling the Members, the best answers start at home. The best answers start at home with conservation. The best answers start in our own States, where, on an environmentally sensitive and an environmentally clean and a safe project, it can allow natural gas transmission lines, for example, or allow electrical transmission lines.

There is a balance out there that can be reached. What I have seen since we have gotten into this energy crisis is an extreme on this side and an extreme on this side. Some people say, drill wherever it is necessary to drill. Some people over here want us to live on the pretense that conservation alone will solve the problem or that we do not have to build any more electric plants in this country or that the oil and gas companies really somewhere in this world have a huge pool of gas that they are hiding because they do not want to sell it to us right now. It is interesting, when the price is the highest it has been in a long time, and they do not want to sell gasoline to us when they can make a lot of profit.

Let us go on from there. Let us talk about some of the facts. I think tonight my real focus in the balance of my time is to do a little research, to look into some of the facts, and then let my colleagues draw their own conclusions. But I think I have some interesting information to reflect on here.

Cleaner air. Energy consumption has risen while emissions have declined. Take a look at the emissions from a car or from a coal plant or from a nuclear plant or Florida hydro dam. Take a look at the pollution that was emitted 25 years ago. It is as dramatic a difference from 25 years ago to today as a car 25 years ago, its radiator system, heating system. Of course, it did not have the anti-lock brakes and things like that.

The technology today has moved that car to a point that is fairly dramatic. We have done the same thing. Despite what we are hearing from one side, that we continue to generate electricity without any regard to the environment, that we continue to run our cars that are dirtier than ever, we hear misstatement after misstatement after misstatement.

Here are some of the facts. It is American technology at work. Technology is another critical piece of this puzzle to solve this energy problem. Cleaner air. Energy consumption has gone up while emissions have declined.

Here is our gross domestic product. That is recognized right here by the green line. It has gone up 147 percent. Our economy, our gross domestic product, has gone up 147 percent in the last 30 years.

Vehicle miles traveled, the amount of miles we put in our vehicles country-wide, and obviously the population has gone up, that has resulted in additional miles of 140 percent in the last 30 years.

U.S. coal consumption, the amount of coal that we are using every day for generation of power, that has gone up 100 percent. Energy consumption, the energy we are using in our country in the last 30 years, has gone up 42 percent.

But take a look at what has happened to the key air emissions. It has gone down 31 percent. So consumption is up, the economy is up, the miles driven is up, but the emissions going out are going down. Why? Because it is American technology. That is one of the key ingredients. We have to encourage technology.

Let us not be fooled, there are a lot of people that sell us the magic, like the old medicine man that drove around in a wagon and whatever sickness we had, he had a cure for it. We are going to see the same in this energy crisis. We are going to see all kinds of wild ideas they have the cure for.

The taxpayers of this country, by the way, have for some period of time funded research on technology, and it is not working. It has not worked. We have to have enough guts, frankly, Mr. Speaker, I say to my colleagues, to stand up to a technology that is not working and take that money from a technology that is not working and put it into a technology that has some promise.

President Bush has stepped forward and said, I have a number of programs out here that the American taxpayers have spent billions of dollars on and we have no real result, we need to use that money on other technology. It is not working. Do not just reject out of hand our proposition that all technology that is being studied out there is giving us promising results. It is not.

It was of interest that I heard I think again the gentleman from California (Mr. SHERMAN) talk about hybrid cars, and the Japanese are the only ones who really have it out. He is wrong on that fact. In fact, Americans have a few out. But the Japanese in this article, it is in the newspaper today, the Japanese are having problems. They are not sure how much more production they can continue with that.

Take a look at that. Do Members know what the Japanese are saying? ''We have to find a technology that conserves energy, that satisfies the consumer, and that operates in an economic manner such that the average consumer out there can afford it.''

□ 2200

Mr. Speaker, these are not graphs that I made up. These are graphs that are all sourced. It is information that if you listen to the emotional arguments that are going on out there, you would say this does not sound like what I just heard at coffee this morning. That is why I thought it would be important this evening to look at the facts.

Let us put the emotions aside. Let us put the political arguments aside and look at some of the facts. The U.S. economy is more energy efficient. Energy use has been constant since 1972. Right there, that is the energy use.

If we look at 1950, if we come back in 1950 and go to about 1972, the amount of energy use, we tracked the actual amount of projected energy use and the actual energy use. We recognized no savings, no efficiency, no real efficiency. But in 1972, because of the fact that the American people begin to demand from products more energy efficiency, we begin to see a dramatic gap.

Today, had we not exercised that energy efficiency, had American technology and, frankly, some foreign technology not been deployed in everything from our appliances to increased mileage in our cars, our actual energy consumption would be right here.

The American technology has that actual energy use right here. In a way, in a way, this energy crisis that we have today will actually be somewhat beneficial, because right now there are more Americans conserving every minute of the day today than there were just 1 year ago.

There are many, many more Americans that will be conserving next week than were conserving this week. This gap right here will continue to grow. That is positive. Efficiency is being realized. Conservation is being realized.

This next chart I think is very, very important. We cannot continue to ignore the fact. As I showed you on that earlier poster with electricity, having electricity come into your home means that somewhere, somewhere, fuel is being utilized to generate that electricity.

It is the same thing with refrigeration. It is the same thing with our petroleum products, everything from the making of clothes to driving vehicles, air-conditioning units which preserve

everything from medicine to our poultry, to our agricultural fields out there, all of these things require energy.

What has happened in this country is that there has been a fairly directed attack, saying that any kind of pursuit of energy, any kind of development of oil and gas products, any kind of development of a coal product, any kind of a development of a nuclear product, any kind of development of a dam on a river for a hydroproduct, for some reason is fundamentally wrong; that this country should not do it.

What has happened, unfortunately, is in some of those cases, including especially the nuclear generation case, these arguments have prevailed.

Now, maybe that is what the American people want. I do not think so. Because, you know what it does? It makes us more dependent on countries who are not exactly allies of the United States of America.

What happens when you become dependent on foreign energy resources? Then you are subject to their whims. Sixty percent, 60 percent, of our energy comes from overseas; 60 percent of it. If tomorrow OPEC, for example, decided they did not want to sell to the United States, can you imagine what that would do to us?

If, for example, air, let us take the air, every breath you breathe in, you are dependent on 60 percent of your air from one source, and all of a sudden that source is shut off, you are all of a sudden going to be gasping for air. You are going to be short of air; dramatically short.

That is exactly what happens if OPEC tomorrow decides to shut off the valve. That is not what we need, because that then brings on all kinds of panic. That is the kind of panic that brings on exploration that is not environmentally sensitive.

That is the kind of panic where people begin to do things they should not be doing. So what we need to do is have some kind of a logistical balanced plan for a clean energy product.

Take a look right here. This is our consumption since 1970, this blue line. These are net imports, that is the percentage. It is above 60 percent right now. That is a very dangerous line. That dependency on these countries puts our Nation at the whim of governments that may not have the best interests of the United States of America in their minds.

As we begin to explore a little further this evening, I thought it would probably be useful to take a look at where the energy consumption is by sectors. Take a look at it from 1970. In 1970, this is residential, the blue reflects residential use.

Compare residential use in 1970 with the jump that it is going to take by the year 2020, like we are talking about today, the year 2000. That is the blue line there. There is the blue line.

In 1970, take a look at where commercial is today, the increase in commercial. Take a look right here on industrial, and we come over here on industrial. I mean, these lines are going like this.

Finally, transportation. Transportation takes a huge leap, a huge leap, to move people, to move products. Remember that when you hear people talk about we need to reduce the number of cars we have and we need to get trucks off the road, remember that is what trucks provide.

There is lots of transportation that takes place, and it is not transportation of a person from point A to point B; it is transportation of products from point A to point B.

Most of the products that you have on right now, if I were to take a look at my own clothing, every piece of clothing I have on right now, my eyeglasses, my ring, all of this was dependent upon transportation. None of this was produced in the community in which I lived. I purchased it locally, but it was transported in.

Transportation is a critical energy consumer in our economy. But now that we have an idea, somewhat of a relation of what energy consumption is, let us go a little further.

As we continue in our society to provide, put more computers in rooms, to have more conveniences, even as we build bigger and better schools in our country, as we have more products that help us with different needs in this country, better machines in our hospitals, et cetera, et cetera, here is what is happening. Our energy consumption continues to go up, and this is our energy production at the 1990 to the 2000 growth rates. In other words, production is flat, consumption is going up.

A portion of this gap, this gap, somehow we have to provide for that gap. The more this goes up, the red line, the more the green line stays flat; then the more we become dependent on foreign oil supplies or foreign energy supplies like OPEC. Again, that is very dangerous.

Mr. Speaker, a portion of this red line, I think we can move this from an angle like this, perhaps down to an angle more like this, if all of us help conserve. That is where conservation comes in to help.

But do not be led down the straight path by some of the speakers, including some who preceded me this evening. Do not believe that this entire gap here, like this line will come down to energy production level simply through conservation alone. Conservation is a critical factor. It helps, but it is not the total solution.

The fact is we have to continue to build generation facilities in this country. And we are, by the way. Construction of generation facilities has not stopped in this country.

It has stopped in California, but it has not stopped throughout the rest of the United States. Obviously, now it is restarting in California. We need this production. We need it handled in a safe way. I do not want my workers, and my colleagues do not want your workers working out there in an industrial facility that is not safe.

We want safe facilities. We want clean facilities. My district has some of the cleanest water in the United States of America. My district, as you know, is the highest district in the Nation. It is the Rocky Mountains in the State of Colorado.

I happen to think all of us take a great deal of pride in our district, but I happen to think that my district has a lot of unique beauty. We do not want dirty water in our district. On the other hand, we think we have hydroelectric power plants in our district, which we have some right now. We can have hydropower in our district without dirtying the water.

We have hydroelectric plants that are safe, because we need them. We need the electricity. We need the energy. We need it done in an economic way that not just the wealthiest people of our society get the benefits of turning on a light switch anytime they want, the American people, regardless of their income level, have come to expect that when they turn on the light switch in the house, the lights come on. They have a right to that expectation, and we can provide that energy. We can provide that juice to them again in an efficient manner, in a safe manner and, most importantly of all, in a clean manner.

Now, we have heard lots of emotional arguments in the last few weeks. The evil oil, the word ''oil.'' You would think if you heard the word ''oil,'' it is almost like a cuss word. When you were a young child, the teacher would slap you on your wrist: Do not say the word ''oil'' around here.

Look, we need oil. There is a lot of our routine life that is fully dependent on oil: our health care, our medicines, our transportation, our air-cooling systems, our homes, construction; I mean, whatever you talk about, it is very interesting to hear people who speak very badly against oil. They think it is terrible that we have oil in our society. They come to the meeting, they drive up in a car, and they expect the room they are in to be at 68 degrees. They expect the light to go on when they flip the switch. And, by the way, you need oil to generate electricity.

Oil is not an evil word. It is a resource that the entire world is dependent upon. It is a resource that we cannot afford to ignore. It is a resource that we must conserve. It is a resource that is fair game for us to utilize to provide for the needs that we have in our society.

In the next 20 years, our demand for oil will increase by 33 percent. Yet, as

demand rises, domestic production drops. We now produce 39 percent less oil than we did in 1970; almost 40 percent. We produce less oil, 40 percent less oil than we did just 30 years ago. We are down nearly 4 million barrels a day. Unless our policies change, domestic production will continue to drop to 5 million barrels a day in 2020, down from 9 million barrels a day 30 years ago.

We are increasingly, and this is what frightens me, and I say to my colleagues take a very careful look, we are increasingly dependent on foreign governments for our oil. Back in 1973, we imported just 36 percent of our oil from overseas. Today we import 54 percent of our oil.

When you add the other energy that we import, almost 60 percent of the Nation's energy needs are imported from foreign governments. The number of U.S. refineries has been cut in half since 1980.

There has not been a new refinery built in this country, in the interior of this country, in more than 25 years. We have to come to some policy decisions.

As I said earlier, those policy decisions are best made at the State level, not at the level of this Congress in Washington, D.C. I keep hearing over and over, California, the Governor of California, again acting like a defense attorney, blaming it on everybody else and focusing his blame on D.C., and saying Washington, D.C. ought to come up with the remedy.

□ 2215

California, you need to help yourself, and you can begin by conserving. You can begin by forgetting these artificial price freezes out there. Face up to the music. The reality is you have got to allow electrical generation to be built in your State. The reality of it is, despite the fact that the Governor and some politicians may despise the oil production, it is sometimes necessary. Not sometimes, it is necessary.

It is necessary to my colleagues in California that you, like every other State in the Union, allow natural gas transmission lines. Look, we can do it in a clean manner, and we have a responsibility to do it in a clean and efficient manner.

I despise somebody coming into my district who thinks they want to explore for natural gas resources and leaves a scar on the land or damages the environment or, worse than that, dirties our water. Because back where I am, water is like blood. We can do it without that kind of destruction. We have a responsibility, one, to provide energy to our constituents, and, two, to do it in an efficient manner that is also a clean and safe manner.

Natural gas. Let us move to natural gas very quickly. Consumer prices for natural gas have increased twenty-fold in some parts of the country over the past year. America's demand for natural gas is expected to rise even more dramatically than oil. According to the Department of Energy, by 2020, we will consume 62 percent more natural gas than we do today.

Now why am I talking about 2020? Look, part of our leadership role in Washington, D.C. is to provide for the young people and for the future of this country. We have an obligation in my opinion to make sure that the future generations to this country are not dependent on foreign governments, that the future generations of this country have fuel services, fuel energy resources that can be provided through the most modern technology we have.

We have an obligation for the people in 2020 that they are not going to have polluted air, that their water is clean, and when they turn on the switch, they can have electricity. We can do it.

Right now, an estimated 40 percent of potential gas supplies in the United States are on Federal lands that are either closed to exploration or limited by severe restrictions. Even if we find supplies of gas, moving to the market, it will require an additional 38,000 miles of pipeline and 225,000 miles of transmission lines.

The problem of inadequate supply lines is illustrated by Prudoe Bay in Alaska. The site produces enough gas a day to meet 13 percent of American's daily consumption. But because a pipeline has not been built, the gas is pumped back to the ground; and in some cases, the gas is simply burned off.

Let us take a look very quickly at what our problems are region by region in the United States. I think of all the charts that I have shown this evening, this one will probably be of the most interest.

We have heard a panic across the country about electricity. I really think the electrical shortage in California is going to be limited pretty much to California this summer. New York City is going to be hit with some of it, but New York City can have the utilization of generation, portable generators. So I think New York City will probably be able to get through the summer pretty well, too.

Now, California has got a problem. But I do not want, Mr. Speaker, for my colleagues to think that we need to panic, that the entire Nation is going to have the electrical crisis as is faced in California.

Let us take a look at what stands out in California. Dark days are ahead, an estimated 34 of them. Actually, I think they will probably have more than 34 days of blackouts as summer descends on the once Golden State. Rolling blackouts are inevitable if California uses as much electricity as it did last year.

Now, what are some of the problems of California? First of all, the Governor of California blames it on everybody else. Second of all, I wanted the Governor of California to know that we in Congress feel an obligation to help California. And unlike what the gentleman from California (Mr. SHERMAN), the previous speaker, said, that President Bush told California to drop dead, President Bush never said that. That is a highly inaccurate statement. It is charged with emotion. It is misleading. That statement was never made by President Bush.

We care about California. But, California, there are a couple of things we need to do to alleviate the problem. One is conservation. I have spent a lot of time this evening on conservation. Two, they need transmission lines.

Our transmission systems in this country can only handle so much of a load. It is as if you have lots of cars. For example, let us say you have a pickup and you need to go from one community to the other community. If you do not have a road to get you between them, it does not do you any good no matter how many pickups you have. You have got to have a path. You have got to have transmission lines.

California, you are going to have to build some transmission lines. California, you are going to have to build some gas transmission lines. California, you are going to have to do some things in your own backyard. You are going to have to bring electrical generation facilities on-line.

Now, let us look up to the Pacific Northwest. Now, the Pacific Northwest faces problems, not because of lack of generation, not because of lack of foresight, not because they attempted to deregulate, but because of nature. They have the second worst drought on record. The second worst drought on record has tamed the mighty Columbia River, a source of most of the Pacific Northwest electricity. Enough hydroelectric capacity has been lost to power four Seattles just because they have not had the rainfall. This cycle, too, will pass, but this is their problem this summer.

Texas. Texas has a very interesting situation. Texas has kind of been self-sufficient on its power generation, but its power grid is pretty well restricted to Texas. It does not have the continental transmission lines that most other States have. New power plants mean an ample supply for the Lone Star State, but its freestanding power grid does not allow it to share its electricity riches with others. So, in Texas, they are beginning to expand their transmission lines to help the rest of the United States.

It was nothing but political rhetoric in my opinion. When Governor Davis on Sunday, Gray Davis out there in California, every other sentence, he kept blaming the Texans for California's problem. Take a look at a replay of that Meet the Press or whatever it

was. Every other sentence, it was Texas' fault; and then the sentence in between, it was Bush's fault. Here is a State that pulled itself up by its bootstraps and is now running transmission lines to help other States.

Mid-Atlantic. Most mid-Atlantic States can rest easy this summer because largely of their sophisticated shared system to ensure electricity reliability. They know that they need that energy. They have planned for that. They have not pretended that some kind of magic fix was out there, that they did not have to have electrical generation, or they did not need transmission lines; but, yet, they still have low-priced power coming into their homes.

That is the dream that took place out here in Disney Land. It is not what took place in the mid-Atlantic. In the mid-Atlantic States, they knew they had to plan for it, and they have done it in an environmentally sensitive manner. They also are exercising conservation.

New York City is unable to generate enough electricity within its border to meet its demand. With the blackouts in 1995 and 1997, the officials are racing to install 10, actually more as I understand it today, more power plants as a hedge against these shortages.

Look, the United States is preparing for this. This energy crisis is not going to bring us to our knees. But it is going to bring to our attention the fact that conservation is important, that exploration is important, that there is a balance out there.

It will also continue to bring to our attention the fact that we all have to share in this. California, you can no longer enjoy the privilege of saying, no, not in my backyard. I say to the governor of California, you can no longer enjoy the privilege of saying no electrical generation in my State.

It is time for us to take a new look at whether or not hydropower, which is the cleanest power out there, or nuclear power, if we can do it in a safe and environmentally conscious way, why not look at it. We ought to put these things on the table.

That is exactly what President Bush has committed to do. He has assigned his Vice President DICK CHENEY to go out there and take a look at the different alternatives, which also include conservation, despite the liberal Democrats, this vision of emotional fear that they are trying to put out there that conservation is not a critical part of this puzzle. In fact, my colleagues will find out with the announcements tomorrow that it is a part of the puzzle.

But my colleagues also have to understand that conservation alone, while it is important, it alone will not meet the energy needs of this country. So we have to face up to these facts. I think the American people are willing to do it.

Mr. Speaker, I have got about 7 minutes, and I want to take this last 7 minutes to kind of resummarize what we have visited with in the last 50 minutes.

I stand before my colleagues today saying that I do not think this energy crisis is going to bring down America. I do not think this energy crisis is going to bring down our economy.

Our economy is having some tough times. It is not solely because of the energy crisis that our economy is suffering. There are a number of different factors. There are a number of economies around the world that are suffering. Our economy, too, will recover.

But this is a good time for us to reflect as American people on what do we do about energy for the future of this country. Today we have plenty of power. Here in the House, I do not know, I probably have 100 lights lit up above us right here. All our TV cameras are powered. All my colleagues have watches on their hands that have batteries that are powered.

We are not suffering in this country, really suffering in this country. But we do have an obligation to look to the future. We have an obligation for some foresight. We have an obligation for this generation, not just this generation, the one we live in, to provide the energy needs that they have. But we have an obligation to move in some kind of direction that will prove positive for future generations of this country.

We have to face some realistic facts. Let us go through the facts. Conservation makes a difference. Every one of us can help conserve. I am doing it in my family. I can tell my colleagues what has driven most incentives to conserve in this country in the last few months is not government action by Governor Davis in California or by the government bureaucracy back in Washington or by those elected to Congress. We are not the ones who have driven people to conservation. Do my colleagues know what has driven them to conservation? It hit them in the wallet. It has cost a lot more money.

My wife and I are trying to conserve. We started several months ago. Why? Because we got a power bill we had not seen in a long time. That hurt. We began to conserve. Guess what? It works, and it has not hurt our lifestyle.

So conservation works. But conservation alone will not close the gap between energy consumption and energy production. Here is production. Here is consumption. That conservation will help close the gap, but it will not close the gap.

So I do not think we should stand up here and hold out as villains those leaders such as President Bush, the Vice President, who say we need to do exploration.

We need to lessen our dependency on foreign governments. That is a real pickle we are getting future generations into. We are obligating future generations of this country to foreign governments who do not have the best interest of the United States of America in mind. In fact, many of those countries could care less about what happens to the United States of America.

We have got to look out for ourselves. We cannot just tell California to look out for themselves. We as a Nation, including California, need to look out for this Nation. We need to help protect future generations. So this energy problem that we have got today can help be resolved starting today.

Tomorrow, my colleagues are going to hear the President come out with some proposals. I gave my colleagues some proposals tonight. Let us look at those real quick.

Every one of my colleagues, my guess is most of them change the oil in their car every 3,000 miles. Certainly if they do not, they have heard the advertising that you need to change it every 3,000 miles. All of us could help conserve oil without any pain if we simply looked into the owners manual and changed our oil pursuant to the recommendation of the manufacturer and the engineers who put this product together.

My guess is most of my colleagues will find out they actually do not need to change their oil except every 5,000 or 6,000 miles, and they can cut their oil consumption in that car in half as far as their engine oil is concerned.

Turn out the lights when you leave the room. Help get together at a community level, not have policy dictated to you through regulation out of Washington, D.C., from forum and community level, to the community, to the County, to the State levels on ways that your State can help this Nation conserve on energy. At the same time, when you are having those conversations, have open and legitimate conversations about what do we do for energy production.

□ 2230

It is best that we come to the table with an open mind on conservation and it is best that we come to the table with an open mind on energy production. We cannot do one without the other.

The solution for the problem that we are now seeing in this country, that we are experiencing in our every day life in this country, can be resolved through a commonsense, clean, and safe solution of more energy production and more conservation. It works. It is a win-win for us today, and it is a win-win for the future of this country.

RECESS

The SPEAKER pro tempore (Mr. CANTOR). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 31 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2333

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. REYNOLDS) at 11 o'clock and 33 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1, THE NO CHILD LEFT BEHIND ACT OF 2001

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 107–69) on the resolution (H. Res. 143) providing for consideration of the bill (H.R. 1), a bill to close the achievement gap of accountability, flexibility and choice so that no child is left behind, which was referred to the House Calendar and ordered to be printed.

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 Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. BONIOR, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

Mrs. MALONEY of New York, for 5 minutes, today.

Mrs. DAVIS of California, for 5 minutes, today.

Mr. SKELTON, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Mr. MATHESON, for 5 minutes, today.

(The following Members (at the request of Mr. GRUCCI) to revise and extend their remarks and include extraneous material:)

Mr. ROHRABACHER, for 5 minutes, May 17.

Ms. ROS-LEHTINEN, for 5 minutes, May 17.

Mr. PETERSON of Pennsylvania, for 5 minutes, today.

Mr. GRUCCI, for 5 minutes, today.

Mrs. BIGGERT, for 5 minutes, today.

Mr. WELDON of Pennsylvania, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. SUNUNU, for 5 minutes, today.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 428. An act concerning the participation of Taiwan in the World Health Organization.

H.R. 802. An act to authorize the Public Safety Officer Medal of Valor, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 700. An act to establish a Federal interagency task force for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as ''mad cow disease'') and foot-and-mouth disease in the United States.

ADJOURNMENT

Ms. PRYCE of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 34 minutes p.m.), the House adjourned until tomorrow, May 17, 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:

1934. A letter from the Acting Assistant Secretary, Department of Defense, transmitting the Department's FY 2000 Chief Information Officer Annual Information Assurance Report; to the Committee on Armed Services.

1935. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Application of Sections 23A and 23B of the Federal Reserve Act to Derivative Transactions with Affiliates and Intraday Extensions of Credit to Affiliates [Miscellaneous Interpretations; Docket No. R–1104] received May 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1936. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-B–7412] received May 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1937. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received May 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1938. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA–7759] received May 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1939. A letter from the Acting Assistant Secretary, OSHA, Department of Labor, transmitting the Department's final rule—Occupational Exposure to Cotton Dust [Docket No. H–052G] (RIN: 1218–AB90) received May 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1940. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Medical Device Reporting Regulations; Technical Amendment [Docket No. 98N–0170] received May 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1941. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Secondary Direct Food Additives Permitted in Food for Human Consumption [Docket No. 00F–1487] received May 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1942. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revision to Interim Approval Requirements [FRL–6980–6] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1943. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1944. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1945. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1946. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1947. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1948. A letter from the Director, Office of Budget, Department of Housing and Urban Development, transmitting the Department's FY 2002 Annual Performance Plan; to the Committee on Government Reform.

1949. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1950. A letter from the Chair, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting a copy of the Authority's Acts and fiscal impact statement; to the Committee on Government Reform.

1951. A letter from the Chair, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting a copy of the Authority's resolutions and orders; to the Committee on Government Reform.

1952. A letter from the General Counsel, Executive Office of the President, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1953. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Service Difficulty Reports [Docket No. 28293 (FAA–2000–7952); Amendment No. 121–284, 125–37, 135–81, and 145–26] (RIN: 2120–AF71) received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1954. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–100 Series Airplanes [Docket No. 2001–NM–67–AD; Amendment 39–12190; AD 2000–26–09 R1] (RIN: 2120–AA64) received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1955. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319 and A320 Series Airplanes Equipped with Elevator and Aileron Computer (ELAC) L80 Standard [Docket No. 2001–NM–79–AD; Amendment 39–12203; AD 2001–08–26] (RIN: 2120–AA64) received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1956. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30244; Amdt. No. 2047] received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1957. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Commuter Operations and General Certification and Operations Requirements [Docket No. 28154, Admt. Nos. 21–79, 43–37, 45–22, 65–41, 91–267, 142–4, 145–25, 161–2, and 170–3] received May 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1958. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class D and Class E Airspace; Oxford, CT [Airspace Docket No. 2000–ANE–91] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1959. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Grant, NE [Airspace Docket No. 00–ACE–37] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1960. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Ogallala, NE; Correction [Airspace Docket No. 00–ACE–38] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1961. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace; Culpepper, VA [Airspace Docket No. 00–AEA–12FR] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1962. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revocation of Class E Airspace; Gage, OK [Airspace Docket No. 2000–ASW–21] received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1963. A letter from the Acting Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule—New Markets Venture Capital Program (RIN: 3245–AE40) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

1964. A letter from the Comptroller General, General Accounting Office, transmitting the financial audit of the Federal Deposit Insurance Corporation's 2000 and 1999 Financial Statements, pursuant to 31 U.S.C. section 9105(a)(4); jointly to the Committees on Financial Services and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 143. Resolution providing for consideration of the bill (H.R. 1) to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind (Rept. 107–69). 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. BOEHLERT:

H.R. 1858. A bill to make improvements in mathematics and science education, and for other purposes; to the Committee on Science, and in addition to the Committee on Education and the Workforce, 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. KANJORSKI (for himself, Mr. HORN, Mrs. MALONEY of New York, Mr. SANDERS, Mr. KUCINICH, Mr. HINCHEY, Mr. PALLONE, and Mr. ANDREWS):

H.R. 1859. A bill to assure quality and best value with respect to Federal construction projects by prohibiting the practice known as bid shopping; to the Committee on Government Reform.

By Mr. EHLERS (for himself and Mr. BARCIA):

H.R. 1860. A bill to reauthorize the Small Business Technology Transfer Program, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Science, 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. BLUMENAUER (for himself, Mr. ABERCROMBIE, Mr. ALLEN, Mr. BALDACCI, Mr. BILIRAKIS, Mr. BONIOR, Mr. BORSKI, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CUMMINGS, Mr. DEFAZIO, Mr. DOYLE, Mr. ENGLISH, Mr. FILNER, Mr. FRANK, Mr. FROST, Mr. GANSKE, Mr. GREENWOOD, Mr. HASTINGS of Florida, Mr. HEFLEY, Mr. HINCHEY, Mr. HOEFFEL, Mr. HOLDEN, Mr. INSLEE, Mr. ISAKSON, Mrs. KELLY, Mr. KILDEE, Mr. KLECZKA, Mr. KUCINICH, Mr. LAHOOD, Mr. LATOURETTE, Ms. LEE, Mr. LEWIS of Georgia, Mr. MALONEY of Connecticut, Mr. MANZULLO, Mr. MASCARA, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Ms. MCKINNEY, Mr. GEORGE MILLER of California, Mr. MOORE, Mr. MORAN of Virginia, Ms. NORTON, Mr. PALLONE, Mr. PETERSON of Pennsylvania, Ms. PRYCE of Ohio, Mr. RODRIGUEZ, Ms. SANCHEZ, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SHIMKUS, Mr. STRICKLAND, Mr. STUPAK, Mrs. THURMAN, Mr. UDALL of Colorado, Mr. WAXMAN, Mr. WELDON of Pennsylvania, and Mr. WOLF):

H.R. 1861. A bill to amend title 39, United States Code, to provide that the procedures relating to the closing or consolidation of a post office be extended to the relocation or construction of a post office, and for other purposes; to the Committee on Government Reform.

By Mr. BROWN of Ohio (for himself, Mrs. EMERSON, Mrs. THURMAN, Mr. PALLONE, Mr. BALDACCI, Mr. STUPAK, Mr. SHOWS, Mr. ALLEN, Ms. KAPTUR, Mr. SANDERS, and Mr. FRANK):

H.R. 1862. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals; to the Committee on Energy and Commerce.

By Mr. CAMP (for himself, Mr. EHLERS, Mr. FOLEY, and Mrs. JOHNSON of Connecticut):

H.R. 1863. A bill to amend the Internal Revenue Code of 1986 to expand the credit for electricity produced from certain renewable resources to energy produced from landfill gas; to the Committee on Ways and Means.

By Mr. CAMP (for himself, Ms. DUNN, Mr. RAMSTAD, Mrs. BONO, and Mr. CANNON):

H.R. 1864. A bill to amend the Internal Revenue Code of 1986 to encourage and accelerate the nationwide production, retail sale, and consumer use of new motor vehicles that are powered by fuel cell technology, hybrid technology, battery electric technology, alternative fuels, or other advanced motor vehicle technologies, and for other purposes; to the Committee on Ways and Means.

By Mr. CANNON (for himself, Mr. HANSEN, Mr. SKEEN, Mr. MCINNIS, Mr. MATHESON, and Mr. UDALL of Colorado):

H.R. 1865. A bill to make technical amendments to the Radiation Exposure Compensation Act (42 U.S.C. 2210 note), provide compensation to certain claimants under such Act, and for other purposes; to the Committee on the Judiciary.

By Mr. COBLE:

H.R. 1866. A bill to amend title 35, United States Code, to clarify the basis for granting requests for reexamination of patents; to the Committee on the Judiciary.

By Mr. DEAL of Georgia:

H.R. 1867. A bill to amend the Internal Revenue Code of 1986 to provide 5-year depreciation for certain horses placed in service after attaining age 7; to the Committee on Ways and Means.

By Mr. ENGEL (for himself, Mr. ACKERMAN, Mr. CROWLEY, Mrs. MALONEY of New York, Mr. RANGEL, and Mr. SERRANO):

H.R. 1868. A bill to amend the Elementary and Secondary Education Act of 1965 to allow certain counties flexibility in spending funds; to the Committee on Education and the Workforce.

By Mr. FROST:

H.R. 1869. A bill to amend the Fair Labor Standards Act of 1938 to require an employer

to notify the parent or guardian of an employee who is under the age of 18 or handicapped and who works at the same facility as an individual who has a criminal record that includes a conviction for a crime of violence; to the Committee on Education and the Workforce.

By Mr. GIBBONS:

H.R. 1870. A bill to provide for the sale of certain real property within the Newlands Project in Nevada, to the city of Fallon, Nevada; to the Committee on Resources.

By Mr. GREENWOOD:

H.R. 1871. A bill to modify certain vesting requirements for Railroad Retirement annuities; to the Committee on Transportation and Infrastructure, and in addition to the Committee on 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. HANSEN:

H.R. 1872. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit to individuals who donate their organs at death; to the Committee on Ways and Means.

By Mr. HAYWORTH (for himself and Mr. KILDEE):

H.R. 1873. A bill to reauthorize the funding for the Native American Housing and Self-Determination Act of 1996; to the Committee on Financial Services.

By Mr. HUNTER (for himself, Mr. ROYCE, Mr. CUNNINGHAM, Mr. DOOLITTLE, Mr. HERGER, Mr. OSE, Mr. POMBO, Mr. RADANOVICH, Mr. GALLEGLY, Mr. MCKEON, Mr. DREIER, Mr. HORN, Mr. LEWIS of California, Mr. GARY G. MILLER of California, Mr. CALVERT, Mrs. BONO, Mr. ROHRABACHER, Mr. COX, and Mr. ISSA):

H.R. 1874. A bill to allow any business or individual in any State experiencing a power emergency to operate any type of power generation available to ensure their economic stability, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HUTCHINSON (for himself and Mrs. MORELLA):

H.R. 1875. A bill to amend the Violence Against Women Act of 2000 by expanding the legal assistance for victims of violence grant program to include legal assistance for victims of dating violence; to the Committee on the Judiciary.

By Mr. ISAKSON:

H.R. 1876. A bill to suspend temporarily the duty on nelfilcon polymer; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself, Mrs. MALONEY of New York, Mr. GREEN of Wisconsin, Mr. SHOWS, Mr. ENGLISH, Ms. NORTON, and Ms. HART):

H.R. 1877. A bill to amend title 18, United States Code, to provide that certain sexual crimes against children are predicate crimes for the interception of communications, and for other purposes; to the Committee on the Judiciary.

By Mr. KIND:

H.R. 1878. A bill to provide supplemental payments to dairy producers based upon their annual milk marketings and to provide additional payments to dairy producers for any month in which the prices received by producers for milk for the preceding three months is less than a target price of $12.50 per hundredweight; to the Committee on Agriculture.

By Mr. RADANOVICH:

H.R. 1879. A bill to authorize the President to award a gold medal on behalf of the Congress to Peter F. Drucker, the father of modern management, in recognition of his accomplishments as a journalist, a writer, an economist, and a philosopher; to the Committee on Financial Services.

By Mr. SCHAFFER:

H.R. 1880. A bill to amend the Cache La Poudre River Corridor Act to make technical amendments; to the Committee on Resources.

By Mr. SENSENBRENNER:

H.R. 1881. A bill to amend the Internal Revenue Code of 1986 to provide that the graduated income tax rates that apply to principal campaign committees of candidates for Congress shall apply to all comparable committees of candidates for State and local offices; to the Committee on Ways and Means.

By Mr. UDALL of Colorado:

H.R. 1882. A bill to establish the Cultural Heritage Assistance Partnership Program in the Department of the Interior, and for other purposes; to the Committee on Resources.

By Mr. WALDEN of Oregon:

H.R. 1883. A bill to authorize the Secretary of the Interior to conduct a feasibility study on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon; to the Committee on Resources.

By Mr. LINDER (for himself, Mr. KINGSTON, Mr. CHAMBLISS, Mr. BARR of Georgia, Mr. DEAL of Georgia, Mr. COLLINS, Mr. NORWOOD, Mr. LEWIS of Georgia, Mr. ISAKSON, and Ms. MCKINNEY):

H.R. 1884. A bill to honor Paul D. Coverdell; to the Committee on Education and the Workforce.

By Mrs. CAPPS (for herself, Mr. THOMPSON of California, Mr. SCARBOROUGH, Mr. BOEHLERT, Mr. FARR of California, Mr. GEORGE MILLER of California, Ms. LEE, Mr. PALLONE, Mr. LANTOS, Mrs. DAVIS of California, Ms. HOOLEY of Oregon, Ms. ROYBAL-ALLARD, Mr. HONDA, Mrs. NAPOLITANO, Mr. STARK, Ms. WOOLSEY, Mr. FILNER, Ms. SOLIS, Mr. SHERMAN, Ms. PELOSI, Ms. ESHOO, Mr. DAVIS of Florida, Mr. BLUMENAUER, Mrs. TAUSCHER, Mrs. THURMAN, Mr. WAXMAN, Ms. HARMAN, Mr. MATSUI, Mr. BERMAN, Mr. FRANK, Ms. LOFGREN, Mr. WEXLER, Ms. WATERS, Ms. MILLENDER-MCDONALD, Mr. ALLEN, Mr. WU, Ms. BROWN of Florida, Mr. MCDERMOTT, Mr. HORN, Mr. HASTINGS of Florida, Mr. KENNEDY of Rhode Island, Mr. DEFAZIO, Mr. DEUTSCH, Mr. SCHIFF, Mr. BECERRA, Mr. GILCHREST, Mr. SMITH of Washington, Mr. DELAHUNT, and Mr. ABERCROMBIE):

H. Con. Res. 136. Concurrent resolution expressing the sense of the Congress that the moratoria on new oil and natural gas leasing activity on submerged lands of the Outer Continental Shelf should be maintained; to the Committee on Resources.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

72. The SPEAKER presented a memorial of the Senate of the State of Ohio, relative to Senate Resolution No. 126 memorializing the United States Congress to reintroduce and pass the New Markets for State-Inspected Meat Act as a means of assisting small meatpacking operations and to restore fairness to the meat industry in this country; to the Committee on Agriculture.

73. Also, a memorial of the Legislature of the State of Alaska, relative to Resolution No. 13 memorializing the United States Congress to amend the tax code to eliminate the marriage penalty; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mr. DUNCAN
H.R. 17: Mr. PLATTS.
H.R. 18: Mr. GILLMOR and Ms. HART.
H.R. 37: Mr. MOORE.
H.R. 40: Mr. DAVIS of Illinois.
H.R. 46: Mr. CLEMENT and Mr. HINCHEY.
H.R. 68: Mr. TIAHRT.
H.R. 80: Mr. PETERSON of Minnesota.
H.R. 115: Mr. MCDERMOTT and Ms. RIVERS.
H.R. 179: Mr. ADERHOLT.
H.R. 218: Mr. STUPAK, Mr. FROST, Mr. CROWLEY, Mr. RAHALL, Mr. COSTELLO, Mr. VITTER, Mr. BRADY of Texas Mr. DOYLE, and Mr. WHITFIELD.
H.R. 220: Mr. BURTON of Indiana.
H.R. 231: Mr. PRICE of North Carolina.
H.R. 267: Ms. SANCHEZ.
H.R. 303: Mr. PETRI.
H.R. 324: Mr. RANGEL, Mr. BLUMENAUER, Mr. GRUCCI, and Mr. SHERMAN.
H.R. 437: Mr. BARTLETT of Maryland.
H.R. 471: Mr. BROWN of Ohio.
H.R. 481: Mr. CLAY.
H.R. 491: Ms. MCKINNEY, Mr. BAIRD, Ms. ESHOO, Ms. PELOSI, Mr. WYNN, Mr. FARR of California, and Ms. WATERS.
H.R. 499: Mr. LANGEVIN, Ms. MCCOLLUM, Ms. BALDWIN, and Mr. ABERCROMBIE.
H.R. 500: Mr. HINCHEY.
H.R. 510: Mr. BRADY of Pennsylvania.
H.R. 511: Mr. FOLEY and Mr. GREEN of Texas.
H.R. 537: Mrs. JONES of Ohio, Mrs. MCCARTHY of New York, and Mr. ENGLISH.
H.R. 573: Mr. LEVIN.
H.R. 600: Mr. SKEEN, Mr. BENTSEN, and Mr. GRAHAM.
H.R. 606: Mr. SKELTON.
H.R. 612: Ms. KAPTUR and Mr. LATOURETTE.
H.R. 623: Mr. SAWYER.
H.R. 663: Mr. OWENS and Ms. MILLENDER-MCDONALD.
H.R. 717: Mr. BOEHNER and Mr. HYDE.
H.R. 755: Mr. BACA.
H.R. 782: Mrs. DAVIS of California.
H.R. 826: Mr. MICA and Mr. BISHOP.
H.R. 835: Mrs. NAPOLITANO and Mr. REHBERG.
H.R. 840: Mr. PLATTS and Mr. EVERETT.
H.R. 844: Mr. MASCARA.
H.R. 868: Mr. CLAY, Mr. BRADY of Texas, Mr. MCINTYRE, Mr. MORAN of Virginia, Ms. LOFGREN, Mrs. NAPOLITANO, Mr. MATHESON, and Mr. CLYBURN.
H.R. 876: Mr. UDALL of Colorado, Mr. BARRETT, Mr. SHAYS, Ms. LEE, and Mr. BARTLETT of Maryland.
H.R. 909: Mr. RYAN of Wisconsin.
H.R. 913: Mrs. MALONEY of New York.
H.R. 924: Mr. DELAHUNT.
H.R. 925: Mr. DELAHUNT.
H.R. 926: Mr. DELAHUNT.
H.R. 1073: Mr. HINOJOSA and Mr. PRICE of North Carolina.
H.R. 1089: Mr. HAYWORTH.
H.R. 1139: Mr. SCHIFF.
H.R. 1149: Ms. ESCHOO, Ms. MCKINNEY, Mr. SMITH of Washington, Mr. DOOLEY of California, and Mr. SCHIFF.
H.R. 1155: Mr. MENENDEZ and Ms. PELOSI.
H.R. 1203: Mr. WALDEN of Oregon.

H.R. 1220: Mr. GONZALEZ.

H.R. 1255: Mrs. MALONEY of New York and Mr. STRICKLAND.

H.R. 1262: Mrs. CLAYTON, Mr. PRICE of North Carolina, Mr. SHOWS, Mr. COYNE, and Mr. BACA.

H.R. 1265: Mr. SOUDER, Ms. PELOSI, and Ms. WOOLSEY.

H.R. 1304: Mr. DOYLE.

H.R. 1305: Mr. BERRY, Mr. CALLAHAN, Ms. DEGETTE, Mr. ROGERS of Kentucky, and Mr. KUCINICH.

H.R. 1307: Mr. CLAY, Mr. GORDON, Ms. NORTON, Mrs. CLAYTON, Mr. PRICE of North Carolina, and Mr. KUCINICH.

H.R. 1318: Mr. ISSA, Mr. COOKSEY, and Mr. BEREUTER.

H.R. 1343: Mr. GREEN of Texas.

H.R. 1354: Mr. GRUCCI and Mr. FARR of California.

H.R. 1357: Mrs. KELLY.

H.R. 1363: Mr. BARTLETT of Maryland.

H.R. 1366: Mr. BECERRA and Ms. PELOSI.

H.R. 1367: Mr. HUNTER.

H.R. 1400: Mr. CLAY and Ms. KILPATRICK.

H.R. 1408: Ms. KILPATRICK, Mr. WELDON of Florida, and Mrs. BIGGERT.

H.R. 1421: Ms. BERKLEY, Mr. PAYNE, Mr. SAXTON, Mr. BLAGOJEVICH, and Ms. LEE.

H.R. 1430: Mr. SIMMONS.

H.R. 1459: Mr. UDALL of Colorado, Mr. BLUNT, Mr. SHAW, Mr. MCDERMOTT, and Mr. KUCINICH.

H.R. 1468: Mr. KENNEDY of Rhode Island.

H.R. 1487: Mr. GALLEGLY.

H.R. 1522: Mr. MEEKS of New York.

H.R. 1524: Mr. HASTINGS of Washington and Mr. SKEEN.

H.R. 1532: Mr. GRUCCI.

H.R. 1541: Ms. SOLIS.

H.R. 1542: Mr. WELDON of Florida, Ms. BALDWIN, and Mr. TANCREDO.

H.R. 1543: Mr. FRANK.

H.R. 1553: Mr. ISAKSON, Mr. TOWNS, Mr. CANTOR, and Mr. MEEKS of New York.

H.R. 1556: Mr. TOWNS, Mr. FRANK, Mr. ADERHOLT, Mr. LEWIS of Georgia, and Mr. ENGLISH.

H.R. 1589: Mr. RANGEL.

H.R. 1597: Mr. DOOLITTLE.

H.R. 1599: Mrs. THURMAN.

H.R. 1603: Mr. BOEHLERT.

H.R. 1604: Ms. MCCOLLUM, Ms. DELAURO, Mr. ROSS, Mr. SABO, Mr. UDALL of New Mexico, and Mr. GREEN of Wisconsin.

H.R. 1609: Mr. SPENCE.

H.R. 1624: Mr. PICKERING, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. DELAURO, Mr. WALDEN of Oregon, Mrs. CUBIN, Mr. SHAW, Ms. MILLENDER-MCDONALD, and Mr. KERNS.

H.R. 1628: Mr. GONZALEZ and Mr. FROST.

H.R. 1629: Mr. NEY, Mr. BACHUS, Mr. FROST, Mr. CAPUANO, and Mrs. KELLY.

H.R. 1631: Mrs. MEEK of Florida.

H.R. 1632: Mr. TOOMEY, Mr. BARTON of Texas, and Mr. ISAKSON.

H.R. 1638: Mrs. MCCARTHY of New York and Mr. GRUCCI.

H.R. 1644: Mr. LIPINSKI, Mr. STUMP, Mr. BAKER, Mr. BLUNT, Mr. CHABOT, Mr. GREEN of Wisconsin, and Mr. THORNBERRY.

H.R. 1650: Mr. BISHOP and Mr. HINOJOSA.

H.R. 1657: Mr. WELLER and Mr. HUNTER.

H.R. 1663: Mr. WAXMAN and Mr. STARK.

H.R. 1672: Mr. UDALL of New Mexico, Mr. UPTON, Mr. KILDEE, Mr. SANDERS, Mr. TIERNEY, and Mr. BONIOR.

H.R. 1674: Mr. WAXMAN, Mr. BALDACCI, Mr. ENGLISH, Mr. UDALL of Colorado, Mr. JEFFERSON, Mr. LAFALCE, and Mr. SANDLIN.

H.R. 1688: Mr. EVERETT.

H.R. 1700: Mr. MOAKLEY, Mr. SABO, Ms. CARSON of Indiana, Mr. GANSKE, Mr. MCHUGH, and Mr. SHIMKUS.

H.R. 1701: Mr. SHOWS, Mr. TURNER, Mr. HILLEARY, Mr. NETHERCUTT, Mr. CLEMENT, Mr. SIMPSON, Mr. HOLDEN, Mr. DUNCAN, Mr. HUTCHINSON, Mr. BEREUTER, Ms. PRYCE of Ohio, and Mr. SKELTON.

H.R. 1707: Mr. LAFALCE, Mrs. CAPPS, Mrs. TAUSCHER, Mr. FLAKE, Mr. ACKERMAN, Mr. WEXLER, Ms. ROYBAL-ALLARD, Mr. CALVERT, Mr. BOUCHER, and Ms. HARMAN.

H.R. 1713: Mr. ORTIZ, Mr. MCDERMOTT, and Mr. KUCINICH.

H.R. 1718: Mrs. MINK of Hawaii, Mr. HORN, Mr. RAHALL, Mrs. THURMAN, Mr. PALLONE, Mr. CONDIT, Mr. HALL of Ohio, Mr. ISAKSON, Mr. DOOLEY of California, Mr. FILNER, Mr. COOKSEY, Ms. RIVERS, Mr. CAPUANO, Mr. STEARNS, Mr. SHAYS, Mr. BROWN of Ohio, Mr. BALDACCI, Mr. BAIRD, Ms. PELOSI, Mr. BLAGOJEVICH, Mr. KENNEDY of Rhode Island, Mr. MORAN of Virginia, Ms. BROWN of Florida, Mr. SPRATT, Mr. HOLDEN, Mr. QUINN, Ms. ROYBAL-ALLARD, Mr. SMITH of New Jersey, Mr. MCGOVERN, and Mr. ISRAEL.

H.R. 1723: Mr. ACKERMAN, Mr. HINCHEY, Mr. OBERSTAR, Mr. CROWLEY, Mr. LANGEVIN, Mr. ISRAEL, Mr. NEAL of Massachusetts, Mr. QUINN, Mr. BOSWELL, Mrs. MALONEY of New York, Mrs. MINK of Hawaii, Mr. MATSUI, Mr. RODRIGUEZ, Mr. BONIOR, Mr. ABERCROMBIE, Mr. SHAYS, Mr. KING, Mr. SKELTON, Mr. BALDACCI, Mr. BOUCHER, Ms. ESCHOO, Mrs. ROUKEMA, Mr. NUSSLE, Mr. WYNN, Mr. MORAN of Virginia, Mr. COYNE, Mr. KUCINICH, Ms. LEE, Ms. BALDWIN, Ms. HARMAN, Ms. HOOLEY of Oregon, Ms. NORTON, Mr. LAMPSON, and Ms. DELAURO.

H.R. 1733: Mr. CLAY.

H.R. 1750: Mr. LAFALCE and Mr. FILNER.

H.R. 1751: Mr. LAFALCE and Mr. FILNER.

H.R. 1762: Mr. ADERHOLT.

H.R. 1769: Mr. ISAKSON, Mr. GILMAN, Mr. ANDREWS, Ms. PRYCE of Ohio, and Mrs. MALONEY of New York.

H.R. 1770: Mr. BARR of Georgia, Mr. GILMAN, Mr. ROGERS of Michigan, Mr. ENGLISH, Mr. HOSTETTLER, Mr. ISSA, and Mr. DINGELL.

H.R. 1781: Mr. EHLERS, Mr. MATSUI, Mr. FRELINGHUYSEN, Mr. PAYNE, and Mr. ANDREWS.

H.R. 1801: Mr. TURNER, Mr. BRADY of Texas, Mr. SMITH of Texas, and Mr. FROST.

H.R. 1810: Mr. BOEHLERT.

H.R. 1819: Ms. SOLIS.

H.R. 1831: Mr. OXLEY, Mr. GANSKE, Ms. MCCARTHY of Missouri, Mr. BRADY of Texas, Mr. PICKERING, Mr. RADANOVICH, Mr. COSTELLO, Mr. BORSKI, and Mr. BAIRD.

H. Con. Res. 13: Ms. WATERS.

H. Con. Res. 28: Mr. CONYERS.

H. Con. Res. 29: Mr. CONYERS, Mr. KUCINICH, and Mrs. CHRISTENSEN.

H. Con. Res. 30: Mr. CONYERS.

H. Con. Res. 31: Mr. CONYERS.

H. Con. Res. 32: Mr. CONYERS.

H. Con. Res. 33: Mr. CONYERS.

H. Con. Res. 34: Mr. CONYERS.

H. Con. Res. 36: Mr. CONDIT, Mr. JENKINS, and Mr. TIAHRT.

H. Con. Res. 29: Mr. GANSKE and Mr. COSTELLO.

H. Con. Res. 56: Mr. KUCINICH.

H. Con. Res. 58: Mr. CANTOR.

H. Con. Res. 97: Mr. GARY G. MILLER of California.

H. Con. Res. 102: Mr. OSBORNE, Mr. STRICKLAND, Mrs. MINK of Hawaii, Mr. FRANK, Mr. COYNE, and Mr. WU.

H. Con. Res. 116: Mr. BARCIA, Mr. SHAYS, and Mr. HOEFFEL.

H. Con. Res. 135: Mr. PAUL, Mr. SCHIFF, Mr. TANCREDO, Mr. WU, and Mr. STUMP.

H. Res. 87: Ms. BERKLEY, Mr. DEUTSCH, and Ms. JACKSON-LEE of Texas.

H. Res. 120: Mr. RANGEL, Mr. KING, and Mr. EVANS.

EXTENSION OF REMARKS

TROUBLES IN ADDIS ABABA

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. HONDA. Mr. Speaker, I rise today to raise awareness and express my concern over the serious situation in Addis Ababa, Ethiopia. On April 11th while students at University College of Addis Ababa were peacefully protesting the fact that the government had disbanded the student council and closed the student newspaper, federal security police were sent in to crack down on the protests.

In the wake of this crackdown over 50 students were seriously injured. Amnesty International reported that ''over 40 students required hospital treatment from head wounds or fractures'' and two students were killed. The crackdown continued through April 17th and there have been reports of more than 41 people, including university and secondary school students, being killed during this period.

Since April 17th, Human Rights Watch reported, ''Students were dragged out of local churches and mosques, where they had sought refuge, and taken into detention [and] more than two thousand students were detained during these raids.'' The use of unprovoked and heavy violence inflicted by the federal police, who were armed with live ammunition, against peaceful student demonstrators and the public must not continue.

I am also extremely concerned about the recent arrests of key Ethiopian human rights workers such as Dr. Mesfin Wolde-Mariam and Dr. Berhanu Nega for allegedly inciting students to protest. To my knowledge, formal charges have not been filed and these men's whereabouts are not known. These men should be accorded due process of the legal system and be provided adequate medical care if needed and they should be released if no charges are filed against them.

I will be watching the events in Addis Ababa closely. I put those who would continue to harm innocent students and human rights advocates on notice that they are being monitored.

IN HONOR OF ROBERT D. DICKENS

HON. ASA HUTCHINSON

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. HUTCHINSON. Mr. Speaker, I rise today with the sad task of informing the House of the passing of Dr. Dick Dickens, Jr. of Little Rock. Dick was a neurosurgeon in private practice who was adored by his patients. They were deeply touched by his warmth as a human being, and by his dedication as a surgeon. Everyone knew that if they were being treated by Dick, they were in the skillful hands of a highly trained and committed surgeon.

Dick came from a family of doctors; his father and grandfather were doctors. Recently, Dick decided to use his background and skills to be an active participant in the effort to ensure that outstanding healthcare is available to all. He began working as an Associate Medical Director at Arkansas Blue Cross and Blue Shield of Little Rock because he wanted to be well-versed in all facets of the practice of medicine, including the administrative side.

Dick was also deeply interested in the complex ethical issues which confront physicians and hospitals today. He received a Certificate of Achievement from the University of Virginia Center for Biomedical Ethics after studying these issues in depth.

Dick was a man with great zest for life. He lived his personal life with the same gusto and dedication which he applied to his professional life. He had a tremendous thirst for knowledge which evidenced itself in many ways. He was an accomplished runner who participated in several marathons, was a connoisseur of fine wines and Italian cooking, and had a true love for music of all types.

More important than Dick's extremely successful professional and personal accomplishments was the fact that he was a man who knew the value of people. He loved and was loved. He would often say that the true value of a man was not the things that had been done in life, but the people loved. It can be said of Dick by those who knew him well that they were granted a great privilege to be his friend, and as one friend said ''I am a better man today because I had the opportunity to know Dick Dickens.''

The world is a better place today because Dick Dickens lived, and a little sadder because he has passed away. I join my colleagues in the House of Representatives in sending our deepest sympathy to the Dickens family, and especially, Dick's wife Nancy and his children, Rob and Margaret Avery.

FAIRNESS FOR FOSTER CARE FAMILIES ACT OF 2001

SPEECH OF

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2001

Mrs. MORELLA. Mr. Speaker, I rise in strong support of the Fairness for Foster Care Families Act and thank my colleague Congressman RON LEWIS for taking this important step toward expanding the benefits of our foster care system.

Approximately 500,000 children are placed in foster care programs each year nationwide, including 23 counties in Maryland. According to the Maryland State Social Services report for January 2001, the number of children in foster care has risen over 20 percent from 8,178 in 1997 to 9,900. H.R. 586 addresses a growing need for foster care and foster care placement agencies.

Imagine two households of foster care families. The first one is run by John Doe, who receives his foster care payments from a nonprofit foster placement agency. His next door neighbor, Jane Doe, puts in the same amount of effort and spends the same amount of money on her foster child, and her initial foster care payments are the same. But because Jane's payments are from a for-profit foster placement agency, current law states that Jane has to pay taxes, so she effectively earns less money than John Doe even though she puts in the same amount of effort as John Doe. The Fairness for Foster Care Families Act will remedy this patently unfair system by ensuring that equal effort from foster care families merits equal reward in the form of nontaxable payment from all foster placement agencies.

Tax credits for payments from any qualified placement agency will make it easier for prospective foster care parents and placement organizations alike to provide a safe and nurturing environment in which these children can develop without worrying about profits or financial insecurity. If we do not in the House of Representatives expand tax credits to include for-profit foster care organizations, we risk jeopardizing the quality of care that foster children may receive while at the same time further complicating the screening process for foster parents.

Currently, for-profit foster care organizations that are not directly controlled by the government do not receive tax credits for the payments they make to providers of foster care. As a result, these companies must raise their payments to solicit more applicants.

Applicants for foster care undoubtedly increase as payments from foster care organizations increase. With a tax credit for all qualified foster care placement agencies we can be sure that the applicant pool of foster parents can increase in a way that boosts both quantity and quality of the applicant pool.

The Fairness for Foster Care Families Act will help expand foster care to meet a growing need that affects my constituents and the nation at large. We owe it to our children, we owe it to the future of our society, we owe it to the families who have the courage and compassion to open up their homes to those children that are, for whatever reason, without a home. Passing the Fairness for Foster Care Families Act sends the message that we care enough about our foster individuals to provide them all with an equal opportunity for proper care. I encourage my colleagues to join me in supporting H.R. 586.

THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION REAUTHORIZATION ACT OF 2001

HON. J.D. HAYWORTH

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. HAYWORTH. Mr. Speaker, I come before this House today to introduce legislation with Congressman DALE KILDEE that will help make the dream of homeownership more accessible to Native American families. Five years ago, my friend and former colleague Congressman Rick Lazio and I worked together to write the Native American Housing Assistance and Self-Determination Act of 1996 (P.L. 104–330). This law has revolutionized Indian housing, and Congressman KILDEE and I are pleased to offer a bipartisan bill that would reauthorize this Act for an additional five years.

Mr. Speaker, the Congress set out on a path during the 104th Congress to support tribal self-determination through the passage of NAHASDA. Prior to 1996, Native Americans were rolled into standard public housing programs that were insufficient to meet the unique needs of Native American tribes. NAHASDA has changed that. For the first time, tribes have been able to assess their own needs and access funds through a single, flexible block grant that allows for innovation and creativity. The block grant program supports new partnerships between the Federal and tribal governments and the private sector, and provides the tools needed for tribal governments to help their members achieve a higher standard of living.

After only a few years of implementation, NAHASDA has proven itself invaluable in this effort. Statistics from the Department of Housing and Urban Development show that today there are nearly 25,000 units of housing under construction or in development, a twelve-fold increase in production since 1996, the last year that tribes were covered by public housing programs.

Although originally a sound bill when it was passed in 1996, it took implementation to show where the law might be improved to more effectively serve its purpose. Reacting accordingly, the Congress further refined the Act with two packages of amendments that were approved with wide bipartisan support in 1998 and 2000.

The difference in Indian housing before NAHASDA and now, particularly with these new amendments in place, is astounding. NAHASDA provides tribal governments and tribally-designated housing entities with the ability and responsibility to strategically plan their own communities' development, focusing on the long-term health of the community without the burden of excessive regulation. Offering the maximum amount of flexibility in the use of housing dollars, while still upholding strict accountability standards, NAHASDA affirms the self-determination of tribes and allows for local problem-solving.

Furthermore, the formula-driven block grant allows tribes to involve private markets and private real estate entities to improve economic conditions in Indian country. Simply put, NAHASDA facilitates a better use of federal dollars to address the needs of Indian communities.

Mr. Speaker, the positive impact NAHASDA has had in the lives of so many Native people is nothing short of remarkable. With its emphasis on self-determination and responsibility at the local level, I hope that the House will act quickly to approve the NAHASDA reauthorization legislation we are introducing today. I look forward to working with my colleagues in the House, as well as in the Senate and the Bush administration, to ensure that the American Dream becomes a reality for Native Americans.

NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION REAUTHORIZATION BILL

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. KILDEE. Mr. Speaker, I am very pleased to be an original cosponsor of the Native American Housing Assistance and Self-Determination Act (NAHASDA) reauthorization bill. The NAHASDA, enacted in 1996, was the first piece of comprehensive housing legislation directed solely to Native American and Alaska Native people. The Act provides basic housing, basic plumbing, basic water infrastructure, heat, and electricity to many of our country's Indian reservations. That is why I support the reauthorization of NAHASDA, an Act that has already gone so far in meeting the housing needs of our First Americans.

The success of NAHASDA is clear. In the five years since NAHASDA's enactment, twenty-five thousand housing units have been constructed or are in development. With severely overcrowded conditions in more than fifty percent of homes in tribal areas, and more than forty percent of homes with serious physical deficiencies, the need has been demonstrated and is slowly being met. While development under NAHASDA is encouraging, it is estimated that there is still an immediate need for 200,000 housing units.

NAHASDA promotes tribal self-determination. Under the Act, tribes administer their funds directly instead of the regional housing organizations administering their funds. The Act also encourages the involvement of private sector entities and promotes innovative financing.

Mr. Speaker, the NAHASDA reauthorization bill will build upon the success of the past five years by providing more housing development on our nation's Indian reservations. Housing is the backbone of economic and community development. It creates jobs and drives tribal economies. It is a basic need that can strengthen progress in other areas like education and health care too.

I would like to thank my colleague, Congressman J.D. HAYWORTH for his dedication to Native American issues, and for introducing this bill today. It is my hope that my colleagues on both sides of the aisle will support this bill for what it is—a renewed commitment to the well-being of the Native American people of this nation.

HONORING THE DEDICATED SERVICE OF TRACY WALRAVEN

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. GORDON. Mr. Speaker, I rise today to recognize the tremendous contributions Tracy Walraven has made to Tennessee's Sixth Congressional District. For the past two years, Tracy has been an invaluable part of my Washington, D.C., office.

But she is moving on to greener pastures now. Tomorrow will be her last day as my executive assistant. Although my staff and I are sad to see Tracy leave, we are glad she has taken a job that should further her incredibly bright career.

Tracy started in my office as an eager intern still in college pursuing her undergraduate degree and wanting to learn as much as possible about the workings and intricacies of Capitol Hill. Her work ethic, intelligence and research skills soon prompted me to offer her a full-time job. She has proven herself a capable, loyal employee.

Tracy has ably assumed a wide variety of responsibilities while serving in my office. She is a dedicated and talented professional who accomplishes every assigned task, no matter how complicated. Throughout all the pressures exerted in such a fast-paced workplace, her sense of humor has been a positive influence on everyone.

I will always have a special place in my heart for Tracy, who, like myself, is a graduate of Middle Tennessee State University. Congratulations on your new job, Tracy, and may God bless you in your future endeavors.

RECOGNIZING THE ARTISTIC TALENTS OF BRANDON BARCHFELD

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. DOYLE. Mr. Speaker, I rise today to recognize the tremendous artistic ability of a young man from my Congressional District, Brandon Barchfeld of Thomas Jefferson High School. Brandon is the top winner of the 2001 18th Congressional District High School Art Competition, An Artistic Discovery.

Brandon's colored pencil piece, entitled, "Alaina," is a beautiful, vibrant depiction of a young lady who is sitting at a desk while taking notes. He has captured a moment out of this individual's life and leaves us wondering what it is for which she appears to be listening so intently. It is a piece of artwork that leaves you mesmerized by the value of a moment in time.

Brandon's artwork was selected from a number of outstanding entries to this year's competition. I hope that he and his family are proud of this accomplishment.

I would also like to recognize all the other participants in this year 18th Congressional District High School Art Competition, An Artistic Discovery. I would like to thank these vibrant young artists for allowing us to share and celebrate their talents, imagination and creativity. The efforts of these students are no less than spectacular.

I hope that all of these individuals continue to utilize their artistic talents, and I wish them all the best of luck in their future endeavors.

A TRIBUTE FOR TAIWANESE-AMERICAN HERITAGE WEEK

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. KLECZKA. Mr. Speaker, each May, our nation pauses to recognize the enormous contributions that Pacific Islanders and Americans of Asian descent have made to our country. One week of this month long celebration, the week following Mother's Day, is designated as Taiwanese-American Heritage Week. This observance offers us the opportunity to acknowledge the contributions of the Taiwanese-American population throughout the United States, and celebrate its rich and unique cultural heritage.

There are currently over 10 million Americans of Asian descent in the United States, 500,000 of whom are Taiwanese Americans. In Wisconsin, our Asian-American population has grown statewide to nearly 89,000, with over 25,000 located in Milwaukee County alone.

The Taiwanese-American community in the United States places strong emphasis on the importance of education. Over 40% of its population consists of college graduates, many with advanced degrees. Americans of Taiwanese descent have made significant contributions in all walks of life, including the arts, sciences, and the humanities. In fact, the 1986 winner of the Nobel Prize in Chemistry, Dr. Lee Yuan-tse, is a Taiwanese American.

The Taiwanese-American community in Milwaukee has also made important contributions to the quality of life in our community. This week, Milwaukee-area residents are being given the opportunity to learn more about the Taiwanese American people, its food, culture and history at the Taiwanese-American Heritage Week festival sponsored by the Taiwanese-American Associations of Milwaukee & Madison, the Taiwanese Student Association of UW-Madison and the Formosan Association for Public Affairs-Wisconsin. I congratulate these organizations for their efforts to share their rich cultural heritage with our community, and extend my best wishes for a rewarding and successful day of festivities.

And, as we join in celebrating the traditions and culture of the Taiwanese-American community, let us also remember to cherish the diversity that is America, and the spirit of community that binds us together as a nation.

TRIBUTE TO NEW YORK VETERANS

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. WALSH. Mr. Speaker, most recent data from the U.S. Department of Veterans Affairs estimate that roughly 23.6 million male and 1.2 million female veterans currently reside in the United States. Of which, 3,400 veterans served in World War I, 5.9 million in World War II, 4.1 million in the Korean Conflict, 8.1 million during the Vietnam era, 2.2 million during the Persian Gulf War era, and 5.8 million during peacetime.

New York State is home to over 1.4 million veterans, and some 4,600 veterans reside in Cortland County alone. Veterans from across the State of New York will be descending upon the Country Music Park in Truxton, New York on Sunday, May 20th to attend festivities recognizing their service to the American people.

As a Member of Congress representing Cortland County and Chair of the House Appropriations Subcommittee on Veterans Affairs/HUD and Independent Agencies overseeing the funding of all federal veterans benefits and health services, I rise today to recognize the dedication these New York State veterans and their families have shown in service to our nation.

Americans of all ages owe a sincere debt of gratitude to the sacrifice of all veterans who have defended our country and preserved and protected the foundations of liberty and freedom both home and abroad. I anticipate that the event on May 20th will be a fitting tribute to their selfless service.

HONORING THE MUSIC MAN, DR. THOMAS HAMMETT—A REMARKABLE EDUCATOR

HON. ZACH WAMP

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. WAMP. Mr. Speaker, I rise today to talk about an exceptional teacher in my district—Dr. Thomas Hammett. Dr. Hammett teaches chorus and drama at Lookout Valley High School and is also the Director of Music at Rivermont Presbyterian Church. I think it is particularly fitting to honor Dr. Hammett the same week we are debating H.R. 1, the No Child Left Behind Act of 2001.

Dr. Thomas Hammett has continually demonstrated character education in the classroom long before the term was ever coined. Many of his students believe he invented the phrase. Not only does he teach music; he teaches character, morals and how to live life.

He has made a significant difference in the lives of so many of his students. He teaches them that music can break down barriers in a way that nothing else can. It can break down prejudice and indifference and it crosses racial lines. Dr. Hammett is a man of Christ and is never afraid to demonstrate his faith despite the consequences. Without his dedication many of his students wouldn't be where they are today.

I have heard from a number of Dr. Hammett's students and their words tell the story better than I could.

Rebekah Griffits said,

"Dr. Hammett has made a huge difference in my life and I am a better person because of his example and teachings. I love him like a father and appreciate his listening ear, time and advice more than he will ever know."

Michael Langston states,

"Dr. Hammett has been an outstanding role model for me. He has taken many days out of his personal life to help me succeed in chorus. I don't know many teachers who would take a single student to All-State auditions and performances."

I am proud to have him teaching in my district. Keep up the good work Dr. Hammett—you are a perfect example of why character education works and a role model for other teachers who dedicate their lives to teaching America's children. I commend you and your wife, Faye, and your four daughters, Charity, Emily, Stephanie and Rosalie.

ATTACKS ON PLACES OF WORSHIP IN THE BALKANS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. SMITH of New Jersey. Mr. Speaker, news reports from Bosnia and Kosovo earlier this month give reason to despair.

First, in Bosnia-Herzegovina, about 30 people were injured and property was damaged during riots in the "Republika Srpska" cities of Trebinje on May 5 and Banja Luka on May 7. Islamic leaders, Bosnian officials and representatives of the international community were attacked during ceremonies to lay the first stones of mosques being rebuilt where mosques destroyed by Serb militants in 1993 once stood.

We remember well, hundreds of mosques were destroyed during the war as part of the genocidal campaign of ethnic cleansing. The apparent purpose was to erase the cultural vestiges of the Bosniac population which was terrorized and forced to flee. It was not uncommon for the local ethnic Serbs subsequently to deny a mosque had ever existed, once the rubble had been cleared away. The famous Ferhadija mosque in Banja Luka built in 1583 was blown to bits on May 7, 1993. The ceremony exactly eight years later was the culmination of persistent efforts, including the Helsinki Commission which I co-chair, to get Republika Srpska leaders to permit the reconstruction of destroyed mosques, which they finally did this year.

The riots last week demonstrate the continued intolerance in the region. Moreover, while Bosnian Serb officials have officially condemned the incidents, there are indications that both the Trebinje and Banja Luka events were orchestrated and perhaps linked. In Trebinje, the police force seemed simply to be not adequate. In Banja Luka, though, some

believe that the police forces may have been involved in plans to disrupt the ceremonies. Radovan Karadzic, the wartime Bosnian Serb leader who has been indicted for genocide but remains at large, is alleged to have been responsible.

Meanwhile, in Kosovo on May 6, local Albanians threw stones breaking windows and the doors of the Serbian Orthodox Church of St. Dimitrije in the village of Susica. Damage was done inside, and some cash offering was stolen. This was only the most recent in a wave of attack since the end of the conflict in Kosovo in 1999 in which about one hundred Orthodox churches have been damaged or destroyed. Many of these incidents have been documented by Serbian Orthodox Bishop Artemije in testimony before the Helsinki Commission. Mr. Speaker, there are signs that in Kosovo, too, these attacks are not spontaneous acts of intolerance. Unfortunately, it seems that an environment has been created in which such acts of violence are not discouraged, let alone thwarted.

Mr. Speaker, attacks on places of worship are reprehensible, no matter what the faith, no matter what the ethnicity of the worshipers. These sites are sacred to believers, and important as cultural symbols even to many who are not. Orchestrated or spontaneous, these attacks must be stopped. The international presence, including peacekeeping forces, local law enforcement, political leaders, and religious figures across faiths must be part of the solution, not the problem.

I was particularly disappointed with the response of Yugoslav President Vojislav Kostunica, who, while criticizing those who engaged in violence, sought to place some of the blame on those working to rebuild the mosques in Republika Srpska. He was quoted as saying that some churches and mosques should not be rebuilt because they might provoke such incidents. Blaming the victim, sadly, has become a norm in the minds of too many who could and should, instead, be champions of justice.

In conclusion, Mr. Speaker, let us remember that freedom of thought, religion and belief is a fundamental human right, and attacks on religious sites are attacks on that right, attacks that must be wholeheartedly condemned and hopefully prevented from happening again.

STATEMENT APPLAUDING CHICAGO PUBLIC SCHOOL TEACHER INDUCTION INTO THE NATIONAL TEACHERS HALL OF FAME

HON. JESSE L. JACKSON, JR.

OF ILLINIOS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. JACKSON of Illinois. Mr. Speaker, I am proud to recognize Dr. Emiel Hamberlin, who is being inducted into the National Teachers Hall of Fame today. Today's children need a balance of guidance and knowledge, and I am glad to see that Chicago's Public schools and its students are being fortified by teachers like Dr. Hamberlin.

Dr. Hamberlin has been teaching biology and Horticulture Environmental Sciences for the past 36 years in Chicago public schools. His honors and awards include City of Chicago Teacher of the Year, the Kohl Family Foundation International Educator, Who's Who Among Black Americans, and the Golden Apple Foundation Academy Fellowship, and he has been recognized as one of Newsweek Magazine's America's 100 Heroes.

Dr. Hamberlin has applied a practical application of his science curriculum that includes educating his pupils in small business and small business enterprises. Through the Ornamental Horticulture Program, he and his students developed a landscaping club where student were paid for producing public and private landscapes throughout the city.

He and his students have also developed an award winning Urban Ecology Sanctuary where they studied, maintained and housed various animals, numerous plant life, and unique ecosystems all within an enclosed courtyard on their high school campus. Dr. Hamberlin has shown that classrooms can be stimulating experiences for all types of students, and they can have first hand experience at life's lessons.

Dr. Hamberlin has demonstrated what a great impact a teacher can have on our children, and we are glad to have him teaching the children of Chicago. Dr. Hamberlin, thank you for your years of dedication to the most noble of services, and may you continue to influence and inspire students for many years to come.

TRIBUTE TO DONALD J. SIEGEL

HON. MICHAEL E. CAPUANO

OF MASSCHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. CAPUANO. Mr. Speaker, I rise to pay tribute to Donald J. Siegel. On May 16, the Israel Bond National Labor Division will honor Don Siegel with the Habonim Yisrael, the Builders of Israel, Award. It is fitting that Don will receive this honor in a union hall. It is fitting, too, that Edward C. Sullivan, President of the Building and Construction Trades Department of the AFL–CIO, serves as honorary chair of the celebration. This ceremony, like Don Siegel himself, exemplifies all that is best in our country: men and women of good will working to understand and help one another.

Don has served for many years as counsel to the Massachusetts Building Trades Council. He began practicing labor law in 1971, and, since then, he has been a trusted friend and advisor to many unions and employee benefit funds. In 1994, the Archdiocese of Boston honored him with its Cushing-Gavin award, recognizing his moral integrity, professional competence, and community concern. There is no faith community in Massachusetts, and, I think, few activists of any political or religious persuasion, who do not recognize him as a tireless, persuasive advocate for working people.

Don is a man who assumes responsibility as naturally as he breathes, and as unaffectedly. He is the immediate past president of the Jewish Community Relations Council and now chairs its Israel Strategy group. He has taken pains to educate non-Jews—and for this I am personally grateful—about Israeli society, about Israel's success in absorbing new immigrants, and about the difficult and important attempts, like those in the city of Haifa, to build understanding between Jewish and Arab Israelis.

Don Siegel is a righteous man. He lives, teaches, and inspires others to uphold the principles of ts'dakkah v'hessid: justice and loving-kindness.

TRIBUTE TO DORI PYE

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. BERMAN. Mr. Speaker, I rise to pay tribute to a remarkable woman, a distinguished business leader and a great friend—Dori Pye—who is retiring as President of the Los Angeles Business Council (LABC) after 30 years of service. Dori is being honored by the LABC at a dinner on May 17, 2001 for her outstanding contributions to the business community.

I have known Dori from her days at the Westwood Chamber of Commerce, when I was a newly elected state Assemblyman, nervous and apprehensive about speaking to such an august group. Dori, in her inimitable manner, soothed my anxiety and made me feel welcome. From that day forward, we developed a close and very rewarding relationship.

Dori's tenure was highlighted by the innovative programs, projects and invaluable resources she brought to LABC and to the City of Los Angeles. She established the LABC's Annual Urban Architectural Awards Program which is designed to recognize outstanding construction and landscaping projects; and she established and continues to run the nationally recognized Leadership LA Program, which prepares business professionals for leadership roles in the community. As President of LABC, Dori was the spokeswoman for the Los Angeles business community in Sacramento and Washington, D.C. I have witnessed firsthand how her strong voice, persuasive logic and general savvy helped bolster the cause of the Los Angeles business community.

Anyone who has seen her syndicated show, ''Inside LA,'' knows that Dori truly understands the special idiosyncracies of her home town. She has hosted this program for ten years, during which she has interviewed individuals from all walks of life. She delved into LA's toughest issues and in the process, created a spirited and interesting show that was a favorite of the viewers of Los Angeles.

Dori has also served Los Angeles through her tireless work with numerous community, professional and charitable organizations including the Southern California Association of Chamber Executives where she served as President, the American Chamber of Commerce Executives, the American Heart Association, and the Los Angeles International Airport Advisory Committee, among many others. Dori's good works have been recognized by

local, state and national legislators and by the City of Hope, which awarded her the ''Spirit of Life Award.''

It is my great pleasure and honor to ask my colleagues to join me in paying tribute to Dori Pye, an extraordinary individual and a very special friend.

IN TRIBUTE TO WILLA DOBBS

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. GALLEGLY. Mr. Speaker, I rise to pay tribute to Willa Dobbs, a woman who has proven that love and caring are powerful forces that can change lives and lift a community.

For more than 30 years, Mrs. Dobbs has worked tirelessly to feed the less fortunate. As founder and director of Care and Share, the community food bank in my hometown of Simi Valley, California, Mrs. Dobbs has been responsible for seeing to it that thousands of men, women and children have been fed.

Except for a short time during the '70s, Care and Share has received no outside funding. It's an all-volunteer effort.

And what an effort it is. Care and Share feeds an estimated 500 families a month. During the holidays, Mrs. Dobbs' dogged determination ensures that every family has access to a good, nourishing holiday meal. Every basket is served with Mrs. Dobb's everpresent smile and a kind and encouraging word.

Mrs. Dobbs began in the 1960s by enlisting schools to sponsor canned food drives. As Care and Share grew and allied with other charitable organizations, Mrs. Dobbs also reached out to community organizations to help with the drive.

That made it a true community effort as the Simi-Moorpark Association of Realtors, Rotary and Kiwanis clubs, Scouts, churches and numerous other community groups joined the cause.

Mrs. Dobbs has decided to retire and enjoy life with her husband, Carl, their five children and six grandchildren. Care and Share will continue to thrive under the guidance of longtime volunteer Veronica Rubio. Mrs. Dobbs has promised to volunteer from time to time as well.

Mr. Speaker, I know my colleagues will join me in thanking Willa Dobbs for caring for her fellow human beings; for making life richer and fulfilling for those who helped her and those who were helped by her; and for proving that one person can make a difference in many, many lives. We wish her love and Godspeed in retirement.

INTRODUCTION OF LEGISLATION ALLOWING VICTIMS OF DATING VIOLENCE TO ACCESS DOMESTIC VIOLENCE LEGAL ASSISTANCE PROGRAMS

HON. ASA HUTCHINSON

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. HUTCHINSON. Mr. Speaker, I rise today to introduce legislation that is an important step in continuing to assist victims of dating violence. The bill I am introducing today with Rep. CONNIE MORELLA will allow victims of dating violence to qualify for federal legal assistance grants authorized under the Violence Against Women Act.

Dating violence is a little-known and misunderstood aspect of domestic violence. Historically, domestic violence laws have been applied only to cases where the victim is married or cohabitating with the abuser, or where the couple shares a child together. Unfortunately, this criteria ignores the equally dangerous violence that can occur in dating relationships. Victims of domestic violence are victims regardless of their relationship to the abuser. These victims face the same trauma and the same manipulation as every other domestic violence victim. As Congress focuses its attention on providing necessary assistance to the states for the prevention of domestic violence, we must not allow victims of dating violence to be left behind.

The lack of recourse for victims of dating violence was brought to my attention through a tragic incident in the State of Idaho. In December 1999, seventeen-year-old Cassie Dehl was killed in an accident involving her abusive boyfriend. Despite documentation of years of vicious and life-threatening abuse, Cassie's parents were unable to obtain legal protection for their daughter because neither federal nor state domestic violence laws applied to teenage dating relationships. Although the abuse was evident and the need for assistance was clear, no one was able to offer Cassie the help she needed.

Last year, Congress overwhelmingly reauthorized a number of important domestic violence programs under the Violence Against Women Act. In addition to continuing the existing programs, the VAWA reauthorization included two new provisions of particular importance. First, a legal definition of dating violence was created, the first such definition under federal law. Second, a new grant program to provide civil legal assistance to victims of domestic violence was authorized. Unfortunately, while many of the existing VAWA programs were expanded to include dating violence, this new legal assistance grant was not. Our legislation will correct this discrepancy.

The victims of dating violence require and deserve the same legal assistance given to other victims of domestic violence. The ability to obtain a legal protection order or pursue other legal remedies can be the difference in a victim being able to break the cycle of oppressive abuse and regain control of their life. Under this legislation, victims of dating violence will have the same legal standing as all other victims of domestic violence when seeking civil legal assistance.

Mr. Speaker, I applaud Congress for coming together last year to bring attention to the continuing problem of domestic violence. In order to build upon the advances we made last year, I urge my colleagues to support this legislation that takes another step toward achieving an equal status for victims of dating violence.

TRIBUTE TO BRANDON SILVERIA

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. HONDA. Mr. Speaker, I rise today to recognize Brandon Silveria, a courageous young man committed to fighting underage drinking and drunk driving.

Over the last seven years, many of my fellow Members have had the opportunity to meet and introduce Brandon to students in our districts.

After consuming a few drinks at a high school party and then driving his friends home, Brandon fell asleep and crashed head-on into a tree. With his family at his side, Brandon spent three long months in a coma. To this day, Brandon faces daily difficulties—recurring and persistent seizures and noticeable speech and walking limitations. Despite these difficulties, Brandon made a commitment to apply his experience to the lives of high school students throughout the United States. He recalls his personal story to others urging them to make the right choice about underage drinking.

Through a partnership with The Century Council, a national non-profit organization dedicated to fighting drunk driving and underage drinking and funded by America's leading distillers, Brandon and his father, Tony Silveria, travel to high schools across the country to educate students about the life consequences of underage drinking and driving.

May is National Prom and Graduation month. Appropriately enough, this month Brandon will speak to his one millionth student at his hometown high school in Los Gatos, California. Brandon is a special young man with an important mission to our next generation of leaders. Brandon and The Century Council are to be commended for their efforts.

THE DANGERS OF UNILATERALISM

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. FRANK. Mr. Speaker, I was very interested to read in the May 9 issue of The Hill an article by David Silverberg which sounded an important warning about excessively unilateralist tendencies in the Bush administration foreign policy. Coming from the perspective from which Mr. Silverberg writes, I think this is an especially interesting article and I

hope that it has a favorable impact on the policy makers in the Bush administration.

[From The Hill, May 9, 2001]

AMERICA'S COURSE TOWARD SPLENDID ISOLATION

(By David Silverberg)

Late in the reign of Queen Victoria, Britain, possessing the world's most powerful navy, owning an empire on which the sun never set, described its diplomatic strategy as one of ''splendid isolation.''

By that Britons meant that they remained above the passions and rivalries of the European continent.

As one charts the course of President Bush's foreign policy today, one gets the uncomfortable feeling that the United States is heading toward its own version of ''splendid isolation.'' This is not the same as the isolationism of the 1930s, which would have had the United States withdraw from the world stage. Nor is it neo-isolationism, which would revive the 1930s doctrine in a new guise. It is something different.

It also comes as we stand on the edge of a new defense era. In the coming weeks, Defense Secretary Donald Rumsfeld is going to unveil a new overarching defense strategy. This plan, formulated in great secrecy, is expected to go beyond the strategy created in the Bottom-Up Review of 1993 which has since then governed American defense.

Early indications are that the Rumsfeld policy will be a policing strategy, aimed at maintaining the status quo against possible violent efforts at change.

That's fine as far as it goes, and an informed critique will have to await its unveiling. However, it's likely to follow the general foreign policy outlines of this administration. As war is politics by other means, strategy is policy by other means.

To date, this administration has consistently taken a unilateral approach in foreign policy. It is abandoning the Kyoto Treaty on Global Warming. In a brusque departure from previous policy—White House denials notwithstanding—President Bush has declared that the United States will defend Taiwan and the United States will sell it a significant arms package. He did this without consulting allies or the potential rival, China.

Now, in pursuit of a missile defense shield, the United States is seeking to abandon or significantly modify the Antiballistic Missile (ABM) Treaty of 1972.

In the interests of fairness, instances of multilateralism have to be noted: The United States is promoting the hemispheric Free Trade Area of the Americas, and relations with Mexico have never been better.

So what does all this add up to? The Bush administration appears to believe in muscular unilateralism everywhere but in the Western Hemisphere and on trade issues. The United States will depart from the international consensus on the environment and its commitments on ABM, and will build a missile shield behind which it will withdraw, while jousting to contain China.

If this is to be American policy, American strategy and American military means will have to follow it. The United States will spend billions on a missile defense shield. The United States will have to have very robust naval forces to protect Taiwan and the American mainland from attack, but will also have to be able to reach far afield for pinpoint attacks should they be necessary.

While President Bush specifically rejected isolationism as a policy during the campaign, a form of isolationism appears to be taking shape on a day-to-day basis. The United States will not withdraw from the world, but it will act unilaterally when it feels the need. Of course, any country has this right—it's inherent in sovereignty. But during the previous administration the United States exercised its rights judiciously and made real efforts to work in concert with partners, allies and even competitors like China.

The world is not accepting American unilateralism passively. The United States has been voted off the United Nations' Human Rights Commission in a small, but telling, gesture of disapproval. Such gestures are likely to become more significant and more pronounced if things don't change.

Perhaps the problem is simply one of style. The world was more accustomed to Bill Clinton's more ingratiating ways and is having trouble adjusting to a more brusque manner.

If style is the difficulty, it's easily corrected. But if the administration is determined to be an unrestrained unilateralist it will court, literally, a world of trouble. As President Theodore Roosevelt counseled, ''Talk softly and carry a big stick.'' The world knows about America's big stick, perhaps George W. Bush and his administration should speak a bit more softly.

What we may end up with is an American version of ''splendid isolation'' where America stands proud but very alone in the world. We can achieve isolation if we want—but it certainly won't be splendid.

COMMEMORATING DEDICATION AND SACRIFICES OF LAW ENFORCEMENT OFFICERS

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. QUINN. Mr. Speaker, I rise today in support of H. Res 116. It is appropriate that we consider this during National Police Week. Since the first recorded police death in 1792, there have been more than 15,000 law enforcement officers killed in the line of duty. On average more than 62,000 law enforcement officers are assaulted each year and some 21,000 are injured annually.

Thousands of law enforcement officers and their families gathered today here at the Capitol and at the National Law Enforcement Officers Memorial Fund to honor those who lost their lives in the line of duty. I support the establishment of a Peace Officers Memorial Day to honor the men and women killed or disabled while serving their country on the federal, state, and local level. H. Res. 116 is a tribute to the men and women who lost their lives in order to protect our communities. This is the least we can do to honor these brave Americans.

TRIBUTE TO STEPHEN DUNN

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. LoBIONDO. Mr. Speaker, I rise today to salute a celebrated poet from Southern New Jersey, Stephen Dunn of Egg Harbor Township, Atlantic County on his winning the 2001 Pulitzer Prize for poetry. His collection of poems, entitled ''Different Hours,'' has won the acclaim of critics and readers from across the nation.

The book, Stephen Dunn's 11th collection of original verse, has been hailed as an exploration and insight into the ''different hours'' of one's life as well as into the philosophical and historical life all set in the Southern New Jersey environs that we both call home.

Stephen Dunn, as well as being an accomplished author and poet, is also a Trustee Fellow and Professor of Creative Writing at Richard Stockton College in Pomona, New Jersey. I am confident that his students and the faculty members there are tremendously appreciative of both his great literary talent and his great devotion to teaching, handing down his creative spark to the next generation of chroniclers of life in Southern New Jersey.

Mr. Speaker, I congratulate Professor Stephen Dunn on his Pulitzer Prize and thank him for his many contributions to the State of New Jersey and its people.

BOEING EMPLOYEE NAMED MINORITY BUSINESS BUYER OF THE YEAR

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. LAMPSON. Mr. Speaker, it is my pleasure to commend to the attention of my colleagues and the public at large the accomplishments of Mr. Russ Carroll, Boeing's Director of Supplier Management and Procurement, in being named 2001 Buyer of the Year by the Houston Minority Business Council. This is an outstanding accomplishment that reflects the dedicated efforts of Mr. Carroll and The Boeing Company.

Mr. Carroll—who supports Boeing's International Space Station program office in Houston—was selected from a field of fifty nominees representing twenty-three, Fortune 500 companies throughout Houston. The award is presented annually to an individual who, in the past three years, has successfully increased expenditures and efforts towards the growth and development of minority businesses. The Houston Business Council is involved in increasing and expanding opportunities and growth for minority business enterprises.

Mr. Carroll joined The Boeing Company in 1978 as a material planner in commercial airplanes. He held numerous positions on the commercial side of Boeing's business before being transferred to Houston in 1993 to support the International Space Station program. His efforts in Houston have included doubling dollar expenditures with minority business enterprises from $13.2 million in 1998 to $26.5 million in 2000.

Mr. Carroll has also been proactive in providing minority suppliers the opportunity to compete exclusively for $25 million on engineering and technical services for the International Space Station; creating a forum to communicate specific procurement needs to

the local community; and establishing an ISS Supplier of the Year award to recognize and celebrate the exceptional accomplishments of suppliers.

Mr. Speaker, we have debated the merits of Space Station many times over on the floor of the House. Indeed, we continue to debate Station issues even today. But the Station is more that a collection of technical, cost, and schedule considerations, it is also the day-do-day work that is done by people like Russ Carroll who labor more often than not in relative obscurity, yet whose contributions to the success of this international undertaking are incalculable.

Congratulations, Russ Carroll. We hope to see you and The Boeing Company back in the winner's circle again next year.

NATIONAL LAW ENFORCEMENT WEEK

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2001

Mr. COSTELLO. Mr. Speaker, I rise today in honor of National Law Enforcement Week and the National Peace Officers Memorial Service, which was held today.

America's law enforcement officers are one of our most valuable resources. Almost one million individuals nationwide perform an incredibly important task as they put their lives in danger on a daily basis to protect and serve the people. As a former police officer, and the father to a former police officer, I know the inherent risk involved in the profession and salute these men and women for their efforts.

Mr. Speaker, I am pleased that since 1993, the 12th District of Illinois has received funding for 286 new law enforcement officers under the COPS grant funding program. These additional officers have worked to increase the safety and well being of my constituents.

Last year 150 very devoted, brave officers from the ranks of state, local and federal service were killed in the line of duty—144 men, and 6 women were killed. The average age of those killed was 39 years, and with an average of 10 years in service.

In my state of Illinois three police officers died in the line of duty during 2000—At this time I would like to read their names into the record: Gregory M. Sears, Alane Stoffregen, and William Howard Warren. Their names will be etched on the memorial wall, and will join 4 other officers from Illinois already memorialized. In addition to those three officers, I would also like to read into the record the names of two fallen officers from the St. Louis, Missouri area, which is across the river from the district I represent. The officers are: Robert J. Stanze II, St. Louis Police Department, and Richard Eric Weinhold, St. Louis County.

I urge my colleagues to join me in supporting our fallen Peace Officers as well as honoring our courageous law enforcement officers. These men and women deserve this praise and recognition.

COMMEMORATING DEDICATION AND SACRIFICES OF LAW ENFORCEMENT OFFICERS

SPEECH OF

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2001

Mr. GILMAN. Mr. Speaker, I rise to take this opportunity to recognize Police Memorial Week. It is a time when the citizens of our Nation join the families, friends, and colleagues of America's slain peace officers, to honor and remember their sacrifice.

On September 24,1789, Congress created the first Federal law enforcement officer, the United States Marshal. Five years later, on January 11th, 1794, U.S. Marshal Robert Forsyth became the first officer in a long list of men and women who have given their lives to protect and serve the communities of their beloved nation. Since then, over 14,000 officers have died in the line of duty, including over 1,000 from the state of New York. The city of New York has lost more officers than any other department in the nation, with more than 500 deaths. These heroes must never be forgotten, and their sacrifice as a reminder that the price of a safer America, a nation based on law and order, is being paid for by the lives of our men and women in blue.

Earlier today, along with President Bush and attorney General Ashcroft, I had the opportunity to participate with the friends and families of our Nation's slain police officers at the 20th Annual National Peace Officers' Memorial Service outside the Capitol. This service reflects the loss which our Nation's communities have felt and echo our need to ensure that our nation's law enforcement community is provided the support and assistance necessary to protect our communities and our citizens.

Although our Nation's crime rate is at its lowest level in years, on the average, one law enforcement officer is killed somewhere in America nearly every other day. Over the past 10 years, America has lost one police officer every 54 hours; over 1,500 men and women. In the year 2000, 150 men and women who served our communities with the greatest honor, respect and dedication, gave their lives to protect our Nation's communities.

Accordingly, we honor Police Memorial Week, to remind us that when a police officer is killed, it is not a community that loses an officer, it is an entire nation. We hope and pray that the senseless murders and crimes against our Nation's bravest men and women will one day cease; until then we will do everything we can in order to remember and honor all of our law enforcement officers who have ever given their lives.

Let us take this opportunity to recite the names of those fallen heroes from New York, who, in the name of duty, gave their lives over the past year: Officer Raymond J. Curtis, Officer John M. Kelly, Officer T. Michael Kelly, Trooper Kenneth A. Poormon, and Officer David Alexander Regan. I would also like to pay tribute to New York City Police Officer Michael Buczek of Suffern who was brutally murdered in the line of duty in 1988. In March of this year we were able to secure the extradition of Pablo Almonte Telluberes, his accused killer, from the Dominican Republic after years of international negotiation. The return of this cop killer to face American justice is a tribute to the many law enforcement officials who pursued the case and refused to give up in the name of their fallen comrade. To Michael Buczek and all of our fallen officers, we express our nation's gratitude.

To our fallen men and women in blue, I pledge to you, that in your spirit, I will continue to fight for those laws that provide our Nation's peace officers with the tools needed to fulfill their mandate of making our communities a safer place in which to live.

I invite all Americans to visit the National Law Enforcement Officers Memorial in Washington which is a fitting tribute to their dedicated service and sacrifice.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 17, 2001 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 22

9 a.m.

Governmental Affairs

To hold hearings on the nomination of Erik Patrick Christian and the nomination of Maurice A. Ross, each to be an Associate Judge of the Superior Court of the District of Columbia.

SD–342

9:30 a.m.

Health, Education, Labor, and Pensions

To hold hearings to examine certain issues surrounding retiree health insurance.

SD–430

Commerce, Science, and Transportation

To hold hearings to examine issues surrounding Amtrak.

SR–253

10 a.m.

Judiciary

Technology, Terrorism, and Government Information Subcommittee

To hold hearings to examine the challenges in cybercrime focusing on the National Infrastructure Protection Center.

SD–366

Banking, Housing, and Urban Affairs
Economic Policy Subcommittee
To hold hearings to examine the reverse wealth effect, focusing on consumer confidence with regard to market losses.
SD–538

Judiciary
To hold hearings to examine competition in the pharmaceutical marketplace, focusing on the antitrust implications of patent settlements.
SD–226

2 p.m.
Judiciary
Immigration Subcommittee
To hold hearings to examine U.S. immigration policy, focusing on rural and urban health care needs.
SD–226

Foreign Relations
To hold hearings on the nomination of Lorne W. Craner, of Virginia, to be Assistant Secretary for Democracy, Human Rights, and Labor, the nomination of Ruth A. Davis, of Georgia, to be Director General of the Foreign Service, and the nomination of Carl W. Ford, Jr., of Arkansas, to be Assistant Secretary for Intelligence and Research, all of the Department of State.
SD–419

2:30 p.m.
Energy and Natural Resources
To hold hearings on the Administration's proposed energy plan, and S. 388, to protect the energy and security of the United States and decrease America's dependency on foreign oil sources to 50% by the year 2011 by enhancing the use of renewable energy resources conserving energy resources, improving energy efficiencies, and increasing domestic energy supplies; improve environmental quality by reducing emissions of air pollutants and greenhouse gases; mitigate the effect of increases in energy prices on the American consumer, including the poor and the elderly; and for other purposes; and S. 597, to provide for a comprehensive and balanced national energy policy.
SH–216

Commerce, Science, and Transportation
Consumer Affairs, Foreign Commerce, and Tourism Subcommittee
To hold hearings to examine prescription drug advertising.
SR–253

MAY 23

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings to examine issues relating to the boxing industry.
SR–253

Health, Education, Labor, and Pensions
Public Health Subcommittee
To hold hearings to examine issues surrounding human subject protection.
SD–430

Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2002 for the Department of Defense and related programs.
SD–192

10 a.m.
Governmental Affairs
Business meeting to consider certain nominations.
SD–342

Environment and Public Works
Fisheries, Wildlife, and Water Subcommittee
To hold hearings to examine the Environmental Protection Agency's support of water and wastewater infrastructure.
SD–628

Joint Economic Committee
To hold joint hearings on the economic outlook of the nation.
311, Cannon Building

Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2002 for international financial institutions.
SD–138

Judiciary
To hold hearings on Department of Justice and certain judicial nominations.
SD–226

2 p.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings to examine issues relating to carbon sequestration.
SR–253

Energy and Natural Resources
Water and Power Subcommittee
To hold oversight hearings to examine the Lower Klamath River Basin.
SD–366

MAY 24

9:30 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine issues surrounding patient safety.
SD–430

Governmental Affairs
Investigations Subcommittee
To hold hearings to examine alleged problems in the tissue industry, such as claims of excessive charges and profit making within the industry, problems in obtaining appropriate informed consent from donor families, issues related to quality control in processing tissue, and whether current regulatory efforts are adequate to ensure the safety of human tissue transplants.
SD–342

Commerce, Science, and Transportation
Business meeting to consider pending calendar business.
SR–253

10 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2002 for the Secretary of the Senate and the Architect of the Capitol.
SD–124

Appropriations
Transportation Subcommittee
To hold hearings to examine transportation safety issues and Coast Guard modernization proposals.
SD–192

10:30 a.m.
Foreign Relations
Business meeting to consider pending calendar business.
SD–419

JUNE 6

10 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2002 for the National Science Foundation and the Office of Science Technology Policy.
SD–138

JUNE 13

10 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2002 for the Environmental Protection Agency and the Council of Environmental Quality.
SD–138

JUNE 14

9:30 a.m.
Governmental Affairs
Investigations Subcommittee
To hold hearings to examine the nature and scope of cross border fraud, focusing on the state of binational U.S.-Canadian law enforcement coordination and cooperation and what steps can be taken to fight such crime in the future.
SD–342

JUNE 15

9:30 a.m.
Governmental Affairs
Investigations Subcommittee
To continue hearings to examine the growing problem of cross border fraud, which poses a threat to all American consumers but disproportionately affects the elderly. The focus will be on the state of binational U.S.-Canadian law enforcement coordination and cooperation and will explore what steps can be taken to fight such crime in the future.
SD–342

Governmental Affairs
Investigations Subcommittee
To continue hearings to examine the nature and scope of cross border fraud, focusing on the state of binational U.S.-Canadian law enforcement coordination and cooperation and what steps can be taken to fight such crime in the future.
SD–342

JUNE 20

10 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2002 for the Department of Housing and Urban Development.
SD–138